

# Marshall County

## General

## Assistance

## Policy

**It is Marshall County's position that provision of assistance to needy persons is a matter of public benefit as well as a statutory duty of the county, and to that end General Assistance as defined herein shall be administered to needy families and individuals as identified by General Assistance Manual guidelines promptly, humanely, and equitably in order to assure those persons decent, healthful living situations.**

## SECTION I - GENERAL PROVISIONS

- A. LEGAL AUTHORIZATION:** The guidelines and procedures set out in this policy implement the responsibility of the General Assistance Office of Marshall County. This policy outlines the duties imposed upon the County by Chapter 252 of the Code of Iowa.
- B. ELIGIBILITY:** Eligibility for General Assistance shall be determined on the basis of need as established and verified by the Community Services Director or designee according to the guidelines set out in Sections III and IV and shall be determined without regard to race, creed, religion, national origin, sex or age.
- C. DEFINITIONS:** The definitions of terms used in this policy are as follows:
- “Board” means the Marshall County Board of Supervisors.
  - “Director” means the Community Services Director appointed by the Marshall County Board of Supervisors to oversee the county’s General Assistance program.
  - “Designee” means qualified Community Services staff appointed by the Director to help administer the county’s General Assistance program.
  - “Family” means the person applying for general assistance, that person’s spouse, children under eighteen years of age, older children who are dependent on the applicant due to school attendance or incapacity, and anyone else domiciled with the applicant and dependent upon the applicant according to guidelines used by the state Department of Revenue in collecting income tax.
  - “General Assistance” means county payment made on behalf of needy persons for rent, utilities, food, medical services, and miscellaneous expenses.
  - “Needy” means a lack of resources to maintain self or family in a decent, healthful situation.
  - “Vendor Payment” means a County Auditor’s warrant to the supplier of goods or services.
- D. GENERAL ASSISTANCE APPLICATION:** Application for General Assistance shall be made to the Director or designee on forms supplied by the Community Services office. The Director or designee shall give written notification to the applicant of the decision to grant or deny the application within five (5) working days of receipt of the completed application. Such notice shall include the factual basis for the Director’s or designee’s decision, a statement of the right to appeal, and a recital of appeal procedures.
- E. REVIEW BY THE BOARD:** The Board may review the determination of eligibility made by the Director or designee. If the Board questions any allowance of assistance benefits allowed by the Director or designee, it shall take no action concerning such allowance until it conducts a hearing. Notice of the hearing shall be given to the applicant in the same manner as if the applicant had taken the appeal. This hearing shall proceed in the same manner as an appeal by the applicant from the Director’s or designee’s determination.

**F. APPEAL:**

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

**G. APPEAL HEARINGS:**

1. The Board of Supervisors shall hear applicant's appeal at the time scheduled in the agenda unless continuance is requested by applicant and granted by the Board of Supervisors. Applicant shall be permitted to present any evidence desired in support of the appeal by personal testimony, by having other witnesses testify, by offering documentary evidence and by reasonable cross examination of other witnesses, if present. The technical rules of evidence shall not apply. The Board may set reasonable times for the present action of the parties at 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 shall be tape recorded. The hearing before the Board shall not be an open meeting under Chapter 28A, Code of Iowa, since the confidential files of the applicant will be in evidence. When the Board deliberates on the appeal, no persons other than Board members shall be present. The Board's deliberations shall not be tape recorded.
2. The Board shall make a decision on the appeal within ten (10) working days after the hearing. The Board's findings of fact and decision shall be based only on the evidence submitted during the hearing. Immediately after making its decision, the Board shall mail to applicant at his or her last known address, by ordinary mail, its decision in writing. The decision shall state the reasons for the action and shall also state that an appeal may be taken to district court from the Board's determination, and shall state the method by which such appeal may be taken.
3. Any appeal from the Board's decision to the district court shall be allowed within the time and by the manner and procedures established under the Iowa Administrative Procedures Act, Chapter 17A, Code of Iowa.

## SECTION II - ADMINISTRATION

- A. PERSONNEL:** The General Assistance program shall be administered by the Community Services Director who is appointed by and responsible to the Board of Supervisors. The Community Services Director may designate qualified and trained Community Services staff to help administer the program and carry out General Assistance duties. Community Services staff are appointed by and responsible to the Community Services Director.
- B. DUTIES OF PERSONNEL:** The Director or designee shall:
1. Accept applications for General Assistance from persons residing in Marshall County and shall supply standard application forms for this purpose.
  2. Investigate the factual statements presented on each application for General Assistance to determine their accuracy and reliability as appears necessary to the director under the guidelines of Section III of this policy.
  3. Determine eligibility of each applicant according to the guidelines set out in this policy.
  4. Arrange for vendor payments to be given to the applicants determined to be eligible for General Assistance.

