

SCOTT COUNTY
GENERAL ASSISTANCE POLICY

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XXXVII. SCOTT COUNTY GENERAL ASSISTANCE GUIDELINES

General Assistance is available through the Community Services Department to Scott County families and individuals who are poor or in need, when such individuals are not supported by their own means, relatives, or other public or private resources, in accordance with the policies specified below. Scott County Community Services will strive to ensure individuals who are in need are safe in the community. Referrals to other agencies and organizations will be provided if Scott County is unable to provide assistance. Community Services staff strive to respond to individuals in a timely manner.

The General Assistance Program shall:

- A. Provide aid to meet the needs of individuals who are poor as defined in the Iowa Code Chapter 252.1, ("individuals who have no property, exempt or otherwise, and are unable, because of physical or mental disabilities, to earn a living by labor").
- B. Provide aid to meet the needs of individuals who are not currently eligible for any federal/state public assistance and who meet the eligibility standards specified below.
- C. Meet the needs of eligible persons in emergency situations for a period not to exceed 30 days.
- D. General Assistance may be provided:
 - a. On a time limited basis to persons who do not have any income or whose regular income is below the Temporary Assistance for Needy Families (TANF) levels
 - b. On a one-time only basis in emergency situations to persons who have some income for up to a maximum of 30 days.

SECTION I. GENERAL PROGRAM POLICIES

- A. All eligibility requirements (Section III) and program requirements (Section IV) must be met before assistance will be approved.
- B. Ineligibility circumstances are listed in Section II.
- C. The verification of any statement or declaration provided in relation to a General Assistance application or re-application may be required by the Case Aide.
- C. General Assistance may be provided for the duration of verified needs in accordance with eligibility and assistance standards set forth in these policies.
- D. General Assistance will be granted only from the date of application. No payment of back bills is allowable, other than currently due utility bills in an emergency situation.
- E. General Assistance shall be granted through vendor payment. No cash payments will be made to applicants.
- F. Vendors must agree to accept a county voucher as full payment of the item of assistance purchased.
- G. No vendor payments will be made to relatives of the applicant.

- H. Non citizens are eligible for General Assistance only as identified in Section V.
- I. A Veteran will defined as stated in Iowa Code Chapter 35.1.
- J. Individuals/families who are currently receiving assistance from federal/state financial assistance programs are typically not eligible for General Assistance. Emergency one-time only assistance may be granted under certain circumstances specified in these policies.
- K. Applicants must fully and truthfully report all information related to eligibility for assistance and level of assistance. Applicants are required to immediately report any changes in circumstances. Applicants or recipients shall cooperate and provide all information necessary to determine eligibility, need for assistance and level of assistance.
- L. The applicant must be a current legal resident of Scott County. A resident is defined in Iowa Code Chapter 225C.61 as, at the time, an individual who applies for or receives services, is living and has established an ongoing presence with the declared, good faith intention of living in the county for a permanent or indefinite period of time. The county of residence of an individual who is a homeless person is the county where the homeless individual usually sleeps.
- M. The applicant must also have a valid picture ID. Any individual who arrives in Scott County and enters a residential/acute care living/academic arrangement upon arrival will generally not be considered a resident. Any person applying for assistance must show proof of residency in Scott County. Examples of this would include proof of rent paid in Scott County for at least the past thirty (30) days, documentation from local homeless/domestic violence shelters indicating stay of 30 days or longer and/or a hotel/motel receipt for 30 days.
- N. The assistance requested is provided for under these policies.
- O. All other available funding outside of this system has been fully accessed by the applicant prior to requesting General Assistance.

SECTION II. INELIGIBILITY

General Assistance shall be denied or discontinued under the following circumstances:

- A. The individual is not eligible if resources and/or income are available to meet needs at the General Assistance standard.
- B. The individual refuses to rely on such resources and/or income.
- C. Applicant chooses to discontinue or withdraw application.
- D. There is a transfer of property or other assets within one (1) year with the intent to qualify for General Assistance or a refusal to complete and sign a Deed of Trust on property owned by the individual.
- E. The individual refuses to cooperate in providing required information or refuses to meet program requirements as outlined in these policies.
- F. Client knowingly provides false information on an application for General Assistance or provides false information to the Case Aide during the determination of the applicant's eligibility for assistance. The client will also be ineligible if they knowingly provide false information on doctor reports.

