COUNTY OF GLENN
AGENDA ITEM TRANSMITTAL

MEETING DATE: November 19, 2013
Submiting Department(s):
Health & Human Services Agency

BRIEF SUBJECT/ISSUE DESCRIPTION:
Approve change to Section 6.1 of the General Assistance Manual, eliminating the clause pertaining to a $40 deduction in the maximum allowable General Assistance benefit to help cover the cost of the County Medical Services Program (CMSP).

Contact: Bill Wathen/prepared by K Vasco
Phone: 934-1431

AGENDA PLACEMENT
APPOINTMENT – Appearances by: (Specify Name & Title)
Scott Gruendl, Director

Required 5 Minutes

Business – No Consent
Correspondence Reports & Notices

LEGAL/PERSOEI/ENCE/FISCAL

ATTACHMENTS
Board Report
Letter
Minute Order
Contract
Transfer
Grant App.
Resolution
Ordinance
Proclamation
Policy Update
Code Update
Other
General Assistance Manual

CLERK INSTRUCTIONS
Return Minute Order
Return Certified Copy Of:
Other:

PUBLIC HEARINGS & COMMITTEE VACANCIES
Public Hearings:
Published
Affidavit on File w/Clerk
Affected Parties Notified

Committees:
Vacancy Posted
Application Attached

LEGISLATION
State
Federal
Bill#:
Latest Version of Bill
Draft Letter Attached
List of Supporters/Opposers
Statement of Relevance to County Interests
Description Attached

FUNDING SOURCE/IMPACT
General Fund Impact
Other:
Budgeted
Transfer Attached
4/5ths Vote Required
Contingency Request

CONTRACTS, LEASES & AGREEMENTS
New
Renewal
Amendment
Insurance Certificate
Contract Report

Date of Original Contract:
Contract:
Contract No.:
Fiscal Year:

RECOMMENDED ACTION/MOTION:
Minimal impact to General Fund.

Approve the amendment to Section 6.1, Aid Payment Level, of the General Assistance Manual, eliminating the clause pertaining to the $40 deduction from the maximum allowable General Assistance aid payment.

Reviewed By (if applicable):

Scott Gruendl, Director

Personnel Director

Department of Finance

CC:
COUNTY OF GLENN
BOARD REPORT

Submitted by: Health & Human Services Agency (Department)

EXECUTIVE SUMMARY:

The County Medical Services Program (CMSP) provides health coverage for low-income, indigent adults. Glenn County has been a participating county since the inception of the program in 1995. In order to partially cover the cost of providing CMSP services to indigent persons, Glenn County amended the General Assistance Manual in 2004 to authorize a $40 deduction from the General Assistance monthly benefit amount, adjusting the maximum allowable aid payment and counting the $40 as an in-kind contribution to program costs and as permitted by Section 17000.5a of the California Welfare and Institutions Code (WIC).

The advent of the Affordable Care Act has eliminated the need for the $40 deduction by extending Medi-Cal eligibility to indigent adults without children or other linkage to Medi-Cal benefits. Therefore, the Health and Human Services Agency (HHSA) request approval to amend Section 6.1 of the General Assistance Manual, Aid Payment Level, by eliminating the clause pertaining to the $40 deduction. This change will be effective January 1, 2014.

RECOMMENDATION(S):

Approve the amendment to Section 6.1, Aid Payment Level, of the General Assistance Manual, eliminating the clause pertaining to the $40 deduction from the maximum allowable General Assistance (GA) aid payment.

HISTORY AND BACKGROUND:

Glenn County became a participating CMSP county in 1995 to help ensure that indigent adults were able to receive medical care. On March 16, 2004, the Board of Supervisors approved the amendment to Section 6.1, Aid Payment Level, of the GA Manual permitting a deduction of $40 from the maximum allowable GA aid payment to help cover the cost of providing the program. The Affordable Care Act has effectively eliminated the need for the $40 deduction by expanding eligibility to the Medi-Cal program to include indigent adults without children or other linkage to Medi-Cal. Section 6.1 of the GA Manual must therefore be amended again, eliminating the clause pertaining to the $40 deduction.

FISCAL/PERSONNEL IMPACT(S):

Minimal impact to General Fund.

The impact to the County General Fund will be minimal as the number of General Assistance (GA) recipients each month averages about 25 people. Using this average number of recipients, the cost to the General Fund is estimated at approximately $1,000 per month or $12,000 annually (25 recipients x $40 x 12 months = $12,000).
ANALYSIS/DISCUSSION

Glenn County is responsible for providing assistance to indigent adults, pursuant to Section 17000 et seq. of the California Welfare and Institutions Code. Such assistance includes medical care, which has been provided in Glenn County through CMSP since 1995. Beginning in 2004, GA recipients contributed $40 per month to their medical care in the form of a deduction in the maximum allowable aid payment, which helped cover program costs, and the GA Manual was amended accordingly. With the Affordable Care Act, the need for this deduction has been eliminated and the GA Manual must be amended again, eliminating the clause pertaining to the $40 deduction.
GLEN COUNTY HUMAN RESOURCE AGENCY
MANUAL FOR THE ADMINISTRATION
OF GENERAL ASSISTANCE

[Effective Revision Date: 01/01/14]

CHAPTER ONE
ADMINISTRATION

1.1 General Policy

General Assistance shall be administered by the Social Services Division of the Human Resource Agency (HRA) to needy residents of Glenn County when said residents are not supported by: their own means; by relatives or friends; by a federal, state or county hospital or correctional facility; or by other public or private sources. The purpose of the Social Services Division is to reduce economic deprivation and social problems of those individuals and families in need by providing public funds and social services in order to promote a healthy quality of life in Glenn County. Aid shall be administered promptly, humanely, and without discrimination in accordance with the provisions of the Welfare and Institutions Code (Sections 17000-17409), county ordinances, and rules and regulations of the Human Resource Agency.

1.2 Definitions

The following definitions apply to this policy:

Agency: Glenn County Human Resource Agency

Aid: General Assistance issued by vendor, voucher, warrant or care.

Applicant: An individual, married couple, or family with minors under 18 years of age who is making (or on whose behalf is making) a new application for aid, a request for restoration of aid or a re-application for aid.

Application for Aid: A request for aid, in writing, made to the Social Services Division on the GL-200 form either by the applicant or on his/her behalf.

Division: Social Services Division (SSD) of the Human Resource Agency.

Director: Director of the Human Resource Agency.

Encumbrance: An encumbrance is any claim or lien on personal or real property that is held by another party.
Re-Application: The filing of an application after the applicant's previous application for aid was denied or withdrawn or the filing of an application by a former recipient whose aid has been discontinued more than twelve (12) months.

Recipient(s): An individual, married couple, or family with minors under 18 years of age, who is/are presently receiving aid.

Restoration: The granting of aid to a prior recipient whose aid has been discontinued for twelve (12) months or less.

SSD: Human Resource Agency Social Services Division.

Work Training Coordinator: The HRA staff person assigned to coordinate and monitor the Agency's work training program.

Work Training Supervisor: Supervisor at assigned work training site.

1.3 Agency Responsibility

A. The Director shall make any and all rules and regulations deemed necessary or appropriate in order to implement the provisions of the Welfare and Institutions Code and Title 2, Chapter 2.44 of the Glenn County Ordinance Code.

B. Each applicant/recipient shall be informed in writing of his/her rights and responsibilities, including the necessity of utilizing all other programs and resources for which he/she may be eligible.

C. Each applicant/recipient shall be given a clear explanation of the policy and procedures for determining eligibility and the amount of the grant, including any special needs authorized.

D. The HRA shall promptly investigate the eligibility of an applicant and a decision shall be reached within thirty (30) days. Inability to complete the determination of eligibility within the thirty-day period shall not be a basis for denying the application unless the delay is caused by the failure or refusal of the applicant to participate in the gathering of evidence. The specified time limit may be exceeded in situations where completion of the determination of eligibility is delayed because of circumstances beyond the control of the Agency or the applicant. The case record must show the cause for delay.