## SECTION III - GUIDELINES FOR INVESTIGATION AND DETERMINATION OF ELIGIBILITY

The Director or designee shall investigate the factual statements made on an application if it reasonably appears from either the application or from other information made available that the:

1. Applicant=s situation indicates potential unused resources.
2. Applicant=s property or cash reserves are near or equal to the limitation allowed.
3. Applicant is physically ill or disabled and unable to participate in the eligibility determination process.
4. Applicant knowingly provides false information on an application for assistance or provides false information during the determination of the applicant=s request for assistance.
5. Applicant is transient or someone who changes his/her address frequently, or who has no permanent place of residence, or temporarily relocated for employment purposes.
6. Applicant fails to secure and maintain employment.
7. Applicant has received assistance and not fulfilled the payback agreement

General Assistance may then be denied.

## SECTION IV - ELIGIBILITY CRITERIA

To be eligible for General Assistance, an applicant must comply with the following established requirements and submit a complete application form.

- A. LOCATION:** Applicant must be a legal resident of Marshall County and have a lawful status under the laws of the United States of America to be considered for assistance. A resident is defined as a person who maintains a domicile (home) such as an apartment, townhome, duplex, house, etc where the person can document that they are the lawful renter/owner and that they have paid rent or have possessed a lease, deed or title for a minimum of six (6) consecutive months.
- B. ALTERNATE SOURCES OF ASSISTANCE:** General Assistance funds shall not be utilized until all other sources of public assistance have been applied for. Applicants shall be referred to programs as appropriate.
- C. PERSONAL AND FAMILY RESOURCES:** All real and personal resources of the family, including net income from any source, shall be considered in making determinations for granting General Assistance with the following exceptions:
1. The applicant=s family homestead.
  2. Personal possessions and household furniture.
  3. Tools and equipment used for home and family maintenance or support.
  4. One motor vehicle and any additional vehicle more than ten years old.
- D. INCOME ELIGIBILITY:** Financial guidelines for General Assistance shall be the State of Iowa Family Investment Program (FIP) guidelines for families with Children and the SSI Federal Payment Standards for families without Children.
- E. EMPLOYMENT:** Applicants and adult members of the applicant's family shall be referred to Workforce Development Center, and shall register with Iowa WORKFORCE Development Center and complete a job search if deemed appropriate by the Director or designee cooperate with that agency in seeking employment, and shall accept employment when available. This requirement shall not be enforced when, in the determination of the Director or designee, any of the following conditions exists:
1. The applicant suffers from mental or physical illness which prevents gainful employment.
  2. The applicant is disabled or otherwise unemployable.
  3. The applicant is caring for a dependent family member who required home care and supervision.

An applicant is not eligible for assistance if unemployed for the purpose of seeking post high school training or education unless that person is participating in a vocational program that is part of an ICP (Individual Comprehensive Plan) developed by their social worker or case manager.

An applicant who is unemployed due to voluntarily quitting a job or is justifiably discharged from a job is not eligible for General Assistance for a period of three months after leaving the job.

If the applicant or applicant=s 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, in the absence of the applicant=s action or inaction, provide financial assistance at or in excess of General Assistance guidelines, the applicant will not be eligible for assistance.

- F. COMPUTATION OF INCOME:** Net income shall be the aggregate of all income including child support received of household members minus all paid medical expenses or child support physically paid out of household during the same thirty day period of income eligibility.

Single persons living in a roommate situation shall be eligible for their proportionate share of the rent or utilities based on their own income. If the roommate needs help, that person must make an application for General Assistance in their own name.

- G. FREQUENCY:** An able-bodied person is eligible to receive General Assistance only once in a six month period except:

Medical exceptions will be allowed if the applicant can provide a physician=s statement that specifically forbids the applicant from any work. There must be a signed Interim Assistance Agreement in place and assistance may be granted until the original decision by Social Security (this does not include services during an appeal status).

- H. REIMBURSEMENT:** Applicants for General Assistance may be required to sign a repayment agreement prior to assistance approval, based on assessment of applicant=s financial situation. If an applicant for or recipient of General Assistance fails to make reimbursement for previous assistance, based on a signed reimbursement agreement, that applicant or recipient will be eligible for no further assistance.