- G. Although a client will not be denied solely due to failure to repay a previous grant, the Director may determine he/she is ineligible when there has been no effort to repay a previous grant when he/she had the ability or means to do so.
- H. Client or client household, through action or inaction, has created an ineligibility for assistance or a reduced level of assistance from any federal/state financial assistance programs, which would, absent the client's action or inaction, provide financial assistance at or in excess of general assistance guidelines. Such action or inaction shall include receipt of the maximum allowable TANF benefits (60 months). Clients would also be ineligible for assistance if under a sanction due to fraudulent practices or felony charges with the Social Security Administration.
- I. The assistance requested is under the purview of another entity for funding and determination of need.
- J. Client lives in a residential setting as a part of participation in an organized program.
- K. Client has voluntarily become unavailable for full time employment. Example: Students are not eligible for general assistance.
- L. Client has created the need for assistance by use of income/resources for non-basic needs.
- M. Client has voluntarily left a subsidized living arrangement which would have provided the basic assistance need requested.
- N. Client who has voluntarily left gainful employment within a 45 days period prior to applying for General Assistance shall not be considered eligible until 45 days have elapsed, unless such leaving was the result of an inability to perform job duties as verified by a physician's statement.
- O. Client was denied Social Security/SSI/SSDI benefits by Administrative Law Judge (ALJ) level.

SECTION III. ELIGIBILITY

Eligibility Determination

- A. Determination of eligibility will be made at the time of application/re-application and when a change in a recipient's circumstances indicates possible changes in eligibility or need.
- B. Eligibility periods shall generally be no longer than 30 days, unless otherwise specified in these guidelines.
- C. Eligibility and amount of assistance needed are determined through a joint process involving both Case Aide and individual, focusing on:
 - 1. Comparison of the individual's circumstances with the eligibility standards set forth in these policies, determination of the client's unmet needs and the appropriateness of General Assistance in meeting these needs.
 - 2. Development of a plan for self-support that fully utilizes the individual's available resources, excluding exempt property.

Financial Eligibility

Income

1. For the purpose of determining income, the total income of the household unit for the previous thirty (30) days will be considered. A household is defined as all individuals of whatever age (example, child on SSI), related or not, who reside/stay/cohabitate "together" in the same household.
2. Household income: All income received by the individual's household shall be considered, including but not limited to gross wages, retirement benefits, disability benefits, investment income, rental income, income from trust funds, gifts, loans, and any assistance received from public or private entities.
3. All income must be reported. If income is not reported, the disregard above will not apply.
4. Emergency assistance, on a one-time only basis, may be granted to households whose income does exceed 100% of the federal poverty guidelines.

Resources

1. Resources shall include liquid assets including but not limited to checking or savings accounts, cash on hand, stocks, bonds, IRA's or other investments. The total value of such assets shall be considered an available resource.
2. All real property shall be considered a resource other than as exempted below. All real property not excluded below will be counted as an available resource at net value. (Net value = value of property – remaining payments/mortgage.)
3. Resource Exemptions. The following are considered excluded resources and shall not be considered as available resources:
 - a. A homestead, equity in a family home or farm.
 - b. Household goods and personal effects.
 - c. An equity not to exceed \$8,000 in one motor vehicle. Equity is defined as the Blue Book price – remaining loan balance.
 - d. Life insurance which has no cash surrender value.
 - e. An equity not to exceed \$6,000 in one funeral contract or burial trust for each member of the household.
 - f. Tools of an actively pursued trade.

When the value of one or more of these items exceeds the specified amount, the excess must be counted as available resources; any resources not specifically exempt shall be counted as an available resource.

4. All resources, other than the excluded ones above, shall be considered available to meet basic needs and must be used for such. If resources are available to meet the request at the General Assistance standard, no eligibility exists. If resources are available to partially meet the need, they must be utilized prior to eligibility for assistance.

5. Lump sum payments- Individuals who have received lump sum payments preceding the application for General Assistance will be assumed to have had sufficient resources to provide for basic needs at General Assistance standards for the period of months equal to expenditure of the lump sum benefits at 150% of the federal poverty level. The Case Aide may add expenditure of lump sum payments for medical expenses to the 150% of the poverty level to determine at which point eligibility for General Assistance will occur.

SECTION IV. PROGRAM REQUIREMENTS

Ability to Handle On-Going Costs

- A. The applicant must demonstrate the ability to maintain the basic assistance need through their own resources following provision of the requested assistance.
- B. Applicants who have been receiving regular income, but have not made regular payments toward rent and/or utilities, shall have assistance denied unless special circumstances merit a Director's Exception.

