

WARREN COUNTY, IOWA

TITLE I – POLICY AND ADMINISTRATION

CHAPTER 3

GENERAL ASSISTANCE PROGRAM

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3.01 GENERAL PURPOSE.

General assistance shall be for the purpose of providing, either in kind or by general assistance order, basic or special needs to poor or needy person, who reside in Warren County, when such are not supported by their own means, their responsible relatives or state or federal programs of assistance. General assistance is available to help people in need when the assistance will be conducive to such person’s welfare and in the best interests of the public and is necessary to help the person through a period of hardship and/or is necessary to keep the family intact, or when the person is confronted with a dire emergency and the person has no income, liquid assets or other resources available to meet his/her basic needs.

3.02 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.

3.03 DEFINITIONS.

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

1. “Basic needs” shall mean food, shelter, and utilities. Food shall not include cigarettes, alcoholic beverages, or pet food except pet food for a guide dog, but does include personal items and items used to operate a household.
2. “Circumstances which are attributable to the person” shall mean any and all those circumstances occurring to a person which involve failure to safeguard liquid assets and/or resources or failure to prioritize expenses.
 - a. “Failure to safeguard liquid assets and/or resources” shall mean that the person’s liquid assets and/or resources were lost or stolen and a police report has not been filed and there is no evidence that an assault or a break-in has occurred.
 - b. “Failure to prioritize expenses” shall mean that the person has not directed his/her income towards securing and paying for basic needs as a first priority or where the person has demonstrated a continued inability to plan and spread necessary expenditures over the usual period between assistance checks.
3. “Director” means the Director of General Assistance for the County or designee.
4. “Director’s exception” means the General Assistance director, or his/her designee, granting assistance.

a. to a poor or needy person in an amount in excess of the amount that can be granted by worker's exception(s); or

b. to a poor or needy person whose income is in excess of the income eligibility standards imposed by resolution of the Warren County Board of Supervisors; or

c. to a poor or needy person who is not eligible for a state or federal program of assistance.

5. "Family unit" means the individual applying for assistance and all members of his/her immediate family (spouse, children under eighteen (18) years of age, children over eighteen (18) years of age who are dependent upon the applicant, and anyone else who is a dependent of the applicant for Federal Tax purposes) as long as they reside with the applicant as a family unit. A family unit cannot consist of an individual only.

6. "Liquid assets" means cash or any other item of value of the family unit that can be readily converted to cash within seven (7) days but does not include customary household goods and furniture or other items of personal property that are exempt under Chapter 627, Code of Iowa.

7. "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.

8. “Needy person” is a person or family unit of that person, residing in Warren County, Iowa, and who, because of circumstances which are not attributable to that person, needs immediate assistance or a person or family unit of that person who because of circumstances which are attributable to that person needs immediate assistance.

9. “Poor person” is a person or the family unit of that person residing in Warren County, Iowa, and who needs assistance because of a physical or mental disability that makes the person an unemployable person.

10. College students are not eligible for assistance.

11. “Assistance” means the provision of basic and special needs. “Assistance” may also include provisions of basic or special needs through the offering of shelter at other available facilities in Warren County.

12. “Special needs” shall mean transportation, medical, funeral expenses, and shelter at facilities with whom the county has an agreement to provide shelter.

13. “State or federal programs of assistance” means a program funded by the state and/or federal government including but not limited to FIP, SSI, SSA, SSDI, Workers’ Compensation, Veterans Benefits, and Soldiers Relief.

14. “Unemployable person” means one of the following:

a. A person whose physical and/or mental condition is so severe, as stated by a medical doctor or other competent authority, that employment in the competitive job market is not possible.

b. A person who may have some “ability” to work, according to medical doctor, or other competent authority, but cannot apply this ability on the job due to a physical and/or mental impairment. This person would require constant one to one

supervision and could be disruptive and unmanageable in a work setting. Therefore, employment in the community is not feasible.

c. Adults who by reason of age or lack of job skills are unable to secure employment.

15. “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. “

16. “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.

17. Persons who are discharged from the Family Investment Program(FIP)due to meeting the sixty-month maximum are ineligible for General Assistance.

