

# JOHNSON COUNTY GENERAL ASSISTANCE GUIDELINES and POLICY

(Adopted by the Board of Supervisors on February 27, 2014 Effective March 1, 2014)

General Assistance provides a safety net for those in financial need and promotes community strength by encouraging individual stability, self-sufficiency, and responsibility. General Assistance is offered with respect, compassion, and fairness in all interactions with persons seeking and receiving aid.

Iowa Code Chapter 252 imposes duties upon the counties of Iowa regarding County General Assistance. The code directs the Johnson County Board of Supervisors to provide for the assistance of poor persons lawfully in Johnson County, enables the Board of Supervisors to provide for the assistance of needy persons; and requires the establishment of general rules as deemed necessary to properly discharge the Board's responsibility.

The General Assistance Program shall provide assistance for poor persons lawfully in the county who are ineligible for, or are in immediate need and are awaiting approval and receipt of, assistance under programs provided by state or federal law, or whose actual needs cannot be fully met by the assistance furnished under those programs. Because the Board has determined it is in the best interests of the public, the Program shall also provide assistance for needy persons who meet the eligibility standards specified below. All assistance shall be provided in accordance with the rules described herein.

**I. Administration** - The Johnson County General Assistance Program shall be administered by the Social Services Coordinator, acting as the General Assistance Director, who is appointed by and responsible to the Johnson County Board of Supervisors. Duties of the Director and/or designee shall include the following:

- A. Accept applications from applicants
- B. Provide standard application forms
- C. Investigate the factual statements on applications as necessary
- D. Determine eligibility for each applicant according to guidelines set out in this manual
- E. Arrange for vendor authorization and payment for each eligible applicant
- F. Assist clients to attain self-sufficiency
- G. Maintain confidentiality for persons applying for General Assistance and all corresponding records associated with the applicant. A signed Release of Information will be obtained prior to disclosure of any information or records.

## **II. Definitions**

- A. General Assistance - A county payment or payments made on behalf of an eligible person or household for rent, utilities, provisions, medical supplies and services, prescriptions, and burial or cremation services.
- B. Household Income - The combined income of all related persons, unmarried couples who share a child in common, common-law spouses, and domestic partners who reside or cohabitate together in the same household.
- C. Domestic Partner - Either member of an unmarried, adult couple in a committed, mutual relationship who maintains a common residence and responsibility for each other's common

welfare and financial obligations and are not married to or the domestic partner of anyone else.

- D. Common-Law Spouses: Two persons are part of a common-law marriage when despite not being legally married, they each have a present intent and agreement to be married, they are cohabitating, and they have made a public declaration that they are spouse or are married.
- E. Net Income – Income after federal and state payroll taxes, child support and health care premiums are deducted.
- F. Needy Person – A person who has some means, is not a poor person as defined herein, and meets the eligibility requirements set out herein for aid.
- G. Poor Person – A person who has no property, exempt or otherwise, and is unable because of physical or mental disabilities, to earn a living by labor.
- H. Resident of Johnson County - A person who is living in Johnson County 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. A homeless person's county of residence is determined by where they usually sleep. A resident of another county who comes to Johnson County for the purpose of receiving services or residing in a hospital, correctional facility, halfway house for community-based corrections or substance-related treatment, nursing facility, intermediate care facility residential care facility or for the purpose of attending a college or university is not considered a Resident of Johnson County.

