

GENERAL ASSISTANCE ORDINANCE FOR CLAYTON COUNTY, IOWA

SECTION 1. PURPOSE OF GENERAL RELIEF. County General Relief shall be provided to residents of this county as mandated by the Code of Iowa, Section 252.25. The purpose and policy of such provisions of relief where appropriate, is to direct the applicant in removing barriers to self-sufficiency and economic self-support to prevent, reduce, or eliminate dependency.

SECTION 2. DEFINITIONS. The definition of terms as used in this ordinance are:

- (a) Poor Person - an individual or family unit of that individual who resides in Clayton County and because of physical or mental disability is unable to engage in gainful employment and otherwise cannot make a living and who has \$500. or less in resources.
- (b) Needy Person - is a person or family unit of that person who resides in Clayton County, for however short a period of time, and meets the eligibility criteria outlined in Section 4 of this ordinance.
- (c) Relief - means food, rent, shelter, clothing, transportation, emergency telephone service, fuel, lights, medical attention, and burial. Food does not include tobacco products or alcoholic beverages, but does include laundry soap, and other items of a non-food nature used for personal hygiene. Relief also includes, except for cases of a veteran and his family at their election, provisions of any of the above items of relief by the General Relief Director, Appointed Designee, or Board of Supervisors through the offering of residence at the County Care Facility.
- (d) Family Unit - means the individual applying if that individual is the head of a household, and all the members of the immediate family, (spouse, children under the age of eighteen (18) years of age who are dependent of the applicant for Federal Tax purposes), as long as they reside in the same household, are eighteen (18) years of age or older and are not dependent of one another for

Federal Tax purposes, they shall be considered on an individual basis.

- (e) Liquid Assets - means cash, savings accounts, stocks, bonds, time certificates, or other items of net worth, such as coin collections, stereos, antiques, and other items of net worth of the family unit that may be converted into cash within seven (7) days.
- (f) Awaiting Approval and Receipt - means a poor or needy 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 reapplied after eighteen (18) consecutive months have expired from the date of denial.

SECTION 3. FORM. The relief shall be purchased directly from the supplier for the applicant of the family unit. It may be for one or more of the items of relief that can be purchased.

SECTION 4. ELIGIBILITY.

- (a) Poor - Relief to poor persons whose family unit net worth is \$500. or less and who are eligible for, and are awaiting approval and receipt of assistance under programs provided by state or federal law.
- (b) Resources - Needy
 - (1) Not more than two licensed vehicles - maximum equity value of \$2,000.;
 - (2) Homestead - maximum \$25,000. assessed value;
 - (3) Liquid Assets - maximum of \$500.;
 - (4) Face value of life insurance and/or burial agreement at a combined maximum of \$1,500. is being dropped from the eligibility criteria.
 - (5) Net income within past 30 days prior to date of application, not to exceed less than current Aid to Dependent Children guidelines.

Residents will be required to apply, complete the application process, and accept benefits from other available resources before making application to the General Relief Office. If a resident does not complete the application process or fails to cooperate with another resource, the resident will not be eligible for benefits from General Relief.

SECTION 5. LEVEL OF BENEFITS.

(a) Food - if food stamps have not been received, the following amounts will be allowed: 1 or 2 - \$20.00; 3 or 4 - \$30.00; with \$5.00 for each additional person, to a maximum of \$50.00. Non-edible items in the same amounts.

(b) (1) Rent and Shelter will be a reasonable amount with the maximum being as follows:

1 member household	75.00 per month
2, 3, or 4 member household	\$150.00 per month
5 or more member household	\$175.00 per month

(2) Rent will not be paid to the following relatives of the family unit: Mother, Father, Brothers, Sisters, Brothers-in-law, Sisters-in-law, Grandparents, Aunts, Uncles or Children.

(3) Rent, including utilities shall be a reasonable amount determined at the discretion of the Director of Relief or Appointed Designee.

(c) Clothing - reasonable value of clothing actually immediately needed, and not to exceed \$100.00.

(d) The amount needed to provide these services and supplies not to exceed \$200.00.

(e) Medical, dental, eye examinations, eyeglasses, and prescription drugs, the reasonable value of these services actually needed on an emergency and life-maintaining basis.

(1) A maximum of \$1,000.00 will be paid per hospitalization.

