

## **ORDINANCE 20**

### **AN ORDINANCE PRESCRIBING THE GENERAL ASSISTANCE PROGRAM IN UNION COUNTY, IOWA.**

BE IT RESOLVED, by the Board of Supervisors of Union County, Iowa:

**SECTION 1. CATEGORIES.** There shall be three (3) categories of General Assistance in Union County, Iowa. They are:

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

**SECTION 2. DEFINITIONS.**

1. "Needy person" is a person, eighteen years of age or older or family unit of that person who has some means but are within the income and resource guidelines established by this resolution, and assistance provided to them will be conducive to their welfare and the best interests of the public. They will be domiciled in Union County, Iowa, and who, because of circumstances not attributable to that person, need immediate relief.
2. "Poor person" is a person, eighteen years of age or older, or the family unit of that person, who has no property, exempt or otherwise, who is domiciled in Union County, Iowa, and who, because of physical or mental disability, is unable to engage in gainful employment and otherwise cannot make a living.
3. "Legal settlement" means the county of settlement is that county in which the applicant has most recently lived for a twelve (12) month consecutive period.
4. "Responsible relatives" means the father, mother, and children of the poor person. "Remote relatives" mean grandparents.
5. "Assistance" means food, rent, shelter, clothing, transportation, fuel, lights, water and medical attention. Food does not include cigarettes or alcoholic beverages, but does include laundry soap, household cleaners, and other items of non-food nature used for personal hygiene.

6. "Net worth" includes income or monies from any source, monies due, savings and deposits, stocks, bonds, real estate, cash value of life insurance policies, and real and personal property. Items excluded are clothing, wedding rings, and usual household furniture. Motor vehicles for family members shall not exceed what is currently allowed for food stamp eligibility. Campers, boats and recreational vehicles shall not have equity of more than ten thousand dollars (\$10,000.00). A homestead's value shall not exceed fifty thousand dollars (\$50,000.00). A transfer of personal or real property within the last two (2) years prior to applying for assistance and made for qualifying for aid renders the applicant ineligible.
7. "Family unit" means the individual applying and all members of the immediate family (spouse, children under eighteen (18) years of age, children over eighteen (18) years of age who are dependent upon the applicant, and any other person residing with the applicant as a family unit.) If persons are residing with the applicant as a separate household, they must provide proof that their living expenses are separate and show how those expenses are paid.
8. "Liquid assets" means cash or any item of net worth of the family unit that can be readily converted to cash within seven (7) days.
9. "Awaiting approval and receipt" means a poor person who has applied for assistance under any state or federal law, who has pursued that application with due diligence, and who has not had that application denied. This does not include an appeal of a denial of benefits. It does include a person who has had an application denied, and who reapplies after (18) consecutive months have expired from the date of the denial.

**SECTION 3. FORM.** The assistance shall be purchased directly from the supplier for the applicant or the family unit on a vendor system. It may be for one or more of the items of assistance that can be provided. No monies will be given to any consumer or family member.

**SECTION 4. ELIGIBILITY OF NEEDY PERSONS.** Emergency assistance may be provided to a needy person who is in need of immediate assistance. Needy who cannot obtain assistance from any other source, 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, who does not have liquid assets of the family unit from which to pay for the items of assistance that can be provided and whose income is at or below guidelines. Once needy persons are approved for state or federal assistance programs, Union County General Assistance shall not subsidize those programs. All applicants must be able to provide valid social security numbers or proof of legal immigrant status, upon request, for themselves and all members of their family unit to be eligible for assistance.

**SECTION 5. ELIGIBILITY OF POOR PERSONS.** Assistance is to be provided to poor persons who are in need of immediate assistance, cannot obtain assistance from any other source, whose family unit net assets are less than five hundred dollars (\$500.00), and who are eligible for and are awaiting approval and receipt of assistance under programs provided by state or federal law. All applicants must be able to provide valid social security numbers or proof of legal immigrant status, upon request, for themselves and for all members of their family unit to be eligible for assistance.

