

TITLE I – POLICY AND ADMINISTRATION

CHAPTER 3

GENERAL ASSISTANCE PROGRAM

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3.01 CATEGORIES. There are four (4) categories of general assistance in the County, which are:

1. Emergency assistance for needy persons;
2. Assistance for poor persons;
3. Assistance of an extended nature;
4. Transient assistance.

3.02 DEFINITIONS. The definitions of terms used in this chapter are as follows:

1. “Assistance” means food (edibles), shelter (including rent or house payment), clothing, transportation, emergency medical, telephone service, utilities as defined in Section 3.06 (4), medical attention, emergency dental attention, cash allowances, and death benefits. Food does not include cigarettes or alcoholic beverages or pet food. Assistance does include such non-edible items such as laundry soap, household cleaners, and other items of a non-food nature used for personal hygiene.
2. “Waiting approval and receipt” means that a poor or needy person has applied for assistance under any State or federal law, has pursued that application with due diligence, and has not received a decision on that application.

3. “Director” means the Director of General Assistance for the County or designee.
4. “Family unit” means the individual applying and, if individual has a family, includes all members of the immediate family (spouse, children under eighteen [18] years of age who are dependent upon the applicant, and anyone else who is a dependent of the applicant for federal income tax purposes) as long as they reside with the applicant as a family unit.
5. “Legal Settlement” issue only relates to the County’s ability to legally require reimbursement for General Assistance expenditures from client’s County of Legal Settlement as defined by Chapter 252 of the Code of Iowa. Whether or not a person has legal settlement in the County cannot enter into eligibility determination.
6. “Liquid Assets” means cash or any other item of net worth of the family unit that can be readily converted to cash within seven (7) days.
7. “Needy person” is a person (or the family unit of that person) who is domiciled in the County, or who is a transient in the County as specified in Section 3.04 of this chapter, and who has some means but may not have sufficient means to meet basic needs or because of circumstances which are not attributable to that person, needs immediate assistance.
8. “Net Worth” includes liquid assets and income or moneys, as of date of application, from any source, moneys due, savings and other deposits, bonds, cash value of life insurance policies and the value of all other real and personal property that can be converted to cash. This excludes clothing, wedding rings, household goods and personal effects, bedding, towels and similar equipment, one automobile, one homestead, and that which is exempt under Iowa Homestead Law Chapter 561; Chapter 627, excluding 627.6(2), 627.6(8)(A-E); and 627.13. “net worth” also excludes tools of trade.
9. “Poor person” is a person (or the family unit of that person) who is domiciled in the County, as specified in Section 3.05 of this chapter, and is unable, because of physical or mental disabilities, to earn a living by labor.
10. “Reasonable/suitable” means any employment at minimum wage or above, taking into account the person’s health and religious beliefs.

3.03 FORM OF BENEFITS. The assistance shall be purchased directly from the supplier or vendor for the applicant or the family unit. It may be for one or more of the items of assistance that can be provided.

3.04 ELIGIBILITY OF NEEDY PERSONS. Emergency assistance is to be provided a needy person who is in need of immediate assistance, cannot obtain assistance from any other source, or whose income or assistance from a State or federal program has been delayed or not actually received by the person because of reasons not attributable to that person and who does not have liquid assets of the family unit from which to pay for the items of assistance that can be provided. Emergency assistance is also to be provided persons who are in need of immediate assistance, cannot obtain assistance from any other source, whose net worth is less than eight hundred dollars (\$800.00) and who, because of reasons not attributable to that person, does not have liquid assets of his or her family unit from which to pay for items of assistance that can be provided.

3.05 ELIGIBILITY OF POOR PERSONS. Assistance is to be provided poor persons who are in need of immediate assistance, cannot obtain assistance from any other source, and who are eligible for, and are awaiting approval and receipt of, assistance under programs provided by State or federal law, or whose actual needs, as defined within the limitations of this chapter, cannot be fully met by the assistance furnished under such programs. Assistance is also to be provided to those persons who, because of a disability, cannot engage in gainful employment or otherwise cannot make a living and are not eligible for other assistance because of length of disability or type of disability. Assistance is to be provided to those persons who are unemployable, lack training, or are not trainable.