Agreement to Reimburse

- A. All recipients of General Assistance shall agree to reimburse for assistance granted. Recovery efforts shall not be initiated until the recipient is able and must commence within two years after the recipient becomes able as stated in the Iowa Code. Ability to reimburse shall be considered to have occurred at such time as the recipient has on-going income at 150% of the federal poverty guidelines or has resources in excess of SSI guidelines.
- B. The homestead of General Assistance recipients shall be liable for such expenditures at the time of the recipient's death only if there is no surviving spouse as stated in the Iowa Code.
- C. Applicants who have applied for federal benefits must sign an Interim Assistance Agreement with Scott County.

SECTION V. SERVICES TO NON-CITIZENS

- A. Individuals who are here in the United States illegally are not eligible for General Assistance.
- B. Legally admitted aliens, who are not admitted for permanent residence, are not eligible for General Assistance.
- C. Legal immigrants are not eligible for General Assistance except for the following:
 1. Refugees admitted under Section 207 of the Immigration and Nationality Act (INA).
 2. Asylees admitted under Section 208 of the INA.
 3. Aliens whose deportation has been withheld under Section 243(h) of the INA.
 4. Immigrants who are "grandfathered" under Section 245i of the INA.
 5. Veterans of the U.S. Armed Forces who were honorably discharged for reasons other than alienage, their spouses and dependent children.

5. Active duty personnel of the U.S. Armed Forces, their spouses and dependent children.
6. Legal permanent residents who have earned 40 quarters of coverage for social security purposes. Quarters worked after December 31, 1996, in which the alien received any federal means-tested public assistance shall not be considered to be a qualifying quarter.
7. The Director may grant an exception to provide assistance on an emergency one-time basis.

SECTION VI. DIRECTOR'S EXCEPTION

The Director of the Community Services Department shall have the authority to approve assistance to an applicant who does not meet eligibility criteria in instances of extraordinary circumstances. Any such authorization provided through the Director's exception will be so noted on the Notice of Decision provided to the applicant.

- A. The applicant is above the income/resources eligibility limitations, but special circumstances warrant the granting of assistance for up to a 30-day period.
- B. The requested assistance exceeds the maximum expenditure permitted in a particular category, but special circumstances warrant the granting of assistance for up to a 30-day period.
- C. Other requirements of these policies may be exempted for up to a 60-day period.

SECTION VII. APPEALS

- A. Right to a Hearing.
 1. Applicants/recipients are entitled to a hearing on the following:
 - a. Denial of assistance.
 - b. Failure to determine applicant's eligibility, and if found eligible, grant assistance within five (5) working days of application, provided the client has met eligibility requirements.
 - c. Amount of assistance granted.
 - d. Discontinuance of assistance in whole or part.
- B. Informing of Decision and a Right to Appeal.
 1. Applicants/recipients shall be informed orally and in writing at the time of any decision relating to their application or level of assistance of:
 - a. The decision made, including a written notice of the basis of the decision.
 - b. Their right to an appeal and that a clear written communication to the department requesting a review of a decision shall constitute an appeal.
 - c. That they may be represented by themselves or a representative of their choice.
 - d. The availability of community legal services to assist them.

C. Appeal Request.

1. Any clear written communication to the department by or on behalf of an applicant/recipient requesting a review of a decision shall constitute a request for an appeal hearing if made within fifteen (15) days of the decision (date of notice of decision) for which the review is requested. The written communication shall specify the applicant's position as to why the Case Aide's decision merits review.
2. The request for an appeal hearing cannot be denied except where the applicant/recipient has abandoned or withdrawn the request in writing.
 - a. A request shall be considered withdrawn only upon receipt of a written statement before or on the day of the appeal hearing.
 - b. A request may be considered abandoned if the appellant and/or representative fail to appear at the agreed time and place for the appeal hearing.
 - c. If appellants inform the Case Aide that they are satisfied and no longer wish to pursue their request for an appeal hearing, they will be advised that a written withdrawal of the request must be made.
3. Requests for an appeal must be given to the individual's Case Aide. If the Case Aide is unavailable, the request for an appeal shall be given to the Case Aide Supervisor.

D. Director's Review.

1. Appeals will be heard as soon as possible and always within five (5) working days unless a greater amount of time is required by the individual. At that review, the Case Aide's decision will be reviewed with the individual.
2. The decision of the Director shall be made in writing. It shall be made as promptly as possible and within five (5) working days of the hearing date.
3. If the Case Aide's decision is upheld, the appellant has an option of continuing the appeal process by requesting an appeal to the Board of Supervisors within twenty (20) days of the Director's decision (date of written decision).