3.04 INCOME GUIDELINES FOR ASSISTANCE ELIGIBILITY.

Assistance shall be provided to eligible poor or needy persons whose income is less than the amount designated by the Board of Supervisors. Warren County is the funder of last resort.

3.05 OTHER ELIGIBILITY REQUIREMENTS FOR NEEDY PERSONS.

Assistance may be provided to a needy person who is in need of immediate assistance and who cannot obtain assistance from any other source and who does not have liquid assets or resources either as an individual or as a family unit to pay for basic or special needs.

3.06 OTHER ELIGIBILITY REQUIREMENTS FOR POOR PERSONS.

Assistance shall be provided to poor persons who are in need of immediate assistance; and cannot obtain assistance from any other source; and who are eligible for and are awaiting

approval and receipt of assistance under state or federal programs of assistance. In the event the initial appeal of a person who has applied for SSI or SSDI is denied, the person shall no longer be eligible for general assistance unless a director's exception is granted by the general assistance director. The county may require any person claiming to be an unemployable person to submit to an independent examination by a medical doctor or other qualified expert, of the county's choosing, for the purpose of determining the person's capacity to work.

3.07 BASIC NEEDS BENEFITS.

1. The maximum benefits for all basic needs (food, shelter and utilities) to be provided, during any twelve (12) month period to a needy person without the director's exception, shall be the maximum amount designated by the Board of Supervisors.

2. The maximum benefits for all basic needs to be provided during any twelve (12) month period to a poor person who is the head of a family unit shall be the reasonable and necessary amount required to provide the basic needs to such poor person for that period of time as established by the Board of Supervisors. The assistance provided per month cannot exceed the amount allowed per month under the income guideline established by the Board of Supervisors unless a director's exception is granted.

3. Specific basic needs assistance may be granted as follows:

A. Rent/Mortgage

1. Rent/mortgage payment shall be made only to owners of the property.
2. Rent/mortgage shall only be paid for housing that is currently being occupied except for temporary absence due to health reasons.
3. In most cases rent/mortgage payment may not be paid to any relative.

4. Roommates must apply for assistance separately for their portion of the rent. For mortgage assistance, the mortgage holder is the applicant.
5. Rent/mortgage may be paid for the current month only.
6. Landlord/mortgage holder must agree to accept a County voucher and agree not to evict for a period of 30 days from the date specified on the voucher.
7. The amount of assistance will be determined by the most recent rent/utility guideline. (Flexibility will be allowed in cases where the entire request for assistance is no more than \$50 over the guideline.)
8. General Assistance is not available for deposits or back rent.
9. Affordability of housing is a consideration in determining eligibility.

B. Utilities

1. Utility assistance includes payments for gas, electricity, water and fuel oil for the purpose of heating and cooking.
2. Utility assistance is provided only in emergency situations when a disconnect notice has been received or payment arrangement will be broken and will result in disconnect.
3. Utility assistance may be provided only when the applicant demonstrates a “good faith” effort (3 or more client payments made from November-March) to contribute toward utilities during the moratorium. A payment is defined as the monthly budget billing amount for the account. If the client is not on budget billing, then client must have paid 3 payments

equal to one month's average. Payments made by agencies are not considered in determining "good faith" effort.

4. In determining eligibility for utility assistance the applicant must be the individual in whose name the utilities are listed.
5. General Assistance is not available for old bills, reconnect fees, utility deposits, repairs and miscellaneous equipment-related fees.
6. The amount of assistance allowable will be determined by the most recent rent/utility guideline.

C. Food/Personals

1. Food vouchers may not be used to supplement Food Stamps/Food Assistance. Excluded items include, but are not limited to: tobacco products, alcoholic beverages and pet food.
2. Non-food items may include: soap, paper products, household cleaning supplies and personal hygiene items.
3. The amount of assistance allowable will be determined by the most recent food/personals guideline.

3.08 LIMITATIONS ON SPECIAL NEEDS.

The following special needs shall be in addition to the benefits allowed under 3.07 of this ordinance:

1. Transportation: Actual cost of needed public transportation or where such is not available or feasible, the purchase of necessary gas and oil. "Transportation" does not include car repairs, but is limited to the purchase of gas and oil. Four fuel vouchers, one voucher per

month, will be provided during any twelve (12) month period for the purpose of job searches. The twelve (12) month period is to begin with the month when the first assistance is issued.