E. Any decision regarding the administration of the General Assistance Program and the interpretation of the regulations incorporated within this manual may be appealed by the applicant/recipient to the person designated by the Agency to conduct fair hearings. The applicant/recipient shall be informed of the right to appeal during his/her first contact with the agency.
F. The HRA shall assist the applicant/recipient in receiving self-support or self-care, and shall also assist the applicant in achieving self-sufficiency. Services may include provision of assistance to the applicant/recipient through community resources if the applicant/recipient does not meet eligibility criteria for the General Assistance Program, or when the applicant’s/recipient’s needs cannot be met by the General Assistance Program.

G. Case records shall be maintained in accordance with the Agency's rules and regulations and shall contain clear and accurate information to verify all actions taken. All records shall be confidential. The county may, however, release the name and address of the applicant/recipient to law enforcement officials if a felony warrant has been issued.

H. Exceptions to these regulations may be made by the Director for emergency or unusual situations.

1.4 Applicant/Recipient Responsibility

During the determination of initial and continuing eligibility, the applicant/recipient shall, within his/her capabilities, assume responsibility for the following:

A. Participating in the application process and providing information necessary to establish initial and continuing eligibility. Required verifications include, but are not limited to, the following:

1. Valid identification as a condition of eligibility.

2. Social Security number verification or proof of application for a Social Security number as a condition of eligibility.

3. Citizenship verification. (See Section 3.2)

4. Requested verification of other declared assets as a condition of eligibility. (See Chapter Three, Eligibility.)

5. Each person or persons applying for or receiving General Assistance must be fingerprinted/photo-imaged before cash aid can be approved and/or General Assistance benefits can be issued.

Refusal or failure to cooperate with fingerprinting and photo-imaging requirements will result in aid benefits being denied.

Exception: Persons who have verified medical conditions may be temporarily or permanently excused from the imaging rules. [10/1/00]
B. The applicant/recipient must inform the eligibility worker within five (5) calendar days of any changes in their current living situation which may affect eligibility for General Assistance. The HRA shall inform the applicant/recipient of any criteria that may affect their eligibility in advance of receipt of aid or upon case review.

C. The applicant/recipient must utilize any income and/or resources available to meet his/her current needs as a condition of eligibility.

D. The applicant/recipient must provide the Agency with the name and address of his/her spouse as the responsible relative, per Section 17300 of the Welfare and Institutions Code.

E. A correct and complete income report must be submitted in a timely manner (per Section 5.2) for each month aid is granted.

F. All appointments arranged by the eligibility worker, social worker, employment services worker, or other HRA staff person must be kept.

1.5 Who May Apply

A. Any person has the right to apply for aid on his/her own behalf, on behalf of his/her family, or on behalf of a minor child. An applicant who appears ineligible must still be allowed to exercise his/her right to make an application.

B. A person who is under guardianship or conservatorship does not have the legal ability to make an application on his/her own behalf. The application for aid must be initiated by the guardian or conservator.

1.6 Application Process

The basic purpose of the application process is to assist the individual in determining his/her eligibility for aid.

A. Steps in the Application Process:

1. The eligibility worker will explain eligibility requirements, program limitations and the applicant's rights and responsibilities, as well as any criteria that may affect the applicant's eligibility to receive General Assistance.

2. The applicant will be given the General Assistance application (GL/GA 500), and all other forms required by the Agency, to complete and sign under penalty of perjury.

   a. A face-to-face interview is required prior to granting aid.
b. When an application for aid is made by a guardian or conservator, the face-to-face interview with the applicant may be waived.

3. The date of application for aid is the date on which the written application is received by HRA.

4. The gathering of evidence necessary to make an eligibility determination is a joint responsibility of the HRA’s Social Services Division and the applicant.
   a. The eligibility worker is responsible for informing the applicant what evidence is needed and why.
   b. The applicant is responsible for the following:
      
      (1) Providing information and evidence required to establish eligibility within ten (10) days of request.

      (2) Signing any consent forms requested by the eligibility worker to allow the Agency to obtain necessary information or verification.

      (3) Signing any required consent forms necessary for the Agency to provide services.

5. After consideration of eligibility, and prior to county action, the applicant shall be notified of the following items in simple, understandable language using the appropriate Notice of Action:
   a. Any county action which relates to his/her application or affects aid payment to him/her or his/her family.
   b. His/her responsibility for reporting facts and information necessary for the determination of his/her eligibility.

6. The applicant shall also be required, as a condition to receiving aid, to sign one or more agreements to reimburse the county for any aid granted.

1.7 Social Services

Every applicant/recipient of General Assistance shall be entitled to receive social services appropriate to his/her needs.

A. Referrals for service may be made, with the consent of the applicant/recipient, in order to assist the applicant/recipient under any of the following situations:
1. The applicant/recipient is in need of information and referral services (i.e., employment, health care, medical transportation, housing, food, and/or clothing).

2. The applicant/recipient has been disabled for more than six (6) months, and has been unsuccessful in their application for disability benefits.

3. Other identified needs as appropriate.

B. A referral for service may be made, without the consent of the applicant or recipient, under any of the following situations:

1. In accordance with mandatory reporting laws, any HRA staff person shall make a report to Children’s Services when he/she has knowledge of, observes or reasonably suspects that, a minor has been a victim of child abuse or neglect.

2. The applicant/recipient claims to be disabled, but fails to follow through with doctor’s appointments, application for Supplemental Security Income/State Supplementary Payment (SSI/SSP) program or other possible benefits.

3. The applicant/recipient has been harmed, threatened with harm, or caused physical or mental injury as a result of action or inaction by another person, or his/her own actions, due to ignorance, illiteracy, incompetence or poor health
CHAPTER TWO

BASIS OF LINKAGE

2.1 General

In order to be eligible for General Assistance, all applicants/recipient must meet the eligibility requirements established in Chapter Three of this manual as they pertain to age, property limitations, and residence; must be financially eligible as established in Chapter Four of this manual; and must cooperate in establishing eligibility as required by the appropriate sections of this manual. The specific requirements which must be met are established based on linkage to the General Assistance program.

NOTE: The applicant/recipient has the right to provide a doctor's verification of disability, to provide verification of SSI application or to participate in the “employable” program. If the applicant is unable to provide a doctor's statement, the applicant must participate in the employable program.

2.2 Based on Employment

All employable applicants shall have been unemployed or under-employed for 30 consecutive calendar days prior to the receipt of cash assistance. As of January 2008, a person is considered under-employed if he/she has worked no more than 35 hours in any single month. To determine if a person is under-employed, the Employment Development Department (EDD) uses the following formula: Maximum GA grant divided by the current California minimum wage.

Applicants/recipient must be available for full-time employment, must furnish verification of current registration with the Employment Development Department (EDD) and be currently registered and participating in the Job Club component of CalWORKs, called STEP (Services Toward Empowering People).

Employable applicants/recipient may not receive aid for more than three (3) months within a 12-month period.

Pursuant to Public Law 104-121, individuals whose only verified disability is attributable to drug addiction and/or alcoholism shall be considered employable and subject to any and all participation requirements outlined in this manual. [Rev. 2/98]

Individuals with verification from a physician stating they are restricted to part-time work are considered employable if the number of hours he/she is physically able to work, multiplied by the current California minimum wage, exceeds or is equal to the maximum General Assistance grant for one person. [Rev. 2/98]
A. Referrals to Work Training/Experience Program

1. All employable applicants/recipient shall be referred to and appear for an appointment with the Work Training Coordinator (WTC). The number of hours each employable applicant/recipient shall be required to participate in work training shall be determined by dividing the total amount of the grant by the minimum wage.