## SECTION V - DISBURSEMENT OF GENERAL ASSISTANCE

After eligibility is established and verified, and it is determined that there are no resources, disbursement of any General Assistance may be granted according to the following categories of need and their listed guidelines:

### A. RENT:

1. Rent payment shall only be made to owners of property.
2. Applicants must meet the qualifications for HUD Rent Assistance through the City of Marshalltown.
3. Rent shall only be paid for housing that is currently being occupied by the family except for temporary absence of the family for health reasons.
4. Rent shall not be paid to any relative.
5. The total amount of rent allowed for a single person is limited to \$250.00 or \$300.00 if utilities are included in rent.

When a single person has a roommate who pays their portion of the rent and utilities, each person must apply to General Assistance for their portion of the rent. The total amount of rent allowed for any one unit cannot exceed \$500.00 or \$550.00 if utilities are included in the rent.

The total amount of rent that General Assistance will pay for a family is \$500.00 or \$550.00 if utilities are included in the rent. A family unit will be the same as a multi-person household.

Rent will be paid for the current month only. If there are months that have been unpaid, verification will be needed to show that the past due amounts have been paid before a voucher will be issued. The landlord must agree to not evict for 30 days if assistance is granted.

### B. UTILITIES:

1. Utility relief includes vendor payments to gas companies, light companies, water companies, fuel oil companies and merchants who may provide another type of fuel needed for heating or cooking.
2. The maximum amount authorized will be \$200.00 for any type of utility. If rent is being authorized also, the maximum amount authorized will not exceed \$450 for a single household or \$550 for a family.
3. Utilities are paid on a current basis, and it is not necessary to have a shut-off notice.

4. Utilities must be in the name of the applicant or another member of the household. If the expense of utilities is being shared with a non-applicant, the payment will be pro-rated.

Payment for utilities will be for current usage only. If a shut off notice has been received, verification will be needed of payment of past due amount before payment of current amount will be made.

**C. FOOD**

Applicants will be referred to food pantries or other sources before issuing a voucher for food. Marshall County would be funder of last resort.

1. This category includes food and non-food expendable household items such as soap and paper products, household cleaning supplies and personal grooming supplies.
2. A food voucher may be given to an applicant for an amount of \$40 for a single person and an additional \$10 for each additional person, made out to the grocery store of the applicant=s choice.
3. A food voucher will purchase staple food items only. Luxury items such as pop, candy, potato chips, etc. are not authorized.
4. Food vouchers will not be used as a supplement for the applicant or family who is eligible for Food Assistance or receives Food Assistance on an ongoing basis.

**D. MEDICAL ASSISTANCE:**

1. Prior authorization from the Director or designee must be obtained before obtaining medical assistance. In case of an emergency, when it is impossible to obtain prior authorization, the General Assistance Office must be contacted the first working day following the emergency. Under no circumstances shall medical assistance under paragraphs three and four of this section be considered an emergency situation.
2. Vendor payment may be made for prescriptions and also for some medical needs that require no prescription, such as insulin needles, bandages or gauze, etc. Payment for prescription or nonprescription drugs shall be limited to \$200.00 per eligible family member.
3. Payment may be made for dental work necessary to alleviate pain. Dental vendor payments are limited to \$200.00 for extractions.

**E. FUNERAL EXPENSE: Effective 10-1-04, the Board ended burial assistance.**



**F. MISCELLANEOUS:**

1. Transportation assistance for transients may be in the form of voucher payments not to exceed \$25 for gasoline with proof of insurance and current driver's license OR a voucher payment for bus tickets no farther than the Iowa border. This assistance will be limited to one time only.
2. Transportation assistance for medical needs may be in the form of voucher payments not to exceed \$25 for gasoline with proof of insurance and current driver's license OR a voucher payment for bus tickets no farther than the Iowa border. This assistance will be limited to one time only.
3. Any other type of General Assistance found by the Director to be appropriate may be disbursed under this subsection. Under no circumstances shall the Director find taxes, interest, carrying charges, mortgage payment or any other type of debt to be a current need for which General Assistance may be disbursed.

Eligibility and need shall be determined and any resulting disbursements made as soon as possible after an application is properly completed.

Disbursement of General Assistance shall be by payment to the vendor as described in the Marshall County General Assistance Policy. Payment is authorized by voucher. A voucher shall be given to the applicant and the applicant shall present the voucher to the vendor.

Adequate records of all disbursements tracked by applicant and by category, together with any information necessary to explain each grant of General Assistance, shall be kept.

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This policy approved in regular session on August 19, 2008 will remain in force until modified or repealed by the Marshall County Board of Supervisors.