### **III. Eligibility**

**General Eligibility** – To be eligible for assistance, any applicant must meet the following requirements:

- A. Submit a completed application
- B. Be a U.S. Citizen or have documented legal status. Households that include a combination of undocumented and documented individuals must report the income of all individuals in the household. Only household members with legal documented status will be counted when determining household size for eligibility purposes.
- C. Be at least 18 years of age, married or an emancipated minor
- D. Applicants who state they are unable to work due to a mental or physical illness may be required to provide written verification from a doctor or other professional medical personnel. This verification must state the primary health condition, if the inability to work is temporary or permanent, and the approximate date (if applicable) the applicant may return to employment.
- E. Applicants must apply for and follow through with all other assistance programs for which they may be eligible such as, Veterans Affairs (VA), Family Investment Program (FIP), Food Assistance, Medicaid, Iowa Health and Wellness Plan, Housing Assistance, Low Income Home Energy Assistance Program (LIHEAP), Supplemental Security Income (SSI), Social Security, and/or Unemployment, prior to receiving General Assistance. Applicants placed on a limited benefit plan (LBP) by the Department of Human Services will be deemed ineligible for assistance.
- F. Applicants who are eligible for and/or have received maximum assistance benefits from Johnson County Veteran's Affairs are not eligible for General Assistance.
- G. Households that are currently receiving cash assistance or a subsidy from local (VA, MHDS) federal (SSI, SSDI, Unemployment Assistance) and/or state (FIP) assistance

programs are not eligible for General Assistance, unless the General Assistance worker determines the situation is exceptional in nature. (Section VI)

**Eligibility of Poor Persons** – To be eligible for assistance as a poor person, an applicant must meet the General Eligibility requirements in addition to the following:

- A. Meet the definition of a “poor person”
- B. Be ineligible for, or be in immediate need and awaiting approval and receipt of, assistance under programs provided by state or federal law, or have actual needs that cannot be fully met by the assistance furnished under those programs

**Eligibility of Needy Persons** - To be eligible for assistance as a needy person, an applicant must meet the General Eligibility requirements in addition to the following:

- A. Be a Resident of Johnson County
- B. Meet income eligibility guidelines as set out in Sections IV and V of these Guidelines.
  - 1. Persons must be working, and/or actively seeking employment. An applicant, or household member of an applicant, who has voluntarily terminated employment or is terminated for poor work attendance (without sufficient explanation) shall not be eligible for General Assistance for a period of three (3) months after the termination. Ineligibility for assistance is waived if applicant obtains a new job and provides verification of hire.
  - 2. An applicant, or household member of an applicant, who is registered in post high school training or education is not eligible for assistance. This does not include applicants working towards their high school diploma, GED, or engaged in unpaid vocational training provided through their employer, the Division of Vocational Rehabilitation Services, or a transitional support services program.
  - 3. An exception may be made for a person who is needed in the home to care for a dependent child or adult with special needs.

#### **IV. Financial Eligibility**

##### **Income**

- A. The total net income of the household unit for the previous 30 days will be considered when determining eligibility. Household income includes, but is not limited to; net income, child support, retirement and disability benefits, gifts, loans, and any cash assistance received from public and private entities.
- B. Child support payments and healthcare premiums will be deducted from the net income to determine eligibility.
- C. Unrelated persons living in a roommate situation and listed on the lease may constitute a separate household with eligibility based on meeting General Assistance guidelines.
- D. Lump sum payments received by a household up to (3) three months preceding the application for General Assistance will be considered a resource. A period of ineligibility, in months, shall be equal to the expenditure of the lump sum payment at 150% of the federal poverty level for the applicable household.

**Resources** – For a person applying for assistance as a “poor person” all real and personal property of the applicant shall be considered in making the eligibility determination. For a person applying for assistance as a “needy person” all real and personal property of the applicant shall be considered except the following:

- A. Homestead
- B. Household furniture and personal possessions
- C. Tools and equipment used for home and family maintenance or support
- D. Burial lots and funeral trust funds
- E. Vehicles

**V. Further Inquiry** - The General Assistance Director or that officer's designee may make further inquiry of factual details regarding eligibility. Examples of when such inquiry may be, done include but are not limited to:

- A. A person's situation indicates they have resources
- B. Living expense exceeds income
- C. The individual's condition indicates that the eligibility factors need further inquiry or verification including, but not limited to, instances in which the applicant:
  - 1. May be cognitively impaired
  - 2. May be physically ill or disabled and unable to participate adequately in the eligibility determination process
  - 3. Has a known history of misrepresentation

**VI. Standards for Provision of Assistance:** Applicant must meet the general eligibility guidelines in Sections III and IV. Total monthly benefits for each Short-Term, One-Time and Interim Assistance Reimbursement Programs for any one month period will not exceed:

- \$500 - 1 person household
- \$550 – 2 person household
- \$575 – 3 person household
- \$600 – 4 or more person household

With the exception of individuals enrolled in the Interim Assistance Reimbursement Program, no applicant may receive more than three months of assistance in a 12 month period.