E. Any clear written communication to the Department of Community Services by or on behalf of an applicant/recipient requesting a review of the Directors decision shall constitute a request for an appeal hearing to the Board of Supervisors, if made within twenty (20) days of the decision of the Director for which the review is requested. The written communication shall specify the applicant's position as to why the Director's decision merits review.

F. Board of Supervisors Hearing

1. Appeals to the Board will be heard within fifteen calendar days of the request for appeal.
2. Written notice of the hearing shall be given to the appellant at the time the appeal is given to the Community Services Department. The notice shall inform the appellant:
 - a. Of the date and place of the hearing and the appellant's right to change them if necessary.
 - b. Of the specific issues which are the subject of the hearing.

- c. Of the manner in which the hearing should be conducted, including means by which adjournment may be requested and granted, and the right to present evidence and witnesses and to cross-examine adverse witnesses.
 - d. The right of the parties to be represented by legal counsel or another person of their choice and the right to bring pertinent information with them.
 - 2. Appeals shall be heard by the Board of Supervisors at the regular Committee of the Whole session. Appeals must be received by the department before 5 p.m. Monday in order to be heard at the next Committee of the Whole meeting. In those instances where a client requires more time to prepare an appeal, the hearing may be moved to the next Committee of the Whole session if requested by the client.
- G. The Community Services Department shall provide, at the appellant's request, all available pertinent information which the department intends to use at the hearing. This information may be granted to the appellant's representative also if the appellant so requests.
- H. Conduct of Hearing-rights of parties:
- 1. The Board of Supervisors shall preside. An opening statement describing the nature of the proceeding, the issues and the manner in which the hearing will be conducted shall be made by the Board Chair.
 - 2. All parties have a right to be represented by legal counsel or a person of their choice to testify and to bring pertinent information with them.
 - 3. Technical rules of evidence shall not apply, but evidence must be relevant and material.
 - 4. Appellants and their representatives (at appellants' request) shall have the right to examine the case record.
 - 5. The Board's findings shall be based solely upon evidence openly presented at the hearing. The written decision of the Board shall include a statement of the basis and legal or policy authority upon which the decision is based.
 - 6. General Assistance hearings before the Board shall be recorded. In the event of appeal of the Board's decision, the recording shall be made available by the County at the request of a participating party. The hearing recording shall be maintained in the General Assistance office for at least two (2) years following the decision.
- I. Decision of Board
- 1. The decision shall be made in writing by the Board. It shall be issued as promptly as possible and within five (5) working days of the hearing date.
 - 2. A copy of the decision shall be mailed to each of the parties involved, including representatives of the Community Services Department.
- J. Decision without Board Hearing.
- 1. Appellants have the option to request that their appeal be decided by the Board without a hearing. In such cases, opportunity shall be afforded each party to submit written evidence and review and comment on evidence submitted by the other party.

2. If at any stage of an appeal, it clearly appears to the Board that the department's action is contrary to law, Board rule or policy, the Board may issue a decision directing specific actions for the benefit of the appellant.
3. When the appellant has emergency needs resulting from a departmental decision, the Board may issue an immediate decision directing action for the benefit of the appellant.

SECTION VIII. EMERGENCY: ONE TIME ASSISTANCE

Emergency assistance may be granted on a one-time only basis (up to 30 days) to individuals who have some income, but because of circumstances, not attributable to that individual, are unable to meet their basic needs.

Emergency assistance is available to provide financial assistance with shelter, utilities, bus ticket, cremation, medical, and dental.

The individual circumstances will be taken into account in evaluating the need for General Assistance. Income and resources will be reviewed by the Case Aide.

Income and/or resources, which are available, must be used to meet the need.

Income shall not exceed 100% of poverty.

A Director's exception may be available for extenuating circumstances.

TYPES OF ASSISTANCE

Medical (including prescriptions)

- A. It is the policy that necessary medical needs of eligible individuals shall be provided through Scott County's contract with Community Health Care, Inc.
- B. This program does not cover elective medical services.
- C. Applicants eligible through the Iowa Department of Health & Human Services (HHS) for Title XIX (Medicaid) must apply for and utilize such assistance. In instances where medically needy eligibility exists, the amount of the spenddown may be considered in determining eligibility under these guidelines.
- D. The Community Services Department determines financial eligibility for assistance. The medical need and appropriate treatment is determined by Community Health Care. Persons determined financially eligible for medical assistance must follow all requirements of Community Health Care for receipt of assistance.
- E. Any applicant who has not followed Community Health Care direction in opening a medical record, will be ineligible for any additional medical assistance until they have complied with Community Health Care patient requirements as well as followed through with the HHS medical assistance application requirements.