2. Employment Development Department registration may be waived under any of the following circumstances:
   a. A statement from a doctor is provided by the applicant/recipient verifying that he/she is required to provide in-home care for a parent, spouse, child or sibling who is ill.
   b. EDD requirements may be waived for a maximum of thirty (30) days to allow the applicant/recipient to secure a medical diagnosis verifying the applicant’s/recipient’s disability and that the disability is of such severity that the applicant/recipient is not employable

B. Responsibilities of Work Training/Experience Program

1. The Work Training Supervisor shall closely monitor the work and training progress of all applicants/recipient assigned to his/her charge.

2. In managing the work experiences of General Assistance applicants/recipient, the Work Training Coordinator shall do the following:
   a. Be responsible for determining whether the applicant/recipient is cooperating with stated job-search requirements (i.e. applying for a minimum of five (5) jobs per week) and is attending assigned training, counseling or work experience programs.
   b. The Work Training Coordinator will note each time the applicant/recipient does not follow the established process (as shown below), stating the reason and whether failure to comply was with or without cause, or due to negligence. The following list of causes shall be considered non-inclusive.

   (1) Absent from an appointment or any work experience assignment.

   (2) Refuses or fails to accept a work experience assignment.

   (3) Refuses or fails to accept an offer of appropriate employment.
(4) Quits employment voluntarily.

(5) Fails to contact the Agency with a valid reason no later than the next working day after a failed scheduled appointment or assignment.

(6) Fails to attend work assignment.

(7) Is late for an appointment or assignment.

(8) Fails to cooperate in seeking employment.

3. The fact that the offered or secured employment or assignment is not within the field(s) in which the applicant/recipient has particular training, skill or experience, shall not, in and of itself, be deemed sufficient reason for refusing to accept an offer of employment or for terminating existing employment.

C. Human Resource Agency’s Responsibilities

1. The Social Services Division of the Human Resource Agency shall make all determinations affecting applicant/recipient eligibility. Upon receiving an oral or written statement from the applicant/recipient, the HRA staff worker will do a good-cause determination, with supervisor review, using the following criteria as a guideline.

2. The absences listed below do not constitute a failure to comply with regulations.

   a. Three or more days absent within a calendar month due to illness of a recipient or illness of a family member requiring presence in the home. A physician’s written statement verifying the illness is required. The statement must verify the illness on the dates of the failed appointments.

   b. Verified absence due to incarceration or court appearances over which the recipient has no control.

   c. Absence due to sudden or unexpected emergencies considered valid by the Work Training Coordinator. Vacations, social events and similar circumstances are not unexpected emergencies.

3. A recipient’s assistance shall be discontinued for 180 days if the recipient engages in any of the following:

   a. Fails, or refuses without good cause, to participate in the work training program.
b. After completion of a work training program, fails, or refuses without good cause, to accept an offer of appropriate employment.

c. Persistently fails, or refuses without good cause, to cooperate with the Work Training Coordinator in efforts to enroll the applicant/recipient in a work training program or to secure appropriate employment.

4. If it is determined by the Division that ineligibility results from the applicant's/recipient's failure to comply or cooperate, the HRA shall do the following:

a. Discontinue or deny aid, giving proper 10-day notice.

b. Notify the applicant/recipient, in writing, why aid is being discontinued or denied, the length of the penalty period which has been imposed and the right to a fair hearing in accordance with Chapter Seven of this manual, at which the applicant/recipient, or the authorized representative of the applicant/recipient, may present evidence intended to show that such refusal or termination was non-willful or that he/she is not capable of performing the offered or secured employment or planned assignment.

c. Notify the Work Training Coordinator of any denial or discontinuance of General Assistance benefits.

5. Applicants who have been sanctioned or otherwise had a period of ineligibility imposed by another federal, state, or county cash or in-kind assistance program or employment services program shall be ineligible for general assistance until the previously imposed sanction or period of ineligibility expires.

D. Cooperation Requirements for Employable Applicants/Recipients

1. All Workable General Assistance recipients must actively seek employment and provide verification of five (5) bona fide applications for work each week.

2. All scheduled appointments with the Work Training Coordinator must be kept. If the applicant/recipient contacts the Work Training Coordinator no later than the next working day of a failed appointment and it is determined that the failure was for good cause, the Work Training Coordinator shall schedule another appointment.

3. For those applicants/recipient who are placed in a work experience program, any absence in any 30-day period without good cause will constitute willful failure to cooperate. (For exceptions, see (C)(2), above.)
4. If any applicant (within 60 days of initial application) or current recipient willfully refuses to accept an offer of employment, or work experience assignment(s), or terminates employment which he/she is capable of performing, the applicant/recipient is deemed ineligible for General Assistance benefits for 180 days from the date of non-compliance.

2.3 Based on Temporary/Short-Term Disability

A. An applicant/recipient who applies for or receives General Assistance as a disabled person is considered unable to participate in gainful employment because of temporary (short-term) disability, when such disability is verified by a written statement from a county-designated physician that provides enough information to substantiate the determination of incapacity and includes the following:

1. A diagnosis of the condition and the extent to which it prevents him/her from engaging in employment.

2. The expected duration of the disability.

3. The physician's name, address and phone number.

B. Eligibility based on a disability verified by a physician cannot be established until such verification of disability is received. The client is to be given ten (10) days to provide this information. If necessary, HRA shall assist the client in obtaining verification of the disability.

C. If it is determined by the HRA that ineligibility results from the applicant/recipient’s failure to comply or cooperate, the HRA shall do the following:

1. Discontinue aid or deny aid, giving proper 10-day notice.

2. Notify the applicant/recipient, in writing, why aid is being discontinued or denied, the length of the penalty period that has been imposed and the right to a fair hearing pursuant to Chapter Seven of this manual.

2.4 Based on Permanent/Long-Term Disability

A. An applicant/recipient who applies for or receives General Assistance as a disabled person is considered unable to participate in gainful employment because of permanent/long-term disability, when such disability is verified by a written statement from a county-designated physician that provides enough information to verify the determination of incapacity and includes the following:

1. A diagnosis of the condition and the extent to which it prevents him/her from engaging in employment.
2. The expected duration of the disability.

3. The physician's name, address and phone number.

B. Aid may be issued to disabled applicants/recipients who have applied for Supplemental Security Income (SSI) and whose disability has been verified by a physician.

1. Eligibility to receive General Assistance under the Non-Workable Program is conditional, based on the nature of the disability. The disabled applicant/recipient must apply for SSI when the following occurs:
   
a. The applicant's/recipient's disability statement(s) indicates that the disability has been present for six (6) months or more in duration and that such disability is expected to continue for twelve (12) months or more.

2. SSI/SSP applicants must participate in the Interim Assistance Reimbursement Program by signing an SSP 14 (State Supplementary Payment form).

3. Applicants for General Assistance who are required to apply for SSI will be immediately referred to Social Security to submit an application. If applicant/recipient is denied, applicant/recipient shall file an appeal and provide a current or updated physician's statement.

C. The SSI application requirement will be waived under any of the following conditions:

1. The applicant/recipient is expected to recover from a physical injury in less than one (1) year.

2. The applicant/recipient is receiving services from the State Department of Rehabilitation and the rehabilitation period is less than one (1) year.

D. If it is determined by the HRA that ineligibility results from the applicant/recipient's failure to comply or cooperate, the HRA shall do the following:

1. Discontinue or deny aid, giving proper 10-day notice.

2. Notify the applicant/recipient in writing as to why aid is being discontinued or denied, and inform applicant of his/her right to a fair hearing pursuant to Chapter Seven of this manual.
2.5 Families

General Assistance may be available to families who are not eligible for any other public assistance program and who meet General Assistance requirements pertaining to property, residence and income.

2.6 Change or Termination of Linkage

During the application for or receipt of General Assistance, eligibility may terminate or cooperation requirements may change, for an applicant/recipient due to a change in, or termination of, linkage to the General Assistance program.

A. Eligibility for assistance terminates under the following conditions:

1. When an employable applicant/recipient fails to meet the specific eligibility requirements established for employable persons.