- A. **Short-Term Assistance Program** an applicant may be eligible for up to three months of assistance in any 12 month period. A new application is required for each month in which assistance is requested.
  - 1. Household income: Applicant household must have a net income at or below 50% of the Federal Poverty Guideline (updated annually by the US Department of Health and Human Services).
  - 2. If not currently employed, all applicants in household must actively seek employment sufficient to exceed the General Assistance Income Guidelines, by applying for a minimum of two jobs per week.

B. **One-Time Assistance Program** An eligible applicant may receive assistance once within a 12 month period.

1. **Household income:** Applicant must have a net household income between 51% and 100% Federal Poverty Guideline (updated annually by the U.S. Department of Health and Human Services).

C. **Interim Assistance Program.** The Interim Assistance Reimbursement (IAR) Program provides ongoing financial assistance for those applying for disability benefits through Supplemental Security Income (SSI) of the Social Security Administration. An eligible applicant may receive monthly assistance not to exceed the current General Assistance benefit per month for the duration of eligibility. Upon approval of SSI benefits, Social Security will reimburse Johnson County the total amount that the client received in benefits from the IAR program. The remainder of the SSI back pay will be paid directly to the client.

**Eligibility Requirements:**

1. The applicant must suffer from a mental or physical illness which prevents employment for a minimum of 12 months. Applicant will be required to submit a physician completed *General Assistance Medical Verification* form.
2. Applicant must have a household income at or below 50% of Federal Poverty Guidelines and have no resources to meet basic needs.
3. The applicant will apply for Supplemental Security Income (SSI) and must execute the *Authorization for Reimbursement of Interim Assistance Reimbursement Claim* (Form 1950). Applicant must provide verification from the Social Security Administration on the status of their application. To maintain eligibility for on-going assistance, the applicant will:
  - a. Meet with General Assistance worker a minimum of once every three months or more frequently as determined by the worker.
  - b. Submit the *General Assistance Medical Verification form*, signed by a physician, at a minimum of every six months.
  - c. If denied by the Social Security Administration must provide denial notice and verification that the denied decision has been **appealed** before further assistance can be granted.
  - d. Provide verification of application from LIHEAP November through March for utility bills in applicant's name or if the heat is included in their rent. The money received for LIHEAP when heat is included in the rent is to be put towards paying applicant's rent.
  - e. Provide verification of application with the Iowa City Housing Authority.
  - f. Pursue their application with due diligence (keeping scheduled appointments for state and federal programs, returning requested information in a timely manner) and following through with prescribed medical treatments.
  - g. Provide verification of the attorney representing the applicant's SSI case if one has been secured.

4. Applicants approved for the Interim Assistance Reimbursement Program and who diligently pursue SSI benefits may continue to receive assistance until their application is successful or until a determination is made at the Administrative Law Judge (ALJ) level that the applicant does not have a qualifying disability. IAR benefits will terminate upon dismissal of an application for SSI benefits at the ALJ level or for failure to comply with IAR General Assistance guidelines. A reapplication for benefits for the same disability does not entitle the applicant to additional assistance under this section.

- D. Exception to Policy** - Emergency assistance may be approved for an applicant who does not meet the above eligibility criteria in instances of extraordinary circumstances that are determined to be non-recurring in nature. Exceptions will not be granted for households with a net income exceeding 100% of the Federal Poverty Guidelines. The amount of assistance granted will not exceed \$500 for a single-person, \$550 for a two person household, \$575 for three persons or \$600 for a household with four or more persons. An applicant will not be granted more than one exception in a 12 month period. The following considerations are used to determine the extension of assistance:
- 1) Help cannot be obtained from any other source
  - 2) The applicant clearly demonstrates the inability to meet this emergency
  - 3) The applicant agrees to follow the recommended case plan of the General Assistance Worker to assure the non-repetition of this situation, and
  - 4) The applicant can demonstrate the ability to maintain their living situation through their own resources following the receipt of General Assistance benefits
  - 5) Applicant's health and/or housing stability are threatened without assistance

**VII. Needs** - Needs for which General Assistance may be provided are rent, utilities, provisions, prescription medications, medical supplies, and funeral expenses.