Financial Eligibility: Income and resources of the applicant, applicant spouse, and dependent children shall be considered.

Dental

- A. It is the policy that necessary dental needs of eligible persons shall be provided through Scott County's contract with Community Health Care, Inc.
 - 1. Assistance with dental work/extractions shall be available to alleviate pain only.
 - 2. Assistance with denture repair.
 - 3. No elective services are covered.
- B. Community Health Care may determine that the dental service needed cannot be performed by their agency. In such instances, Community Health Care, in consultation with the Case Aide may make a referral to another appropriate provider.

Financial Eligibility: Income and resources of the applicant, applicant spouse, and dependent children shall be considered.

Rental and Mortgage

- A. If the applicant is residing in a homeless shelter, they must provide a letter indicating the time period they have been there.
- B. Assistance may be available to provide shelter in a residential rental arrangement.
- C. Assistance may be available to provide shelter in a residential mortgage arrangement.
- D. All rental arrangements must be agreed to by the landlord. Applicants will be required to bring in a copy of the rental lease, signed by both parties. All mortgage assistance arrangements must be agreed to by the mortgage holder.
- E. Assistance shall be granted for the amount of the monthly mortgage payment, not to exceed the levels of assistance. (Not to include insurance and property taxes)
- F. Clients applying for mortgage assistance will be required to sign a Deed of Trust granting Scott County a lien on the property for any assistance so received.

Level of Assistance:

Assistance may be provided up to \$700.00, but at no time shall exceed the actual rental or mortgage cost.

Financial Eligibility: Income and resources of the applicant's household shall be considered.

Utilities

- A. Utilities include gas, propane, electric, and water.
- B. Assistance will not be granted unless such assistance and other resources of the applicant are such that the utility provider will agree to continued or reinstated service.
- C. The applicant must be residing full time in the residence for which utility assistance is requested.
- D. The utility bill must be in the name of the applicant.
- ~~E.~~ The applicant must have made a minimum of three payments within a six month period on a gas/electric/propane/water bill.

Level of Assistance: Assistance granted not to exceed the following:

Single Household	\$ 90.00
Two Person Household	\$170.00
Three or/+ Household	\$240.00

Financial Eligibility: Income and resources of the applicant's household shall be considered.

Bus Tickets

- A. Financial assistance may be provided for purchasing a one-way bus ticket. A one-way bus ticket will be purchased through the use of a county voucher. The Case Aide will need to call the Bus Depot to find out the time of departure and cost in order to complete the voucher. The applicant must demonstrate a reason for going somewhere outside of Scott County; for example, returning to hometown/address, returning to live with family, starting a new job in a new town, etc. The Case Aide will verify where the individual is going with family member or new employer.
- B. The county will not buy bus tickets for individuals who want to travel around the country or to move to new town/state with no job or supports.

Cremations

- A. All of the deceased assets must be applied toward cremation expenses, including cash on hand and funds in checking and savings accounts, or savings certificates.
- B. Death benefits may be available from employment, railroad retirement, pension plans, Veteran benefits, life insurance policies, prepaid burial agreements or social security. The family of the deceased must apply for these benefits and apply them to costs of the cremation. Any and all funds generated from memorials must be applied to the cremation costs. If the family of the deceased discovers a death benefit, savings account or other resources after the funeral, they are expected to notify this office and the funeral home.
- C. Application.
 - 1. If a cremation is requested, a General Assistance application must be completed and signed by the surviving spouse or next of kin (if no spouse) within 72 hours (excluding holiday weekends) of the individual's death.

2. The spouse's Income must be within General Assistance income standards unless an exception is granted. In the application for cremation, the financial ability of the surviving spouse, if applicable, must be considered.
3. Ineligibility for cremation will result if the surviving spouse has income at or in excess of 300% of the federal poverty level. Ineligibility will also occur if the surviving spouse fails to contact the Case Aide or fails to disclose the financial information requested.

D. Expenses allowed shall be as follows:

1. -Up to \$1,800.00 will be allowed for cremation expenses. Services include transfer of the deceased to the funeral home, professional service fees, medical examiner's cremation permit fee, cremation fees, vehicle to crematory, abbreviated arrangement conference at the funeral home, minimal temporary container for ashes or place ashes into a container provided by the family, and release of ashes to family. The family will pay \$550.00 to the funeral home if they choose to have a service.

Financial Eligibility: Income and resources of the applicant and spouse identified in Iowa Code shall be considered.