- (f) Transportation expense - including gasoline as needed to obtain other benefits or seek employment or other requests that are deemed appropriate.
- (g) Telephone - in case of a medical necessity, the basic cost of one telephone will be allowed. Long distance telephone charges for other than medical emergencies shall not be allowed or provided.
- (h) Burial - If the funeral does not cost more than the national funeral directors average overhead cost, plus the actual cost of the least expensive casket and cement burial box, the following may be paid by the county:
 - (1) General Relief may pay burial benefits up to a maximum of \$1500.00 to the funeral home. Any money derived from a life insurance policy or death benefits, Social Security, Railroad Retirement, Veterans Benefits, shall be deducted from the \$1500.00. The \$1500.00 may include the cost of the following items, if used:
 - (a) Preparation and embalming of the body.
 - (b) Casket, including an oversize casket.
 - (c) Cement burial box.
 - (d) Transportation of the body.
 - (e) Opening and closing of the grave.

SECTION 6. MEDICAL PROVISIONS. In cases where an individual is not eligible for General Relief due to excess income, but is under other resource standards, and where 50% or more of their income (based on the standard of need), goes to necessary medical and prescription drugs (as verified by a medical doctor), the applicant will be considered eligible provided proper proof has been given to the Director or Appointed Designee.

When an applicant is qualified under this section of the ordinance, they will be responsible for the initial cost calculated at twenty-five percent of their actual income. After the initial cost is calculated, the county will pay the provider(s) the remaining amount.

SECTION 7. MAXIMUM LIMITATION. For any one person, the amount of benefits, disregarding residents of the County Care Facility, shall be \$1,000.00 per year, plus \$100. extra for each additional member of the family unit, unless extended relief is provided under Section 8 of this ordinance, in which case the maximum shall be three thousand dollars, (\$3,000.00) for one person, plus one hundred dollars (\$100.00) for each additional member of the family unit.

SECTION 8. RELIEF OF AN EXTENDED NATURE. It is contemplated that items of relief to be provided to poor or needy persons or their family unit will not, during any one calendar year, exceed sixty (60) days. If it appears that items of relief should be provided continuously beyond this sixty-day (60) period, they will be provided by placement in the County Care Facility.

SECTION 9. REQUIREMENTS FOR RECEIVING RELIEF BY A NEEDY PERSON.

- (a) Any person who is not needed in the home to care for a minor child under the age of six (6), shall be registered with Job Service of Iowa for employment.
- (b) Anyone receiving assistance will be required to renew their application monthly. Failure to renew an application during the assigned time of the month designated by the Director of Relief or Appointed Designee, shall be grounds for cancellation.
- (c)
 - (1) Work search forms must be completed by each member of the family unit who is eighteen (18) years of age or older, unless said person is needed in the home to care for a minor child under the age of six (6).
 - (2) Persons medically unable to work due to physical or emotional disability will be required to provide a statement from their physician, verifying that person's inability to work. If said applicant is unable to obtain a verification within thirty (30) days, applicant may be required to complete work search forms until such a verification from a physician can be obtained.

- (3) Those required to complete job search forms will make at least two (2) unduplicated job contacts per week. Each job contact will need to be verified by getting the signature of the person contacted; ie, job foreman, office manager, supervisor, employer, etc. Said job applicant will return job search form to the General Relief Office by the date issued on the job search form. Failure to comply with completing job search forms by required applicants, and/or not returning job search form by required date shall warrant cancellation of any further assistance and/or suspension from receiving assistance for the period of six (6) months.
- (4) Individuals or family unit must seek out referrals beneficial to the applicant which have been given to them by the Director of Relief or Appointed Designee, and must be completed by the designated date issued to them. A refusal or failure to comply with this, may warrant the cancellation of any further assistance and/or suspension from receiving assistance for the period of six (6) months.

SECTION 10. APPLICATION FOR RELIEF. Applications for relief shall be submitted by poor and needy persons to the Director of Relief or Appointed Designee at the Clayton County Department of Social Services in Elkader, Iowa, during usual business hours (emergency requests for assistance after normal working hours and on weekends will be handled by the Director of Relief or Appointed Designee over the telephone if at all possible, with the applicant expected to apply at the office immediately the next working day), upon forms provided by the Director or Appointed Designee. If because of undue hardship, a poor or needy person cannot come to the office, the Director or Appointed Designee shall mail such person an application form or deliver to such person, the application. If the applicant or the family unit is or appears to be eligible for relief or assistance from any other federal, state, or local source, the Director or Appointed Designee 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 relief under this ordinance.

It is the obligation of each person applying to establish his or her eligibility for any category of general relief and need for any item of relief. If requested, the person applying shall provide the Director or Appointed Designee with the verified statement of net worth, federal and state income tax returns for the past five years, medical reports, medical authorizations, and anything else requested by the Director or Appointed Designee that bears upon the person's eligibility and need for relief. The Director or Appointed Designee may also require that the applicant submit to a physical or mental examination to determine applicant's capacity to labor. The Director or Appointed Designee shall also receive anything that the person applying desires to submit to establish their eligibility or need to include statements or letters, medical reports, and other written documents as well as the verbal statements of the applicant. The Director or Appointed Designee shall then proceed to conduct a reasonable investigation concerning the applicant's eligibility and needs. The applicant's file and the investigation and findings by the Director or Appointed Designee shall be made available to the applicant, upon request, or the applicant's attorney by written authorization.