2. When a disabled person fails to provide a disability statement, or does not apply for SSI if required to do so, or does not appeal an SSI denial.

B. When linkage to the General Assistance Program changes and the applicant/recipient wishes to continue to receive aid, he/she must meet the following eligibility requirements as a result of the change:

1. An employable person who becomes disabled may continue to receive aid as a disabled person. He/she will provide verification of disability as provided in Section 2.3 of this manual. Any penalty period established by the Work Training Coordinator for non-cooperation is waived if the individual becomes disabled and provides verification of disability.

2. A disabled person whose disability ends, or who is unable to provide a disability statement after receiving assistance from the county in attempting to secure the disability statement, may continue to receive aid as an employable person. He/she shall meet the conditions for receipt of aid as an employable person.
CHAPTER THREE

ELIGIBILITY

3.1 Eligibility

Any resident of Glenn County who does not have sufficient income or resources to meet his/her minimum basic needs as defined in Chapter Five of this manual may be eligible for General Assistance provided he/she has met all other cooperation requirements. All individual and family income and resources shall be considered in determining eligibility.

A. Fleeing Felons: Individuals who are fleeing to avoid prosecution, or custody and confinement after conviction for a felony pursuant to Welfare & Institutions Code Section 17016 (a) (1), are not eligible to receive General Assistance. [4/06]

B. Probation Violation: Individuals who are in violation of the conditions of their probation or parole imposed under federal law, or the law of any state pursuant to Welfare & Institutions Code Section 17016 (a) (2), are not eligible to receive General Assistance. [4/06]

C. TANF/CalWORKs “Timed-Out Adults”: A “timed-out” adult is an adult who has been removed from the TANF/CalWORKs assistance unit due to the fact that he/she exceeded the 60-month TANF/CalWORKs time limit. Individuals who have been removed from the assistance unit, based on the maximum number of months allowed by law (i.e. a “timed-out adult”), are not eligible for General Assistance. [Rev. 12/02]

3.2 Residence

For purposes of General Assistance, a resident of Glenn County is a person currently residing in the county for at least 15 days under circumstances which demonstrate his/her intent to remain.

A. Residence: Residence in Glenn County must be verified. Verification may be a rent receipt; a "Statement of Living Arrangement" form a written statement from the provider or landlord; or a self-declared and verified residency statement from the applicant/recipient that he/she resides in Glenn County, even if homeless. The eligibility worker may make a Special Investigations Unit referral if the residence or living arrangement is questionable.

B. Intent: Intent to reside in Glenn County is an eligibility requirement of General Assistance. Each applicant/recipient shall declare on the General Assistance application, under penalty of perjury, whether he/she plans to continue to reside in the county. Evidence provided by the applicant/recipient must be consistent with Section 3.2 A of this manual.
C. Citizenship and Alien Status: A person, in order to be entitled to aid, shall be: a citizen of the United States; an alien who is a lawful permanent resident (LPR) of the United States; an amnesty alien; or an alien permanently residing under color of law (PRUCOL) in the United States. Citizens must provide proof of citizenship and an alien must verify his/her LPR or PRUCOL status prior to authorization of aid. [Rev.: 3/04]

Please Note - The name of the INS (Immigration and Naturalization Services) has been changed to: The United States Citizenship and Immigration Services (USCIS).

1. Each applicant/recipient who claims LPR status shall be required to present evidence of legal entry in accordance with the following:

   a. An Alien Registration Receipt Card (INS Form I-551 or earlier Forms I-151 or AR-3a).

   b. An Arrival-Departure Record (INS Form I-94) or foreign passport with a special stamp showing that an Alien Registration Receipt Card (I-551) will be issued.

   c. An INS Form I-181b notification letter issued in connection with an INS Form I-181, Memorandum of Creation of Record of Lawful Permanent Residence, which shows that an Alien Registration Receipt Card (INS Form I-551) will be issued.

   d. A permit to Re-enter the United States (INS Form I-327).

   e. A letter from the Canadian Department of Indian Affairs, a birth or baptismal record issued on a Canadian Indian reservation, or tribal or school records which establish that an American Indian born in Canada is of at least one-half American Indian ancestry.

   f. An individual fee-register receipt (INS Form G-711) for replacement of a lost, stolen or unreadable alien registration or alien admission document listed in this section.

2. Amnesty aliens whose status has been adjusted in accordance with Section 210, 210A or 245A of the U.S. Immigration and Naturalization Act (8 USC Sections 1160, 1161, or 1255a). Each applicant who claims to be an amnesty alien shall be required to present evidence of such status in accordance with the following:

   a. Aliens granted lawful temporary resident status: Temporary Resident Card.

   b. Aliens granted lawful permanent resident status: Alien Registration Receipt Card. INS Form I-551.
c. Aliens whose INS documents have been lost or stolen or are unreadable: INS-issued application fee receipts for replacement of either of these documents.

3. Each applicant/recipient who claims PRUCOL status shall be required to present evidence of such status in accordance with the following:

a. A conditional entrant admitted to the United States before April 1, 1980.

b. An alien paroled into the United States, including Cuban/Haitian entrants.

c. An alien subject to an Order of Supervision.

d. An alien granted an indefinite stay of deportation.

e. An alien granted an indefinite voluntary departure.

f. An alien on whose behalf an immediate relative petition (INS Form I-130) has been approved who is entitled to voluntary departure.

g. An alien who has properly filed an application for lawful permanent resident status.

h. An alien granted a stay of deportation for a specified period.

i. An alien granted asylum.

j. A refugee admitted to the U.S. since April 1, 1980.

k. An alien granted voluntary departure who is awaiting issuance of a visa.

l. An alien in deferred action status.

m. An alien who entered and has continuously resided in the U.S. since before January 1, 1972 who would be eligible for an adjustment of status to lawful permanent resident pursuant to INA Section 249 (eligible as a Registry alien).

n. An alien granted a suspension of deportation, whose departure USCIS is unlikely to enforce.

o. An alien granted withholding of deportation pursuant to USCIS Section 423(h).
p. An alien not listed in one of the above categories, who can show that:

(1) USCIS (formerly known as INS) knows he/she is in the United States; and

(2) USCIS does not intend to deport him/her, either because of the person's status category or individual circumstances.

3.3 Age

Recipients of adult General Assistance shall be those indigent residents of Glenn County who are at least eighteen (18) years of age.

A. The only minors who may be eligible for adult General Assistance are as follows:

1. A legally married couple where one or both spouses are under age eighteen (18).

2. Any person under eighteen (18) years of age who is legally married and separated from his/her spouse.

3. A person under eighteen (18) years of age who provides an order from a court of competent jurisdiction indicating that he/she has been emancipated.

3.4 Property

Any property, real or personal, either owned by the applicant/recipient or in which he/she has an interest of which he/she is free to dispose and which is available for such disposition, must be considered as a resource. Before eligibility can be established, a determination must be made as to the amount of financial interest the applicant/recipient has in the property, the applicant's control over the property and availability of the property to the applicant/recipient. After aid has been established, the amount and value of property shall be within the allowable limits on the first of each month in order for the applicant to remain eligible.

A. Availability and Control.

1. The equity value of property, both real and personal, is considered available to the applicant/recipient when he/she is sole owner.

2. When the applicant/recipient has any ownership interest in property, an amount proportionate to his/her interest in the title is considered available as a resource.
3. The total value in a joint checking or savings account is considered available to all persons whose names appear on the account unless they provide proof to the contrary.

4. When the applicant/recipient declares that he/she is not free to dispose of property or that the property is not available for disposition, documentation is required.