**SECTION 6. ELIGIBILITY OF VETERANS.** Any person who is eligible for assistance from the County Commission of Veteran Affairs shall not be eligible for assistance from the County General Assistance Fund.

**SECTION 7. REQUIREMENTS FOR RECEIVING ASSISTANCE.** A needy person who is not needed in the home to care for a minor child, shall register immediately for employment with Workforce of Iowa and actively seek employment. The needy person shall seek and accept any reasonable employment. An applicant who refuses or fails to seek employment or accept employment or voluntarily withdraws from workforce without just cause shall be ineligible for assistance for the 30 days following. The needy person may be required to provide reasonable proof that he or she is actively seeking employment. An applicant who, without just cause, voluntarily withdraws from the workforce within thirty (30) days prior to the date of application, shall be ineligible for thirty (30) days following the date of application.

1. Persons applying for assistance must live and reside in Union County. If a poor person does not have legal settlement in Union County, the county of legal settlement will be contacted and billed for any assistance granted.
2. The applicant shall seek assistance for his/her needs from all other available resources before assistance will be considered. Any person who is eligible for state or federal assistance such as FIP, SSI, state or federal medical programs, SSA, VA, SS, Workman's Compensation, etc., shall be referred to the proper source and shall make application and accept assistance offered. If the applicant or member of the household is on a Limited Benefit Plan (LBP) with the Department of Human Services (DHS), the application will be denied. Union County will be considered the provider of last resort.
3. An applicant who voluntarily quits employment shall be disqualified unless enrolling full time in school. A strike is considered a voluntary quit. Applicants laid off must have forms filled out by their employer and provide them to the Director regarding vacation, severance pay status, and medical coverage. Laid off workers must apply for unemployment benefits.
4. An applicant must provide all the necessary verification in order to have the Director make a determination
7. A false statement or incorrect statement on an application for assistance shall be cause for denial of benefits.
8. If a needy person fails to repay the value of the benefits received, as per agreement, he/she shall be disqualified from receiving future benefits.

**SECTION 8. ASSISTANCE OF AN EXTENDED NATURE.** It is contemplated that items of assistance to be provided to needy persons, poor persons, or their family unit, will not exceed one time assistance up to three hundred dollars in a twelve-month period per household excluding burial assistance.

**SECTION 9. 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: This item covers payment for food and non-food items.
  - a. Consumer must first utilize food pantry.
  - b. Consumer must apply for food stamps, and if food stamps have not been received, a food voucher will be given.
  - c. Failure to cooperate with DHS will make a consumer ineligible for assistance. No food vouchers will be given to supplement monthly food stamps.
  - d. Items such as pop, candy, chips, snack foods, tobacco products, alcoholic beverages, or pet food will not be allowed. Diapers will be allowed if not available through another source.
2. RENT: The reasonable amount to provide the service and maintain sustainability.
  1. Rent will only be paid to the property owner or their designee.
  2. No back payments, deposits or mortgage payments will be allowed.
  3. Payment by the County will not be paid to responsible relatives such as parents, siblings, grandparents, children or grandchildren.
  4. Payment will not be made to a motel, unless an emergency requires.
  5. A landlord form will need to be completed before payment will be made.
3. UTILITIES: (Heat, Light, Water, Garbage and Sewer) the amount needed.
  - a. Reconnect fees will not be paid.
  2. Utilities are paid on a current basis.
  3. Utilities must be in the name of the applicant, recipient, other member of the household or landlord.
  4. Consumer must apply and be accepted or denied for Energy Assistance and Emergency Assistance prior to coming to General Assistance.
  5. If the Emergency Assistance program through DHS assists the consumer, General Assistance will not supplement this person.
  6. If a household participates in a monthly budget program, the budget amount will be paid unless it exceeds \$150.00.
  7. Union County Board of Supervisors will meet with consumer if additional utility assistance is needed and if Director has denied further assistance and consumer has appealed the decision to the Board of Supervisors.