SECTION 11. INITIAL APPLICATION.

- (a) (1) The Director or Appointed Designee shall make an initial determination of the eligibility and needs of the applicant within five (5) working days of the receipt of the application. Upon that determination, the Director or Appointed Designee shall notify the applicant by telephone immediately, if possible, and within three (3) working days after that determination, mail the applicant at the last address shown on the application, by ordinary mail, the Director's or Appointed Designee'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.
- (2) If the Director or Appointed Designee cannot make the initial determination within five (5) working days, the Director or Appointed Designee shall immediately inform the applicant by telephone, if possible, of the reasons why such determination cannot be made. The Director or Appointed Designee shall also mail to the applicant, by ordinary mail, within three (3) working days thereafter, the

Director's or Appointed Designee's written decision showing the reasons why such determination could not be made.

- (b) If an applicant has been previously found eligible, the Director or Appointed Designee need not receive a new application (if the application was completed within the previous three months), but may proceed to a determination of whether or not current relief is warranted. Notice and mailing of such determination shall be provided as above. If an emergency and immediate need is present, the Director or Appointed Designee may verbally authorize a supplier or vendor to furnish any item of relief for the benefit of the applicant and the amount allowed for such benefit. The Director or Appointed Designee shall inform the applicant and issue a written decision as provided above.
- (c) Whenever an applicant is found eligible and entitled to relief, the Director or Appointed Designee shall proceed to provide the same and notify the Board of Supervisors.

SECTION 12. APPEAL.

- (a) Every applicant, whether granted relief or not, shall be informed in the Director's or Appointed Designee's written decision 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.
- (b) Any written appeal or communication to the Director or Appointed Designee by or on behalf of an applicant requesting appeal of the Director's or Appointed Designee's determination shall be taken by the Director or Appointed Designee and put immediately upon the Board of Supervisors' agenda, in accordance with Chapter 28A, Code of Iowa, for the next regular Board meeting, providing that such appeal shall not be heard sooner than five (5) working days after appeal is taken. The written appeal or communication must be made to the Director or Appointed Designee within ten (10) days of the Director's or Appointed Designee'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 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 or Appointed Designee to his or her relief case file if request is made.

SECTION 13. APPEAL HEARING.

- (a) The Board of Supervisors shall hear applicant's appeal de novo at the time scheduled in the agenda unless continuance is requested by applicant. Applicant shall be permitted to present whatever evidence 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 present action of the parties at any appeal. The applicant's file shall be admitted as evidence. The Board may question the applicant, and the Director or Appointed Designee 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 28A, 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.
- (b) The Board's decision shall be on the basis of the evidence submitted before the Board. The Board shall make a decision within three (3) working days and immediately upon reaching a decision, contact the Director of Relief or Appointed Designee. The Director of Relief or Appointed Designee shall inform the applicant of the decision within two (2) working days thereafter by ordinary mail, in writing, to the applicant's last known address. The decision shall state the reason for the action of the Board, together with any statute or ordinance applied. The written decision shall also state an appeal may be taken from the Board's determination, as provided below, and the method by which such an appeal may be taken.
- (c) Any appeal to the District Court shall be allowed by the

applicant from the Board's decision within the time and the manner and procedures established under the Iowa Administrative Procedures Act, Chapter 17A, Code of Iowa.

SECTION 14. ACTIONS OF THE BOARD OF SUPERVISORS. In the event the Board of Supervisors, in reviewing the actions of the Director of Relief or Appointed Designee, questions any allowance of relief benefits allowed by the Director or Appointed Designee, 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 or Appointed Designee's determination.

SECTION 15. ADDITIONAL PROVISIONS. The Director or Appointed Designee may allow, upon application, the additional benefits provided for in Chapter 252, Code of Iowa. The provisions of Chapter 252.13, Code of Iowa, for repayment of benefits to Clayton County, are applicable and the applicant shall acknowledge the same in writing. Recipients of relief 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, Code of Iowa. Benefits provided a recipient may be a claim against the homestead of a recipient and a claim in probate as provided by law.

SECTION 16. STATEMENT OF NON-DISCRIMINATION. We will consider all applications for general relief without regard to race, color, sex, age, handicaps, religion, natural origin, or political belief.

SECTION 17. All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.