B. Personal Property. Personal property shall not exceed $1,000 in order to be eligible for General Assistance. Personal property generally consists of possessions and interests which may be easily transported, stored or converted into cash. These include but are not limited to: (a) Cash, securities, savings and checking accounts, notes, mortgages, deeds of trust, uncollected judgments, funds held in escrow, interest in a firm, and cash surrender values of life insurance policies; (b) motor vehicles not specifically exempted (see B.2), recreation vehicles, boats, campers, trailers, aircraft, musical instruments and/or band equipment, fire arms, air-powered guns, outboard motors, cameras, stereos, jewelry (except wedding rings), CB equipment, ham-radio equipment, satellite receivers and non-essential household items. [4/06]

1. The owner of personal property is the person who holds legal title to the property. Possession and use of personal property is presumed to determine ownership for purposes of determining eligibility.

2. One motor vehicle, including motorcycles, of which the market value (less encumbrances) is less than $1,500, shall be exempt as personal property.

3. All other personal property shall be considered at market value, less encumbrances (any liens or claims on the property in question).

C. Determining Value of Personal Property

1. Automobile and pickup trucks: Net countable value is computed by first determining the market value of the vehicle. This is done by using the current vehicle license fee multiplied by 50. [Rev.: 3/04] Next, subtract any encumbrances. Only the portion of this net value that exceeds $1,500, if any, shall be the net non-exempt countable value of the vehicle.

Should the license fee be unknown, unavailable or not current, the county shall establish the value of the vehicle by referring to the current Kelley Blue Book. The applicant/recipient also has the option to provide an estimate of value from a reliable source. (A “reliable source” shall be an individual, business or other entity whose principal occupation is the buying and/or selling of automobiles.)

2. Motorcycle: The value of motorcycles shall be the current average wholesale price as listed in the Kelley Blue Book. The applicant/recipient
also has the option to provide an estimate of value from a reliable source. (A “reliable source” shall be an individual, business or other entity whose principal occupation is the buying and/or selling of motorcycles.)

3. Campers, Camp Trailers, and Motor Homes: The camper body shall be valued separately from the truck to which it may be attached. In determining the value, the current average wholesale price as listed in the Kelley Blue Book, or an average of two estimates provided by local dealers handling that brand name, shall be used.

4. Boat: The value of a boat is determined by averaging at least two estimates given by local dealers, taking into consideration the year, model, length and type of engine.

5. Mobile Home: The value of a mobile home is determined by its registration fee or the assessed value as established by the county, whichever is appropriate. If the mobile home is not registered nor on a fixed foundation, consideration shall be given to an estimate given by two local mobile home dealers.

6. Stocks, Bonds, and Securities: The value of stocks, bonds, and/or securities shall be the latest price quotation given by a local stock brokerage firm.

7. Insurance Policies: An insurance policy may be viewed to determine if the policy has potential cash surrender value (see (D) (3) below).

8. Other Property: Other property such as musical instruments, livestock and jewelry (except wedding rings and legitimate heirlooms) shall be valued through two appraisals provided by the applicant/recipient.

9. Motor vehicles, Campers, Camp Trailers, Motor Homes and Mobile Homes that are primary residences are exempt.

D. Verification of Personal Property. Verification of all personal property owned by the applicant/recipient shall be required in order to determine that said property is within established limitations.

1. The applicant/recipient who owns or has interest in a motor vehicle shall be required to provide the vehicle registration card.

2. The current value of any liquid asset must be verified by the financial institution, in writing, at the time of application and at any time such liquid asset becomes available for disposition to the applicant/recipient after aid is established.

3. When it is determined that an insurance policy has or may have cash surrender value, the eligibility worker shall contact the insurance company
issuing the policy for verification of the cash value, if that information is not
available in policy. A signed release is required from the applicant/recipient
giving his/her permission to request the information.

E. Real Property

1. Real property, as a general rule, includes: land and improvements including,
but not limited to, buildings, fences, trees, etc. It also includes mines, claims,
patented or unpatented oil, mineral or timber rights.

2. The owner of real property is the person who holds legal title to the property.
Consideration shall be given to the applicant/recipient's right to possess,
use, control or dispose of real property as a criterion of ownership in
addition to possession of legal title.

3. Exempt real property holdings shall be limited to the home in which the
applicant/recipient resides.

F. Other Real Property: An applicant/recipient may own not more than five acres of
other real property of which the combined market value, less all encumbrances, does
not exceed $2,500. Other real property includes land, buildings and improvements,
and may include a mobile home, modular home house or camp trailer when such is
assessed as real property for tax purposes.

1. Acceptable Evidence of value of Other Real Property. The market value of
other real property shall be based on the assessment value as shown on the
most current tax statement from a County Assessor, Recorder or Tax
Collector. Allowable encumbrances shall be deducted from the market
value.

   a. Evidence of an allowable encumbrance shall be a written and
   recorded document which supports it. The document shall include
   initial and maturity dates and the extent of encumbrances.
   Allowable encumbrances are mortgages, notes and deeds of trust,
   judgments and liens.

   b. If the applicant/recipient is not the sole owner of the other real
   property, only his/her share is considered available to him/her.

   c. When the applicant/recipient declares that he/she is not free to
   dispose of property or that the property is not available for
   disposition, documentation is required.

2. Utilization.

   a. All other real property must be within the Other Real Property
   limitation of $2,500 and be utilized or have an acceptable written
plan of utilization within three months of the date of application. Other Real Property is utilized when it is sold for an amount consistent with its current market value, or rented for a reasonable fee.

b. Other Real Property shall be considered to be making a reasonable contribution to the current needs of the applicant/recipient when the net return on such property is at least 6% of the market value. Net return is computed by deducting taxes, insurance, interest on encumbrance payments and utilities paid by the owner from a gross rental amount.

G. Transfer of Property

Property, real or personal, constitutes a resource and is subject to the basic public assistance principles that resources that are actually available to the applicant/recipient must be considered in evaluating need and in determining eligibility. Since property is a resource, the transfer or assignment of property for less than the fair market value must be examined. If the property transferred would have affected the eligibility of the applicant/recipient, or the amount of grant to which he/she was entitled, the purpose and intent of the transfer must be evaluated.

Interpretation -- The reason an applicant/recipient transferred property, i.e., his/her actual intent in doing so, is the single, most essential element to be considered in determining the effect of the transfer upon his/her eligibility. A transfer of property, in and of itself, is disqualifying only when the transferor's reason for making the transfer was to qualify for aid or for a greater amount of aid.

In determining the transferor's "intent," it is necessary to evaluate his/her stated reason for the transfer and the consistency of such statement with the known facts. The consideration received for the property transferred may not have been adequate; the transfer may have been ill-advised and/or the transferor, in making the transfer, may have exercised poor judgment. However, these facts alone do not automatically establish that a transfer was disqualifying. The motives of the transferor must be carefully scrutinized, with the important determination being the transferor's actual reason for the transfer and the relationship of that reason to his/her application for, or continued receipt of, aid.

1. Responsibilities in Property Transfers:

a. Responsibility of Applicant/Recipient: Applicants/ recipients are responsible, as much as they are able, for giving all available information to assist the county in determining whether a transfer of property was made in order to qualify for aid or to qualify for a larger amount of aid. Applicants/ recipients are also responsible for immediately notifying the county of any transfer which occurs after aid is granted.
Although only the person concerned can state what his/her intent was in transferring property, his/her actions can support or contradict such a statement and his/her real intent can be determined only after consideration of all the facts.

b. Responsibility of HRA’s Social Services Division: The eligibility worker is responsible for informing the applicant/recipient regarding real and personal property limitations and requirements, his/her rights and responsibility in relation to his/her property, and the advisability of discussing any proposed property transfer with the county before the transfer occurs.

**Interpretation** – The County can help protect the interests of the applicant/recipient by helping the applicant/recipient to understand and interpret the circumstances under which he/she may retain property. Such interpretation may be provided at the time of the application, and as often as may be necessary thereafter.

c. When property is transferred without adequate consideration or compensation, or is transferred so that an individual becomes eligible for aid, the applicant/recipient shall be denied aid. The duration of ineligibility shall be based upon the General Assistance benefit standards. The reasonable market value of the transferred property, less all reasonable costs of selling (had the property been sold at market value), shall be considered available to the applicant/recipient. That amount shall be divided by the amount of a monthly General Assistance grant appropriately computed for the applicant/recipient. The quotient/result shall be the number of months the applicant/recipient shall remain ineligible. However, ineligibility shall not exceed two years.

d. **Property Conversion** – Property may be converted by an applicant/recipient provided the resulting holdings do not exceed the maximum limitations. EXAMPLE: A motor vehicle that was valued at less than $1,000 might be sold and would not result in ineligibility unless the applicant/recipient’s readily-available assets exceed $1,000 on the first of the following month.