2. Medical: Reasonable value of needed services if the services are not available under Medicaid, the Medically Needy program, at Broadlawns Medical Center, University of Iowa or in a private hospital under the provision of the Hill-Burton Act.

3. Funeral Expenses: Up to \$1,900.00 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. The above limitations may be modified by the Board of Supervisors on a case by case basis.

4. Emergency Shelter: Service shall be limited to four (4) weeks duration.

3.09 DURATION.

1. Poor Person: Assistance shall continue until such time as the physical or mental disability no longer prevents the person from being employed or until the person's appeal under SSI or SSDI has been denied by the administrative law judge (ALJ) whichever event occurs first.

2. Needy Person: Assistance may be provided, during any twelve (12) month period, for so long as the total amount provided does not exceed the maximum amount designated by the Board of Supervisors. The twelve (12) month period is to begin with the month when the first assistance is issued.

3.10 GRANTING OF DIRECTOR'S EXCEPTION.

A director's exception may be granted for the purpose of providing assistance to:

1. A poor or needy person who has received the maximum assistance as provided in Section Thirteen; or

2. A poor or needy person whose income is in excess of the income eligibility standard imposed by the Board of Supervisors.

3. A poor or needy person who is not eligible for a state or federal program of assistance.

3.11 REQUIREMENTS FOR RECEIVING ASSISTANCE.

1. Needy person: A needy person who is available for employment and is unemployed shall immediately register for employment with Iowa Workforce Development. WE Lift and otherwise actively seek employment. The needy person shall attend WeLIFT one time per week and show proof of attendance. The needy person shall seek and accept any reasonable employment whether or not it is suitable employment under the guidelines of Iowa Workforce Development. A refusal or failure to actively seek employment or refusal or failure to accept reasonable employment offered shall disqualify the needy person from receiving future benefits. The needy person may be required to provide proof that he or she is actively seeking employment. Once employed, a needy person may be required to demonstrate a good-faith effort to retain employment.

2. Poor person – mentally ill, mentally retarded or developmentally disabled: A person who is a poor person because of mental disability that prevents the person from engaging in gainful employment or otherwise making a living may, as a condition for receipt of general assistance, be required to work on a public program or project or with a suitable private non-profit corporation when it has been determined by the Director after consultation with any state

mental health caseworker assigned to the person, that the work would have therapeutic value for the person.

3.12 RECOVERY OF EXPENDITURES.

Expenditures for general assistance shall be recovered or repaid as follows:

1. From any homestead of a recipient to the extent provided in Section 252.14 of the Code of Iowa.

2. From any person who received general assistance after applying for federal Supplementary Security Income benefits but before being determined eligible for such benefits, pursuant to the terms of an “Interim Assistance Reimbursement Authorization” which shall be signed by the person at the time of receiving the general assistance and which shall then be filed with the United States Social Security Administration.

3. From the county of legal settlement of a recipient having legal settlement outside of Warren County, in accordance with sections 252.22 through 252.24 of the Code of Iowa, or from any other government or government agency to such extent as may be permitted by law.

4. From any other recipient in accordance with the terms of a “General Assistance Agreement to Repay” which shall be signed by the person at the time of receiving the general assistance. The director need take only such steps to enforce the agreement as the director, in his or her judgment, believes will result in greater receipts than the costs of collection, including employee time and benefits and alternative uses for available time and resources in any evaluation of such costs.

3.13 EMPLOYMENT COUNSELING.

Any needy person who has been unemployed for six (6) months or whose job has been lost as a result of economic reasons, shall apply for employment counseling with the Department

of Job Service, WeLIFT, 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.

3.14 APPLICATION FOR ASSISTANCE.

Applications for assistance shall be submitted by needy or poor persons to the Director of General Assistance at the Administration Building, 301 N. Buxton St., 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 General Assistance 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 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.

3.15 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.

3.16 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 Supervisor.

3.17 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 parties to present evidence 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.

3.18 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.

3.19 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.

3.20 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.)

3.21 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, when appropriate, and with the 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.

3.22 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.