- A. Rent**
1. Rent payment shall only be paid to property owner or their designee. Property ownership will be verified by General Assistance.
  2. Rent will not be paid to businesses that operate for the primary purpose of providing short-term lodging, such as hotels.
  3. Applicants must provide a copy of a current, formal, lease when applying for rental assistance from General Assistance
  4. Rent shall not be paid to parents, grandparents, children or grandchildren of the applying household.
  5. Rent payments shall not exceed:  
\$400 per month - 1 person household  
\$450 per month – 2 person household  
\$475 per month – 3 person household  
\$500 per month – 4 or more person household
  6. Rent Assistance will not be used to supplement Section 8 Housing Assistance or other federally subsidized units.
  7. General Assistance will not be granted for deposits, taxes, interest, house payments (mortgage) or other payments not directly necessary for support and maintenance of home.

B. Utilities

1. Utility payments may include fuel for purpose of heating and cooking; electricity for heating, cooking and lights and water.
2. Utility assistance shall not exceed \$150. Assistance will not be granted unless assistance and other resources of the applicant are such that the utility provider will agree to continued or reinstated service.
3. Assistance shall not be granted for gas or electric for housing units that are subsidized by the federal government or other programs where a utility allowance is included in calculating the rent paid by the applying household.
4. Utility bills must be in the name of the applicant or another adult member of the household or family unit. If the expense of utilities is being shared, the utility amount will be prorated.
5. The applicant must show that they have made payments toward their bill, making a minimum of three payments within the previous six month period.

C. Provisions - This is defined as food and non-food.

1. Food vouchers will not be provided to supplement the Food Assistance Program.
2. All applicants must apply for the Food Assistance Program through the Iowa Department of Human Services.
3. All applicants will be referred to local food pantries and local dining sites.
4. Financial assistance with food may be provided through a voucher to a local grocery store in amounts not to exceed the following:

Single Household	\$25.00/week
Two Person Household	\$45.00/week
Three Person Household	\$65.00/week
Four Person Household	\$85.00/week
Five or More	\$20.00/week for each additional member
5. Non-food vouchers may be used for items including; paper products, household cleaning supplies, and personal hygiene items. Non-food orders will not exceed \$35/month. Non-covered items include, but are not limited to: cigarettes, alcoholic beverages, bottle or can deposits, pet food.

D. Medical

1. Eye exam, frame repair, and glasses when recommended by a physician and assistance is not available through the Free Medical Clinic or Crisis Center.
2. Prescription or non-prescription items when recommended by physician. The applicant will utilize the Iowa Medication Voucher Program or the NACo Prescription Discount Drug Program for eligible prescriptions. Applicant will be referred to MHDS for prescriptions related to mental health conditions.
3. Payment of medical supplies such as hearing aids, special shoes, etc. when these items are not available through other resources.

E. Burial/Cremation

1. Burial assistance may be available for any Johnson County resident whose monthly household income is at or below 100% of the Federal Poverty Guidelines.

2. Death benefits may be available from employment, railroad retirement, pension plans, Veteran's Affairs, life insurance policies, prepaid burial agreements or Social Security. The family of the deceased must apply for these benefits to assist with the burial expenses. Any funds generated from memorials must be applied to the burial costs. If the family of the deceased discovers a death benefit, savings account or other resources after the funeral, they are expected to notify General Assistance and the funeral home. If General Assistance deems the family of the deceased is ineligible due to resources, the family would be held responsible for the actual burial and funeral expenses.
3. Application must be submitted by the next of kin or an officially designated representative.
4. Applications for assistance should be made prior to formalizing any arrangements with the funeral home. If an agreement with the funeral home is reached and signed on or before General Assistance benefits are secured, the application for benefits may be denied.