3.06 LEVEL OF BENEFITS. The maximum level of benefits to be provided for each item of assistance for each person or that person's family unit shall be:

1. Food. If food stamps have not been received, at the level of guideline for food stamps. Application to the Federal Food stamp program shall be pursued with due diligence. The local food pantry may be used as a resource, if possible.
2. Shelter. The reasonable shelter value up to \$500.00 for a one person household, plus \$25.00 for each additional person per month. First and last months' rent will be paid by General Assistance if necessary to obtain shelter in lieu of deposit. Shelter will be provided a poor person on an ongoing basis as long as eligibility exists. Shelter will be provided the needy person(s) for a maximum of three (3) months out of any consecutive twelve (12) month period;

1. Clothing. The reasonable value of clothing actually needed if not immediately available from other sources, including clothing necessary for employment or job interview;
 4. Utilities (Heat, Lights, Water, and Garbage Removal). The amount needed to provide these services and supplies will be provided the poor person on an ongoing basis as long as eligibility exists. Utilities will be provided the needy person(s) for a maximum of three (3) months out of any consecutive twelve (12) month period;
 5. Medical, Dental Services and Medications and Medical Supplies. The reasonable value of these services actually needed, as shown by a physician's statement. University of Iowa Hospitals and Clinics programs will receive first consideration;
 6. Transportation. Transportation expenses, including gasoline, as needed to obtain other benefits or seek employment, provided that proof of application for benefits or employment is provided to the Director. Transportation may consist of gasoline and/or oil or cab fare or bus fare or minor vehicle repair;
 7. Past-due Amounts. Benefits will only be paid for covered items of assistance currently due and payable unless payment of a past-due amount is necessary to secure the present provision of assistance items. Past-due amounts may only be paid up to \$500.00 unless the Director deems otherwise. Any paid amount over \$500 will need to be covered by applicant;
1. Telephone. Monthly cost of one telephone when of medical necessity, when isolated by geographical location, or when single parent has preschool children; long distance telephone charges for other than medical emergencies shall not be allowed or provided;
 2. Death Benefits. Up to \$1,500.00 for burial of a County resident, up to \$750.00 for an infant under the age of three (3) who is a County resident, subject to any lump sum deductions, such as Social Security and Veterans Administration, or other burial benefits received. The amount shall be \$750.00 for a nonresident, indigent transient. Above amounts may be utilized toward burial or cremation and above benefit shall not exceed actual cost.

3.07 EMPLOYMENT COUNSELING. Any needy person who has been unemployed for six (6) months, as under Section 3.09, or whose job has been lost as a result of economic reasons, shall apply for employment counseling with the Department of Job Service, or other qualified job service, without expense to the County, at the discretion of the Director. The Director may condition future benefits on client participating in such counseling.

3.08 REQUIREMENTS FOR RECEIVING ASSISTANCE BY A NEEDY PERSON.

A needy person who is not needed in the home to care for preschool children shall immediately register for employment with Job Services of Iowa or other appropriate training or employment agency, and otherwise actively seek employment. Those directed to actively seek employment will make a minimum of two (2) job contacts per week. The same potential employer will not be utilized more than once in any eight (8) consecutive contacts. The needy person shall seek and accept any reasonable employment, whether or not it is suitable employment under the guidelines of Job Services of Iowa. The needy person will be required to provide reasonable proof that he or she is actively seeking employers. A refusal or failure to actively seek employment or refusal or failure to accept reasonable employment offered at minimum wage or above, will result in disqualification from receiving benefits. Non-compliance with any State or Federal program may result in denial of county benefits. Needy persons who voluntarily discontinue gainful employment are disqualified from General Assistance assistance for two (2) months after the voluntary discontinuance of gainful employment. A complete physical and mental examination may be required at the Director's discretion to determine ability to work or not to work with the cost for exam being borne by the County General Assistance Program.

