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**Testimony of Hailey Markt,  
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**Before the Committee on Human Services  
Council of the District of Columbia**

**Performance Oversight Hearing Regarding the Department of Human Services**

**February 26, 2026**

**Introduction**

Good morning, Chairperson Frumin and Members of the Committee on Human Services. My name is Hailey Markt and I am a Staff Attorney in the Public Benefits Law Unit at Legal Aid DC.<sup>1</sup> Legal Aid submits the following testimony to Services' (DHS) administration of vital safety net programs. Legal Aid has submitted separate testimony to urge the DC Council to address cuts to public benefits programs including TANF and SNAP.

In working with our clients, we see DHS routinely obstruct people's access to their benefits, in violation of local and federal laws, such as when DHS:

- (1) Decreases or terminates residents' benefits with no or inadequate notice,
- (2) Fails to provide language access,
- (3) Fails to timely process residents' paperwork, and

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<sup>1</sup> Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit [www.LegalAidDC.org](http://www.LegalAidDC.org).

- (4) Fails to provide accessible and reliable avenues for residents to contact the agency and resolve issues with their benefits.

### **DHS Must Send Adequate Notices**

DHS is required by law to notify residents in writing when they need to do something to maintain their benefits (like recertify or provide supporting documents) or when DHS has acted on their benefits (like denying their application or cutting off their benefits). The notices must be clear so that residents know what they need to do to keep their benefits active and know what their appeal rights are. In reality, residents frequently do not receive the notices they are entitled to under law.

DHS regularly fails to send notices to residents at all. As a result, residents learn there's an issue *after* they lose their benefits, not before, and are left to scramble to figure out what happened and how they can fix it. When DHS does send notices, they often don't make any sense and are either inaccurate or missing important information. So, residents are still left without knowing what the status of their benefits is, what their rights are, and if there's any action they need to take.

**Example:** *DHS terminated Ms. A's family's SNAP and Medicaid benefits for failure to submit her annual recertification. However, DHS never sent Ms. A any notice saying she needed to recertify her benefits, that her benefits would be cut off, or informing her of appeal rights. She only learned that her benefits had been cut off when she went to the grocery store and didn't have money on her EBT card, and when she took her disabled children to the doctor and was informed their insurance was inactive. Despite her diligent efforts, it took weeks for Ms. A to find out what happened, get counsel for an appeal, and get her family's benefits restored.*

**Example:** *After Mr. B applied for TANF benefits, DHS decided they needed more documents to process his application but never notified Mr. B. DHS then denied Mr. B's application because he didn't send the supplemental documents and never notified Mr. B of the denial either. Mr. B eventually re-applied and was approved but lost out on several months of benefits because DHS never notified him of the issues or decision regarding his first application.*

**Example:** *Ms. C gave birth to a child and tried to add her child to her TANF, SNAP, and Medicaid household. When DHS added the child to the benefit household, Ms. C got a letter stating that her TANF benefits will terminate for herself because she is no longer a*

*District resident, even though Ms. C's address did not change and she has always been a District resident.*

When DHS fails to provide adequate and accurate notice, it not only violates local and federal law, but it irrevocably harms DC residents. Paying a family's benefits later does not fully redress the harm of not being able to pay rent, put food on the table, or access needed healthcare in the moment. DHS must commit to providing adequate and timely notice regarding people's benefits.

### **DHS Must Provide Language Access**

DHS also regularly fails to provide notices and services in multiple languages as required by the DC Language Access Act.<sup>2</sup> Over the last year, Legal Aid estimates that most, if not all, of its public benefits clients with limited-English proficiency have experienced at least one language access violation over the course of receiving DHS benefits.

DHS fails to update residents' language preferences in their computer system, even when residents say that they need services in another language in their applications and recertifications. As a result, Legal Aid has countless clients who receive notices in English despite requesting their notices be sent in other languages.

DHS' language access violations do not stop at notice issues. DHS fails to consistently provide language interpretation at its service centers and on its phone lines. DHS's online "Ask the Director" system where residents can submit complaints and questions to fix issues with their benefits is only available in English. Lastly, when communicating with residents about fair hearings at the Office of Administrative Hearings (OAH), DHS will only send emails and documents in English.

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<sup>2</sup> The Language Access Act requires that DHS "provide oral language services to a person with limited or no-English proficiency who seeks to access or participate in the services, programs, or activities offered by the covered entity." D.C. Code § 2-1932. It also requires that DHS "provide translations of vital documents into any non-English language spoken by a limited or no-English proficient population that constitutes 3% or 500 individuals, whichever is less, of the population served or encountered, or likely to be served or encountered, by the covered entity in the District of Columbia." D.C. Code § 2-1933.

**Example:** Residents must complete telephone interviews every year to recertify their SNAP benefits. DHS called Mr. D for his recertification interview without an interpreter, even though Mr. D had always requested services and notices in Spanish. Mr. D could not understand the call and had to hand his phone to his minor child to speak with the representative and ask them to call back with an interpreter.

**Example:** Ms. E never received notice in the mail that her benefits would terminate. When she called the DHS call center, call center staff told her that there was a notice in the computer system, but the notice was in Spanish. The call center staff could not read Spanish, so they could not tell Ms. E any information about why her benefits terminated. The call center staff told Ms. E her only option to get information about her benefits was to come in person to a service center and request a printed copy of the notice.

There are concrete consequences of the failure to provide DHS information in other languages. It makes every step in accessing critical safety net benefits more complicated and creates more challenges for residents whose preferred language is something other than English. People with limited-English proficiency must jump through additional hoops like calling DHS or visiting service centers to understand English notices or by asking friends and family to translate notices and other communications. These barriers combined make it more likely that these families will experience issues with their benefits. DHS must commit to providing language access as required by law.