#### Description of Burial Benefits

- A. Johnson County General Assistance will pay up to \$2100 for funeral services expenses. These expenses may include but are not limited to; funeral home services and memorials for burial or cremation, embalming, casket or urn, grave liner, transfer of deceased to funeral home and cemetery, and preparation and filing of the death certificate.
- B. Up to \$900 for cemetery expenses including the opening and closing and purchase of a plot.
- C. The family will be financially responsible for any printed materials, clergy or music honorariums, flowers, limousines or family cars, death certificate, and luncheon or reception charges.
- D. The assistance available through the General Assistance Program is intended to cover the full cost of funeral home services associated with burial or cremation, as well as expenses related to the internment of remains (i.e. cemetery fees). The funeral home will work with the next of kin or officially designated representative to limit the services to meet this requirement.
- E. The funeral home must furnish complete and accurate invoices to General Assistance as well as the next of kin or officially designated representative. The total billable expenses for funeral and burial services will not exceed \$3,000. This benefit represents payment in full, and the burden for any cost in excess of this total shall be the responsibility of the funeral home, cemetery or participating vendors.
- F. Payment for out-of-state funerals will not be provided.
- G. General Assistance will pay \$250 for burial or cremation of those deceased persons deemed non-resident transients, as per Iowa Code 252.27.

**VIII. Reimbursement** - Johnson County may seek reimbursement for assistance provided to a poor person from those persons or entities obligated for their support (See Section 252.13 of the Code of Iowa).

**IX. Appeals** – Applicants to General Assistance shall be informed of their right to appeal their eligibility for assistance or the amount of assistance. The applicant shall be informed of the process to file an appeal and their right to represent themselves or obtain a representative of their choice.

- A. An applicant wishing to appeal may file, with the General Assistance Director, a written request for review of the application. Appeal must be filed within (10) ten days of the Notice of Decision and include the applicant's name, current address and telephone number, and reasons for the appeal. The Director shall review the application and issue a subsequent Director's Decision within (5) five business days of the receipt of the written request for review. If the applicant provides a valid mailing address the decision shall be mailed to the applicant. Otherwise, the decision shall be held for at least one week at the office of the General Assistance Director for pick up by the applicant.
- B. An applicant wishing to appeal the General Assistance Director's Decision may file a written request for review within (10) ten days of this decision. The appeal shall be forwarded by the Director to the Board of Supervisors and placed on the agenda for the next regularly scheduled Board meeting, provided that such appeal shall not be heard sooner than (5) five days after appeal is taken, unless requested by the applicant. If the applicant provides a valid mailing address or telephone number, the applicant shall be informed by the Director either by telephone or mail of the date and time of the hearing before the Board. Otherwise, the date and time of the hearing shall be available to the applicant at the office of the General Assistance Director.
- C. The Board of Supervisors shall hear the applicant's appeal at the time scheduled unless a continuance is requested by applicant—which request may be granted at the discretion of the Board Chairperson. Applicant shall be permitted to present evidence in support of the appeal including testifying, offering documentary evidence and cross examination of other witnesses. Technical rules of evidence shall not apply. The Board may set a reasonable length of time for presentations by the parties. The Board may question the applicant, and the Director shall present the reasons for the Director's determination. The hearing will be recorded. The hearing before the Board will be closed in accordance with Iowa Code Sections 21.5(1)(a), 217.30, and 252.25. Information about the applicant which is disclosed during the hearing shall remain confidential. Applicant's failure to attend the meeting at which the applicant's appeal is heard by the Board may result in a dismissal of applicant's appeal.
- D. The Board's findings shall be based solely upon evidence presented at the hearing. The Board shall issue their decision in writing, as promptly as possible, and within five (5) business days of the hearing date. If the applicant provides a valid mailing address the decision will be mailed to the applicant. Otherwise, the decision shall be held for at least one week at the office of the General Assistance Director for pick up by the applicant.