3.09 APPLICATION FOR ASSISTANCE. Applications for assistance shall be submitted by needy or poor persons to the Director of General Assistance at the Department of Human Services, Warren County, Indianola, Iowa, during usual business hours upon forms provided by the Director. If, because of undue hardship, a needy or poor person cannot come to the Human Services office, the Director shall mail such person an application form or deliver the application form to such person.

If the applicant or the family unit is or appears to be eligible for assistance from any other federal, State or local source, the Director shall immediately refer the applicant to that source. It shall be the obligation of the applicant, with the Director's assistance, to immediately make application to that source, and applicant shall pursue such application with due diligence. If requested, the person applying shall provide the Director with a verified statement of net worth, federal and State income tax returns for the past one (1) year, medical reports, medical authorization, bank statements or anything else required by the Director that bears upon the person's eligibility and need for assistance. If past records are not available, then an oath may be taken. The Director may also require, upon approval of the Board of Supervisors, that the applicant submit to a physical or mental examination to determine applicant's capacity to labor. The Director shall also receive anything that the person applying desires to submit to establish eligibility or need, including statements or letters, medical reports and other written documents, as well as the verbal statements of the applicant. The Director shall then proceed to conduct an investigation concerning the applicant's eligibility and needs. The applicant's file and the investigation and findings of the Director shall be made available to that applicant, upon request, or to the applicant's attorney or other representative as designated by the client, by written authorization.

3.10 INITIAL DETERMINATION.

1. All persons making requests shall be assisted in applying for General Assistance. The Director giving applicant any initial information must determine if the applicant has emergency need. An emergency food or medical need shall be provided for immediately; immediate shelter or utility needs must be transacted immediately with vendor and provided for if negotiations are unsuccessful.
2. The Director shall make an initial determination of the eligibility and needs of the applicant within three (3) working days of the receipt of the application. Upon that determination, the Director shall notify the applicant by telephone immediately, if possible, and within two (2) working days after the determination, mail to the applicant by ordinary mail, at the last address shown on the application, the Director's written decision showing the reasons for the determination and the statutes or ordinances applied, together with the specific benefits and their amounts to which the applicant is entitled and proceed to provide such assistance.
3. If the Director cannot make the initial determination within three (3) working days, the Director shall immediately inform the applicant by telephone, if possible, of the reasons why such determination cannot be made. The director shall also mail to the applicant, by ordinary mail, within two (2) working days thereafter, the Director's written decision showing the reasons why such determination could not be made.

4. If an applicant has been previously found eligible within the last six (6) months, the Director need not receive a new application but may update the application as the applicant requests benefits and then proceed to a determination of whether or not current assistance is warranted. Notice and mailing of such determination shall be provided as mentioned above.

3.11 APPEAL.

1. Every applicant, whether granted assistance or not, shall be informed in the Director's written decision of the applicant's right to appeal, as well as the time limits, from such decision to the Board of Supervisors. The applicant shall be informed (a) of the method by which an appeal may be taken and (b) that the applicant may represent himself or herself or may be represented by another person.
2. Upon denial of General Assistance, the applicant shall receive written notice with a copy of the same to the Board of Supervisors, including right to appeal within fifteen (15) working days.
3. Any written appeal to the Director by or on behalf of an applicant requesting appeal of the Director's determination shall be received by the Director and put immediately upon the Board of Supervisors' agenda, in accordance with Chapter 21 of the Code of Iowa, for the next regular Board meeting, provided that such appeal shall not be heard sooner than five (5) days after appeal is taken. The written appeal must be made to the Director within ten (10) working days of the Director's determination, provided the applicant's current address, telephone number, and reasons for the appeal are stated. The applicant shall be informed by ordinary mail. Of the date and time of the hearing before the Board. The applicant and the applicant's attorney or other representative, as designated by the applicant, upon written authorization, shall be granted access by the Director to applicant's assistance case file if request is made. When emergency assistance has been denied, the appeal shall be taken immediately to the Board of Supervisors.