H. **Liens:** A General Assistance applicant/recipient shall be required to execute a lien on any real property, owned or acquired, to ensure the repayment of monies expended by the county for the applicant/recipient’s support.
CHAPTER FOUR

FINANCIAL ELIGIBILITY

4.1 Income

Income is any benefit in cash or in-kind which is currently available to the individual or family. Such benefits are taken into consideration in evaluating the need of the applicant/recipient and in determining the amount of assistance to which he/she is entitled.

A. The county is responsible for, but is not limited to, the following:

1. Reviewing with the applicant/recipient all their potentially available income and resources. Examples of resources with income-producing potential include the following:

   
   b. Other persons who may be contributing, or are obligated to contribute, such as the sponsors of indigent aliens and responsible relatives.
   
   c. Rights and interests in real and personal property.
   
   d. Applicant/Recipient's capacity for employment.
   
   e. Other aid programs, organizations and assistance agencies.
   
   f. Resources of a separated spouse who has a legal obligation to support.

2. Determining eligibility based on the amount of income received.

3. Informing recipients of their income-reporting responsibilities.

B. The applicant/recipient is responsible for the following:

1. Providing all information necessary to establish financial eligibility.

2. Taking all actions necessary to obtain unconditionally available income. Income shall be considered unconditionally available if the applicant/recipient has only to claim or accept the income.

3. Providing verification of all income and exemptions.
4.2 Earned Income

Earned income is income received in cash or in-kind for labor or services performed by the applicant/recipient and may include wages, salary, commissions or benefits received in lieu of cash payments.

A. To determine the amount of net income the following steps shall be taken:

1. Determine the gross amount of income earned by the applicant/recipient during the applicable month.

2. Necessary work-related expenses shall be deducted from gross income subject to the following limitations.

   a. Union dues shall only be deducted as a work-related expense when membership is required for employment.

   b. The actual cost of uniforms, tools and equipment essential to employment shall be allowed no more than once annually when such costs are determined by the county to be reasonable and necessary.

B. Rental Income: For purposes of determining financial eligibility and grant amount the following shall be considered earned income to the applicant/recipient:

1. Rental of Rooms: Net countable income to the applicant/recipient when he/she is renting part of his/her home to another person, shall be calculated as: Monthly gross rental income received, minus renter’s share of housing and utility costs. Example: Homeowner/GA recipient/applicant provides room and board for $200 per month to another person. The homeowner’s verified monthly housing expenses are shown below, along with the calculation of Net Countable Income.
<table>
<thead>
<tr>
<th>Type of Monthly Expense</th>
<th>Amount of Monthly Expense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortgage/House payment</td>
<td>$0.00 /Not Applicable</td>
</tr>
<tr>
<td>Property Tax</td>
<td>$100</td>
</tr>
<tr>
<td>Utilities</td>
<td>$100</td>
</tr>
<tr>
<td></td>
<td>[Propane, electricity, water, garbage service.]</td>
</tr>
<tr>
<td>Homeowner’s Insurance</td>
<td>$150</td>
</tr>
<tr>
<td></td>
<td>$300 ÷ 2 = $150</td>
</tr>
<tr>
<td></td>
<td>[Divide homeowner’s insurance expense by the number of people in the home, which is two (2) in this example, to calculate each person’s share of cost.]</td>
</tr>
<tr>
<td>Total Monthly Expenses</td>
<td>$350</td>
</tr>
</tbody>
</table>

**Net Countable Income to GA Applicant/Recipient**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Divide homeowner’s total monthly expenses by the number of people in the home to determine each person’s share (homeowner and renter in this example) of total monthly expenses.</td>
<td>$25 $350 ÷ 2 = $175</td>
</tr>
<tr>
<td>2. Next, subtract the renter’s share of total monthly expenses from the monthly rent received by applicant/recipient to equal Net Countable Income for the homeowner/GA applicant/recipient.</td>
<td>$200 - $175 = $25</td>
</tr>
</tbody>
</table>

2. Other Real Property: Rental income from Other Real Property shall be calculated as specified in Section 3.04 (F) (2) Utilization of Property.
4.3 Unearned Income

The total amount of unearned income shall be considered as part of net income. All benefits received by the applicant/recipient shall be considered unearned income except the income specified as earned income. Unearned income shall include, but is not limited, to the following:

A. Benefits which have accrued as a result of receiving compensation or reward for service or lack of employment, such as Veteran's Benefits, Unemployment Benefits, Disability Benefits, pensions, Social Security payments, spousal support and child support.

B. Loans: All loans are exempt when it is verified that the following conditions have been met:

1. The terms of the loan are stated in a written agreement between the lender and the borrower; and

2. The agreement clearly specifies:

   a. The obligation of the borrower to repay the loan; and
   b. A repayment plan which provides for installments of specific amounts to begin within 90 days of receipt of the loan and continues thereafter on a regular basis until the loan is fully repaid.

As part of the verification process, the applicant/recipient is required to submit loan contract papers or a written agreement setting forth the terms of the loan regarding its amount and the repayment plan. The agreement must be signed by the lender and the applicant/recipient as parties to the agreement. All other loans will be considered unearned income.

C. Voluntary Contributions: These are cash or in-kind contributions for which the contributors have no legal liability. The entire amount of a voluntary cash contribution shall be considered income in the month received. When a voluntary contribution is made of an item necessary to the applicant/recipient’s well-being, i.e., an item of need, it shall be considered as an in-kind contribution and subject to the treatment prescribed for income-in-kind.

D. Income-In-Kind: When an item of need is earned or contributed in-kind, it is evaluated to be the value of the need item as defined in Chapter Five of this manual. When income-in-kind meets only a part of a need item, the remaining unmet need may be met by the General Assistance grant, limited to the maximum allowed for the need item.
E. Assistance Received from Other Organizations & Assistance Agencies: When the applicant/recipient receives assistance from another agency which meets a “need item” as defined in chapter Five of this manual, the amount of that need item will not be included in the General Assistance grant.

F. Aid received from another county: General Assistance may be granted to a person who received General Assistance in another county when the following occurs:

1. Cash assistance from the other county terminates prior to initiation of the application for assistance in Glenn County.

2. The amount of aid received from the other county is less than the Glenn County allowance. The amount of aid received in the other county shall be deducted from the total month’s minimum need in Glenn County and the remaining amount pro-rated from the date of application.

4.4 Lump Sum Income

The receipt of lump sum income, in an amount in excess of the applicant/recipient’s needs with regard to General Assistance standard or property limitations, renders him/her ineligible for assistance. The period of ineligibility is that period of time in which the excess resources would maintain the applicant/recipient on a General Assistance standard.

All applicants/recipient will be given written notice of the potential effects of receipt of lump sum income at intake and redetermination interviews.

The period of ineligibility may be shortened when the ineligible family reapplies and one or more of the following situations occurs:

A. The standard of need increases and the amount the family would have received also changes. This includes any general increase in the Basic Need Amount.

B. The family incurs and pays for medical expenses. This includes any medical expenses that are not covered by Medi-Cal, CMSP or private medical insurance. (Verification is required.)

C. All or part of the lump sum income becomes unavailable to the family for a reason beyond the control of the family. (Verification is required.)