4. MEDICAL: (including dental services, prescriptions and optical) the reasonable value of the services actually needed as shown by a statement from a physician, dentist, or optician. Benefits must be on an emergency basis.
  - a. Authorization must be given prior to receiving medical assistance. In the case of an emergency, the General Assistance office must be contacted the first working day following the emergency.
  - b. Dental assistance must be for immediate relief of severe pain.
  - c. Eyeglasses for repair or replacement will be made on an emergency basis only. All Other resources must be accessed first, and costs paid according to Title XIX rates.
4. Providers must be in Union County whenever possible.
- 4A. for major medical expenses, state facilities at the University of Iowa Hospitals and Clinics in Iowa City shall be explored. All orthopedic care will be provided at University of Iowa Hospitals and Clinics. Poverty guidelines of 150% will be used to determine eligibility unless medical costs would be catastrophic. Applicant must apply to Human Services to see if they would be eligible for medical assistance or the medically needy program without the spend-down provision before being certified for medical assistance. Quota Papers will not be issued if applicant was offered insurance through employment and chose not to participate.

A committee will determine review of U of I /Iowa City eligibility  
Consisting of a member of the Union County Board of Supervisors, General Assistance Director and a designee from the Department of Human Services.

5. **TRANSPORTATION: Eligible transportation expenses include:**
  - a. Gasoline to obtain other benefits or medical services if these services are not available locally, or to seek employment, provided that proof of application for benefits or employment is provided to the Director, with a maximum of \$50.00 per year.
  - b. Voucher for one-way transportation to return to place of legal settlement may be considered. Recipients of this benefit shall be ineligible for any other assistance under the provisions of this ordinance for a period of one year from the date the transportation benefit is received.
6. DEATH BENEFITS: Benefits not to exceed \$1,000.00 (one thousand dollars) will be provided for cremation only.
  - a. Prior to county involvement, all assets and resources of the deceased (including but not limited to Social Security benefits, life insurance, donations, etc.) shall be applied toward the funeral expenses.
  - b. Union County funding will not be considered unless the funeral home contacts General Assistance or Board of Supervisors within 48 hours of death and prior to Services being rendered.
  - c. Benefits will not be provided for expenses associated with the opening and closing of a grave.

7. CLOTHING: Benefits shall be limited to special protective clothing needed for medical reasons or to start or continue employment, if not immediately available from other sources, or following emergencies such as fire, wind, flood, etc. The total shall not exceed \$75.00 per year.
8. **MAXIMUM LIMITATIONS:** Limitations for a household unit shall not exceed a onetime payment up to three hundred dollars (\$300.00) per twelve (12) month period, excluding burial benefits.

#### **SECTION 10. INCOME.**

1. All gross income in cash or income received or readily available to applicant or recipient shall be considered in determining the amount of General Assistance paid.
2. Current calendar month income will be considered and verification of the income should be made.
3. All state and federal assistance programs, work compensation, social security, Retirement pensions, etc., shall be considered as net income guidelines on proper Showing of need.

#### **EXAMPLES:**

- ☐ Emergency medical need
- ☐ Fuel bills with no other resources available
- ☐ Income for the month terminated
- ☐ Suspended due to lay-off
- ☐ Illness
- ☐ Circumstances beyond the family's control, e.g. desertion or death of a family member
- ☐ Persons pending the approval of state and federal programs showing of need

MONTHLY INCOME GUIDELINES							
No. of persons:	1	2	3	4	5	6	7 or more
Amount:	\$1779	\$1779	\$2076	\$2076	\$2076	\$2076	\$2076