### **DHS Must Timely Process Residents' Paperwork**

In processing applications and recertifications for benefits, DHS often requests that residents submit documents to verify information. In theory, DHS accepts submissions in person at service centers, via fax, and online via the District Direct application. However, our clients frequently report that submitted documentation is not processed regardless of the method used to submit information to DHS. This results in delayed processing or termination of benefits that people rely on to meet their family's needs.

#### Service Centers

DHS regularly loses or fails to process documents and paperwork that residents submit in-person at service centers. Because residents don't always get receipts, and what they submit is not uploaded to their online District Direct accounts or DHS's DCAS system, residents are often left with no proof of what they submitted to DHS in person. If DHS loses or fails to process their documents, they often must start over from scratch and re-submit the same information to DHS.

### Fax

DHS staff have reported to Legal Aid DC that they do not recommend submitting documents via fax because faxes are not regularly monitored and often lead to missing documents. This neglect occurs despite the fact that DHS advertises fax as a method for submission. In fact, some DHS staff have also told Legal Aid DC that they do not know how to access the fax system to recover documents that residents submit via fax.

### District Direct

Once residents submit their verification documents online, the documents appear in the District Direct system as “Waiting for Approval.” Many clients have reported that documents can remain in this pending status for months.

**Example:** *Mr. F lost his job and reported the loss of income to DHS several times on his online account, in person at service centers, and on the phone to the DHS Call Center over the course of 7 months. DHS never processed the change of income, despite Mr. F reporting it several times. DHS then cut off Mr. F’s Medicaid due to him being over-income – even though he wasn’t. Mr. F had to contact Legal Aid for assistance and file an Emergency Fair Hearing Request to get his Medicaid reinstated. Mr. F has a disability and takes several medications to manage it. He almost ran out of those medications while he waited for his Medicaid to be reinstated.*

**Example:** *Ms. G submitted several documents to District Direct in April 2024. As of this month (February 2026, nearly 2 years later), they still show as “Waiting for Approval” in District Direct.*

Residents should be able to provide requested documentation in the manner that is most convenient for them and rest assured that their submitted documents will be processed timely. And for some residents, having multiple access points to DHS is not merely a convenience, as they may have logistical and other limitations – such as unreliable internet access, limited computer literacy, physical or mental disabilities, and more – that affect the way they can submit documentation.

## **DHS Must Provide Effective Avenues for Residents to Contact the Agency and Resolve Issues**

As described above, residents face many challenges in trying to obtain and keep their public benefits. Unfortunately, residents face just as many challenges in trying to obtain information from DHS about problems with their benefits and when they seek guidance from DHS about how to resolve them.

DHS often issues notices that are incorrect and contradictory (either internally conflicting or conflicting with other notices). When residents reach out to DHS to obtain information about how to proceed, DHS representatives often are unable to provide correct information or resolve contradictions. In fact, some residents who have reached out to DHS multiple times have gotten new, conflicting information with each outreach attempt.

One way to attempt to resolve these issues is through the DHS' newly implemented "Ask the Director" ticket system.<sup>3</sup> Since the system launched in October 2025, Legal Aid DC has submitted over 60 tickets on behalf of over 30 clients. While some tickets are resolved quickly, many take much longer to receive responses. Further, many tickets are "resolved" and closed without DHS fully addressing the issue. In some cases, DHS marks the ticket as "closed" or "resolved" with the comment that the issue is currently being worked on by DHS staff, meaning the issue has not actually been resolved. As a result, Legal Aid has had to submit new tickets to re-escalate the same issue that DHS previously marked as resolved.

When residents attempt to resolve their problems with DHS by filing a fair hearing request to the Office of Administrative Hearings (OAH), problems receiving information from DHS persist. DHS representatives are routinely late for OAH hearings. DHS often does not appear to have any information about the resident's case prior to the hearing, despite hearings usually being scheduled at least a month after the request for a fair hearing was submitted. DHS often states that they will investigate the issue, which further delays proceedings and the resolution of clients' issues.

Finally, the Council has authorized DHS to establish a Public Benefits Ombudsman to serve as a guide for residents seeking public benefits. However, Legal Aid DC is unaware of any actions taken to launch this new initiative.

**Example:** *Mr. F—whose story we shared earlier regarding DHS' failure to process his change in income—contacted the DHS Call Center regarding his Medicaid benefits and was erroneously told that all Medicaid beneficiaries including Mr. F were being transferred to the new HealthyDC program, not just beneficiaries who were over 138 percent of the*

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<sup>3</sup> <https://dhs-asks.dc.gov/>, last accessed February 13, 2026.

*Federal Poverty Level. Then, when Mr. F's Medicaid was terminated because DHS failed to update his reported income, he was told that DHS would process his most recently reported change in circumstance in 45 days even though DHS policy requires processing within 10 days and Mr. F had already reported the same change several times, as far back as 7 months ago.*

**Example:** *Mr. H received a notice indicating that DHS believed he was no longer eligible for Medicaid and he should complete additional paperwork to confirm his eligibility. On the same day, Mr. H also received a separate notice indicating that his Medicaid benefits were not changing. When Mr. H reached out to DHS, they told him that he was still eligible for Medicaid but did not provide a clarifying notice, despite Mr. H's request.*

### **Conclusion**

DHS is tasked with administering vital public benefit safety net programs for DC's most vulnerable residents, yet DHS often falls short of their mission. In doing so, they violate residents' rights and prevent them from accessing benefits that residents rely on for economic security for themselves and their families. Accordingly, we urge the Council to address the issues of administration we have outlined above and preserve the protections of DC's fundamental benefits programs including SNAP, TANF, the DC Healthcare Alliance, and Medicaid.