1. Situations in which the period of ineligibility may be shortened due to the unavailability of the lump sum income shall include, but are not limited to: theft of the lump sum income; funeral expenses for a family member within the assistance unit; a spouse absconds with the lump sum income and has no further contact with the family; or the lump sum income is expended to meet the needs of the family due to sudden and unusual circumstances of a life-threatening nature.
2. Situations in which the period of ineligibility will NOT be shortened due to unavailability of the lump sum income shall include, but are not limited to: Expenditure of the lump sum income on the repair of the home or to replace or repair major appliances that meet the essential needs of the family due to normal wear and tear; expenditure of the lump sum income to cover an increase in utility costs and/or rent; or expenditure of the lump sum income to purchase additional property (either real or personal).

4.5 Determining Financial Eligibility

An applicant/recipient, individual or family, is financially eligible for any month in which the combined actual or estimated net non-exempt income for the month is less than the minimum need standard, as defined in Chapter Five of this manual.

A. Anticipated/Estimated Income. When a determination of financial eligibility is based on anticipated or estimated income, the estimate must be determined using all relevant information available to both the HRA and to the applicant/recipient. Income for which an applicant/recipient may be eligible, for example, SSI, UIB or SDI benefits, shall not be used in determining financial eligibility until such time as the applicant/recipient's actual entitlement to such benefits for the month in question has been confirmed.

If aid is denied, discontinued, or reduced due to future receipt of anticipated income, and this income is not received, the county shall rescind the action taken and issue the corrected grant, providing the applicant/recipient notified the county within the current month.

B. Any income received during the month of application or during any month for which the applicant/recipient received General Assistance shall be deducted from the basic minimum need to determine financial eligibility.
CHAPTER FIVE
GRANT DETERMINATION

5.1 Establishing Initial Eligibility

When an application for General Assistance is initiated by an individual or an application is made on his/her behalf, the application process as defined in Section 1.6 of this manual shall be followed.

A. The applicant/recipient shall complete the application form and provide all required verifications.

B. The eligibility worker shall determine the following:

1. Whether the application is complete, including all required verifications.

2. Whether eligibility requirements regarding age, property limitations and residence as established in Chapter Three of this manual have been met.

3. Whether the applicant/recipient meets the requirements pertaining to the employable or disability program.

4. Whether the applicant/recipient is financially eligible and has insufficient income or resources to meet his/her basic minimum needs.

C. When the applicant/recipient is found eligible, the following are beginning dates of aid:

1. The beginning date of aid is the date of application if authorizing action is taken in that month, or the first of the month following the date of application if authorizing action is taken at a later date.

2. When the applicant/recipient is ineligible for aid on the date of application, but becomes eligible before a denial action is taken, aid shall be granted beginning the date the applicant/recipient becomes eligible.

5.2 Continuing Eligibility

In order to be eligible for a continuing grant, the recipient must continue to meet the eligibility requirements used to establish the initial grant.

A. All applicants/recipient must complete and submit a monthly income report. The report shall be submitted between the first and the fifth of each month, reporting the individual's or family income for the preceding month.
1. A complete income report consists of all the following:
   a. All questions have been answered.
   b. Pay stubs are attached for all earnings.
   c. The applicant/recipient signed and dated the income report in the month in which it was due.
   d. Verifications are attached.

2. An income report is timely if it is postmarked, date-stamped, or delivered to the Agency during the month in which it was due.

3. Non-receipt of a timely, completed income report shall render the applicant/recipient ineligible for assistance. Aid shall be discontinued for loss of contact effective the last day of the month for which the applicant/recipient received assistance.

4. Aid shall be discontinued for failure to provide essential information when an income report is received on time, but is incomplete. A Notice of Discontinuance shall be sent to the applicant/recipient. Aid shall be restored, with no break in aid payments, if the income report is completed and returned prior to the effective date of the discontinuance.

B. Income reported during the reporting period shall be considered in the second month following the month of receipt to determine the grant amount and in the month of receipt to determine financial eligibility. However, terminated income received in the first and second initial months of aid is not used in the third and fourth months.

1. When reported income exceeds the total minimum needs of the applicant/recipient and that income is expected to continue, he/she shall be considered financially ineligible for further assistance. A 10-day Notice of Discontinuance shall be sent and aid shall be discontinued.

2. When reported income is less than the total minimum needs of the applicant/recipient, the next month's grant shall be issued in the full amount to which the applicant/recipient is entitled. The Notice of Action shall advise the applicant/recipient that the reported income will be deducted from the grant amount for the second month.
   a. Income reported for the first month, if less than the total minimum needs of the applicant/recipient, would be deducted from the third month if the applicant/recipient remains otherwise eligible.
b. Should the applicant/recipient who reported income in the first month become ineligible before the income is used in the third month, an overpayment must be computed if reported income resulted in financial ineligibility. The overpayment shall be computed from the month the applicant/recipient received the reported income.

3. When the applicant/recipient re-applies in the month of discontinuance, he/she is ineligible if income was sufficient to meet his/her other needs based on the Minimum Need Allowance.

4. When the applicant/recipient re-applies following discontinuance and is found to be financially eligible, any overpayments received while previously on aid shall be deducted. For the amount of adjustment to overpayment, see Section 6.7 of this manual.

5. Subsequent month (retrospective) budgeting shall continue when a break in aid does not exceed 30 days.

C. Reinvestigations. A reinvestigation of an applicant/recipient's continuing eligibility for General Assistance shall be made as often as necessary, but no less often than every six (6) months. The reinvestigation shall include the following:

1. Completion of a new General Assistance application.

2. A complete review of the applicant/recipient's eligibility following the same criteria established in Section 5.1 for determining initial eligibility.

5.3 Determination of Need

The total need of the applicant/recipient(s) is the dollar amount necessary to provide items of need as shown in the current GA Standards of Assistance chart for Glenn County, when such need is not met by other income or resources.

A. Total need is computed by using the GA Standards of Assistance chart and deducting from that amount any available income. A need item which has been met by other resources or which has been pre-paid by someone other than the applicant/recipient shall not be included in the grant amount.

B. The standards of assistance are housing, utilities, food and personal needs. The amount of assistance issued to cover housing and utilities costs shall be the amount actually paid by the applicant/recipient(s), or the maximum amount allowable, whichever is less.
CHAPTER SIX
AID PAYMENT

6.1 Aid Payment Level

The General Assistance standard of aid shall be linked to the TANF standards of adequate care applied in the TANF Program. Adjustments to the standard of aid will be determined by statutory increases, decreases or reductions in the maximum aid level in the county under the TANF program.

6.2 Beginning Date of Aid

When the applicant/recipient is found eligible, the following are beginning dates of aid:

A. The beginning date of aid is the date of application, if aid is authorized in that month, and shall be pro-rated from the date of application, or from the first day of the month that follows the date of application, if aid is authorized at a later date.

B. When the applicant/recipient is ineligible for aid on the date of application but becomes eligible before a denial action is taken, aid shall be granted beginning the date the applicant became eligible.

6.3 Method of Payment

Payments are made by semi-monthly warrants (vouchers/checks) in the name of the applicant/recipient except as follows:

A. Vendor payments may be issued in lieu of warrants when it is the most expedient way of meeting the needs of the applicant/recipient or when the applicant/recipient requests vendor payment. All rents shall be paid by vendor payments, in an amount up to the entire General Assistance grant, unless there is good cause to show it is detrimental to the applicant/recipient, as determined by the Director. Applicants/.recipients shall be notified of their right to claim good-cause exception and to exercise their tenant rights with respect to their landlord.

1. Any Vendor that will be receiving a payment on behalf of an applicant/recipient of services must complete and sign a W-9 form, Request for Taxpayer Identification Number and Certification, in order for the Glenn County Department of Finance to issue a direct vendor payment.

B. Where there is a legally-appointed guardian or conservator, warrants shall be written in the name of the guardian or conservator, but identity of the applicant/recipient must be clearly shown on the warrant.
6.4 Notice of Proposed Action

A Notice of Proposed Action must be sent to the applicant/recipient when aid is granted, changed, denied or discontinued and must contain explicit reasons for the action taken.