**SECTION 11. APPLICATION FOR ASSISTANCE.** Applications for assistance shall be submitted by the needy and poor to the Director of Assistance in Creston, 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 office; the Director shall mail an application form or deliver to such person the application. 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 pursue such application with due diligence as a condition to be eligible for further assistance under this ordinance. It is the obligation of each person applying to establish his or her eligibility for any category of General Assistance and need for any item of assistance. The applicant must be able to provide a valid social security number or proof of legal immigrant status for himself or herself and for each member of the applicant's family unit. 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 five (5) years, medical reports, medical authorization, and anything else requested by the Director that

bears upon the person's eligibility and need for assistance. The Director may also require, upon approval of the Board of Supervisors, that the applicant submit to a physical or mental examination to determine the applicant's capacity to labor. The Director shall also receive anything that the person applying desires to submit to establish his or her eligibility or need. This may include statements or letters, medical reports, and other written documents as well as the verbal statements of the applicant. Failure to provide verification or information as requested by the Director to establish eligibility within thirty (30) days from the date of application shall be a basis for denial of assistance. The Director shall conduct a reasonable 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 the applicant, upon request, or to the applicant's attorney by written authorization. Withholding information or providing false information shall be a basis for immediate denial of assistance.

**SECTION 12. INITIAL DETERMINATION.** The Director shall make an initial determination Of the eligibility and needs of the applicant within five (5) working days of the receipt of the Signed, completed application.

1. If the Director cannot make the initial determination within five (5) working days, the Director shall immediately inform the applicant by telephone, if possible, of the reasons reasons why such determination cannot be made. The Director shall also mail the applicant by ordinary mail within five (5) working days thereafter, the Director's written decision showing the reason why such determination could not be made.
2. If an applicant has been previously found eligible within the last year, the Director need not receive a new application, but will update the current application and proceed to a determination of whether or not current assistance is warranted. Notice and mailing of such determination shall be as provided above. If any immediate need is present, the Director may verbally authorize a supplier or vender to furnish any item of assistance for the benefit of the applicant and the amount allowed for such benefit. The recipient must sign and deliver verification of assistance received to the supplier.

**SECTION 13. APPEAL.**

1. Every applicant whether granted assistance or not, shall be informed of the Director's written decision and of the applicant's right to appeal such decision to the Board of Supervisors. The applicant shall be informed (1) of the method by which an appeal may be taken, and (2) that he or she may represent him or herself, or may be represented by an attorney.
2. Any written appeal or communication to the Director by or on behalf of an applicant requesting appeal of the Director's determination, shall be taken by the Director and put immediately upon the Board of Supervisors agenda in accordance with Chapter 28A, 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 or communication must be made to the Director within (10) days of the Director's determination, provide applicant's current address and telephone number, and state the reasons for the appeal. The applicant shall be informed immediately, by telephone and by ordinary mail, of the date and time of hearing before the Board. Applicant and his or her attorney, upon written authorization, shall be granted access by the Director to his or her assistance case file if request is made.

**SECTION 14. ACTIONS OF THE BOARD OF SUPERVISORS.** In the event the Board of Supervisors, in reviewing the actions of the Director of Assistance, questions any 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.

**SECTION 15. ADDITIONAL PROVISIONS.** Recovery and Reimbursement: All recipients of assistance in Union County shall reimburse Union County to the extent possible for the cost of benefits extended to them, except where such requirement would cause undue hardship. Recipients of assistance may further be required to work for the County as a condition precedent to the receipt of such benefits as required in Sections 252.27 and 252.42, Code of Iowa. Benefits provided may be further a claim against the homestead or estate of a recipient and may be further a claim against the homestead or estate of a recipient and a claim in probate, as provided by law. Lien created by the agreement to reimburse shall be taken for purposes of insuring repayment of the assistance granted to the recipient, but it shall not be exercised until the property is sold.

**SECTION 16. GENERAL ASSISTANCE DIRECTOR.** The General Assistance Director of Union County may, from time to time, subject to the approval of the Union County Board of Supervisors, enact such rules and regulations as are appropriate to assist in the application and enforcement of this ordinance.

**SECTION 17.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.