3.12 APPEAL HEARING.

1. The Board of Supervisors shall hear the applicant's appeal anew at the time scheduled in the agenda unless continuance is requested by the applicant. The applicant shall be permitted to present whatever evidence is desired in support of the appeal, including testifying, having other witnesses testify, offering documentary evidence and reasonable cross examination of other witnesses, if present. The technical rules of evidence shall not apply. The Board may set reasonable times for the presentative action of the parties of any appeal. The applicant's file shall be admitted into evidence. The Board may question the applicant, and the Director shall present the Board with the reasons for the determination. The appeal will be tape recorded. The hearing before the Board will not be an open meeting under Chapter 21 of the Code of Iowa, since the confidential files of the applicant will be in evidence. When the Board deliberates on the appeal, no parties shall be present.

2. The Board shall make a decision on the appeal within five (5) days. The Board's decision shall be only on the basis of the evidence submitted before the Board. The applicant shall be informed immediately by telephone of the decision and within four (4) working days thereafter the Board shall mail to applicant at applicant's last known address, by ordinary mail, its decision in writing. The decision shall state the reasons for the action, together with any statute or ordinance applied. The Board's decision shall also state that an appeal may be made of the Board's determination, as provided below, and the method by which such appeal may be taken.

3. A person who is aggrieved by a decision of the board of Supervisors may appeal the decision as if it were a contested case before an agency and as if the person had exhausted administrative remedies in accordance with the procedures and standards in Section 17A.19, Subsections 2 through 8, except paragraphs b and c of Subsection 8, and Section 17A.20 of the Code of Iowa.

3.13 ACTIONS OF THE BOARD OF SUPERVISORS. In the event that the Board of Supervisors, in reviewing the actions of the Director, questions any allowance of assistance benefits allowed by the Director, it shall take no action concerning such allowance until it conducts a hearing. This hearing, the reasons for it, and notification to the applicant shall be given in the same manner as if the applicant had taken an appeal. This hearing shall proceed in the same manner as an appeal from the Director's determination.

3.14 ADDITIONAL PROVISIONS. The Director may allow, upon application, the additional benefits provided for in Chapter 252 of the Code of Iowa. The provisions of Chapter 252.13 of the Code of Iowa, for repayment of benefits to the County, are applicable and the applicant shall acknowledge the same in writing. Recipients of assistance may further be required to work for the County as a condition to receipt of such benefits as required in Sections 252.27 and 252.42 of the Code of Iowa. Benefits provided a recipient may be a further claim against the homestead of a recipient and a claim in probate, as provided by Section 252.13 of the Code of Iowa.

3.15 TRANSIENT ASSISTANCE. Assistance for those individuals passing through the County (with a destination elsewhere) is limited to a tank of gasoline, oil as needed, a meal, and a night's lodging. Bus fare may be substituted for the tank of gasoline. (Transients are those passing through, having no intent of remaining in the County and being without residence or domicile.)

3.16 CONFIDENTIALITY. All applicants and/or recipients have the right to confidential treatment of information concerning their situation; however, it should be understood that such information may be shared with other employees of the Department of Human Services, when appropriate, and with the board of Human Services and Board of Supervisors. A certain amount of information may need to be released to direct providers of service, such as grocery stores, pharmacies, hospitals, doctors, clothing stores, etc., in order to authorize release of goods to the client. In certain instances when the General Assistance employee is working cooperatively with other agencies, i.e., Veterans Affairs, Community Action Center, and/or County departments, certain information may be released in order to complete transactions. The client's signature on the application not only indicates information given on the application is factual and true to the best of the client's ability, but also authorizes the department to conduct transactions with those mentioned above, obtain further information, verify information and to cooperate with others necessary to complete the application, eligibility, final determination and transaction of assistance process.

3.17 FRAUDULENT ACTIVITY. Any person or persons applying for or receiving assistance through the County General Assistance who knowingly and intentionally: (1) provides false information in order to become eligible or continue to be eligible, or (2) who alters vouchers or claims issued providers in order to receive additional assistance, will be denied future assistance for a period of one (1) year. Any individuals having allegedly committed fraudulent activity will be referred by the Director to the County Attorney for potential prosecution.