A. The Notice of Proposed Action must contain the following:

1. The name and address of the applicant/recipient.

2. A statement that the applicant’s/recipient’s grant will be issued, denied, changed or terminated, followed by a statement of the amount of grant remaining after said proposed action, if any.

3. Statement of change setting forth the reason or reasons for the denial, change in aid, suspension or termination.

4. A statement of General Assistance regulations requiring the proposed action.

5. The date of mailing the Notice.

B. The reverse side of the Notice shall contain the following statements:

1. A statement informing the applicant/recipient of his/her right to request a hearing if he/she is dissatisfied with the proposed action, but that the hearing must be requested within thirty (30) days of receipt of the Notice.

   Notices will be deemed to have been received two (2) days after the date of mailing in the absence of proof to the contrary.

2. A statement informing the applicant/recipient that his/her eligibility worker will assist him/her in requesting a hearing.

3. A statement informing the applicant/recipient that a request for hearing may be made in writing, or by telephone or other direct verbal communication, to the Fair Hearings Officer. In either case, the reason for the hearing request must be clearly stated.

4. A statement informing the applicant/recipient of his/her right to be represented by an authorized representative at a hearing, to call witnesses, present oral and written evidence and to inspect relevant, non-confidential county records prior to the hearing.

5. A statement informing the applicant/recipient that if the Notice of Proposed Action will result in a termination or reduction of his/her grant, he/she will
be entitled to continued aid payments, if he/she submits ha request for a hearing within ten (10) days of the date of receipt of the Notice or prior to the effective date of the proposed action.

6. A statement informing the applicant/recipient that if he/she requests a hearing, one will be set and a written decision will be sent to the applicant/recipient within forty-five (45) calendar days of the hearing date, as well as to the Hearing Officer.

7. A statement that regulations governing hearings are available at the department.

8. A statement that all requests for hearings must be submitted to:

   Hearing Officer  
   Glenn County Human Resource Agency  
   Social Services Division  
   420 East Laurel Street  
   P.O. Box 611  
   Willows, CA 95988

C. Except as provided below, in all instances where the HRA’s action would result in discontinuance, termination or decrease in aid, the county shall mail timely and adequate notice to the applicant/recipient. The notice shall be mailed to the affected applicant/recipient at least ten (10) days prior to the effective date of the proposed action. Timely notice is not required in the following instances:

1. The HRA has factual information confirming the death of the person affected.

2. The HRA receives a clear written statement signed by the person affected that:
   a. He/she no longer wishes aid; or
   b. He/she gives information that requires discontinuance or reduction of aid and waives his/her right, in writing, to a 10-day Notice of Action.

3. The person affected has been admitted or committed to an institution.

4. The person affected has been placed in a skilled nursing facility, intermediate care facility or long-term hospitalization.

5. The whereabouts of the person affected are unknown.
a. The person's aid payment shall be made available to him/her if his/her whereabouts become known prior to the effective date of the Notice of Discontinuance.

6. The person affected has been accepted for aid in a new jurisdiction, and that fact has been established by the county previously providing aid.

7. The HRA receives a complete Income Report after the eleventh calendar day of the report month and the action to discontinue or decrease aid is a result of the information on the Income report or the applicant/recipient's failure to submit a timely or complete report of earnings without good cause. If the County sends a timely notice of incomplete or non-receipt of SAWS 7, then the subsequent notice of change need not be timely.

6.5 Overpayments

Overpayments occur in the following situations:

A. The applicant/recipient is not entitled to payment because he/she did not meet eligibility requirements on the first of the month for which a payment was made.

B. He/she was eligible, but the amount of the payment exceeded the amount to which he/she was eligible for that month.

C. Aid paid pending on a hearing is issued on a claim that is not granted.

6.6 Types of Overpayments

A. If the Client Met Reporting Responsibility, then overpayments may be due to:

1. Administrative error.

2. Reported changes in income, property or needs occurred too late in the month to be reflected in the grant.

B. If the Client Did Not Meet Reporting Responsibility, then overpayments may be due to:

1. Client failed to report changes timely (within five (5) days).

2. Client made inaccurate or false statements on his/her application or on any document in support of his/her application or failed to provide complete information necessary to determine correct eligibility.
6.7 Overpayment Recoupment

Recoupment is the liquidation of an overpayment by decrease of the aid payment to an otherwise eligible applicant/recipient or by a cash payment made by the applicant/recipient. This means that any person who has received an overpayment of cash aid (as determined by the county) can repay the county by either decreasing the amount of the aid payment or by making a direct cash payment to the county.

A. Length of recoupment period: The length of the recoupment period will depend on how much money is owed to the County and on how much the recipient is able to repay each month. Overpayment amounts are adjustable and are demandable until all monies are recovered.

B. Amount of Recoupment:

1. If the overpayment was caused by agency error, the GA grant shall be decreased by 10% each month until total repayment is made.

2. If the overpayment was caused by the recipient’s willful or neglectful failure to meet his/her reporting responsibilities, the GA grant shall be decreased by 20% each month until total repayment is made. The HRA shall determine that an applicant/recipient under this section was neglectful or willful where the Social Services Division has informed the applicant/recipient of his/her reporting responsibilities and, under the circumstances, the applicant/recipient knew of his/her reporting responsibilities and failed to report.

C. Basis for Referral to Fraud Investigator for Suspected Fraud: Refer only situations in which overpayment occurred due to client willfully reporting false information or client willfully withholding information.

D. The County shall take all reasonable steps necessary to promptly correct and collect any overpayments that are known to the County, including recovery of overpayments due to errors made by the applicant/recipient and/or by the County.

6.8 Underpayments

Underpayments may occur as follows:

A. Due to administrative error, the applicant/recipient did not receive the full payment for which he/she was entitled.

B. If the underpayment was determined during the course of a hearing, the Hearing Referee may require the issuance of retroactive aid.
6.9 Underpayment Computation

The total amount of underpayment is determined by balancing the existing underpayment against any adjustable overpayment.

6.10 Adjustment Method and Duration

A retroactive payment is made with administrative approval or hearing decision for no more than one (1) year prior to the discovery of the underpayment.

6.11 Maximum Issuance

The **maximum amount** of assistance payments that can be issued on behalf of a recipient for a payment month is the maximum amount the recipient is eligible to receive for that period.
CHAPTER SEVEN
HEARINGS

7.1 General

The procedures set forth in this section shall be known as the General Assistance Hearing Procedures.

7.2 Definitions

The following definitions shall be used in the interpretation of the provisions set forth in this section:

A. General Assistance Applicant: A General Assistance applicant is any person who has applied for General Assistance, pursuant to Welfare and Institutions Code Sections 17000, et. Seq. and the County Ordinance Title 2, Chapter 2.44 (known as the General Assistance Hearing Procedures).

B. General Assistance Recipient: A General Assistance recipient is any person who has applied for and has been granted General Assistance pursuant to Welfare and Institutions Code Sections 17000, et.seq. and the County Ordinance Title 2, Chapter 2.44, (known as the General Assistance Hearing Procedures).

C. Authorized Representative: An Authorized Representative is any individual including an attorney at law or member of a firm or organization that has been authorized by the General Assistance applicant/recipient to act for and represent him/her in any or all of his/her dealings with the County of Glenn.

D. Hearing: A hearing is a proceeding, conducted by and before an impartial hearing referee designated by the Agency, where a General Assistance applicant/recipient who is dissatisfied with any action or inaction regarding his/her aid, may present both verbal and written documentary evidence concerning the propriety of said action or inaction. The presentation of such evidence may be made in person by the applicant/recipient or by an authorized representative.

7.3 Hearing Rights

A. The General Assistance applicant/recipient will be advised in writing of his/her right of appeal, right to counsel or other representation at his/her own expense, right to review his/her relevant non-privileged records, right to interview witnesses and right to aid-paid-pending the Fair Hearing Referee's decision in appropriate cases.

B. A General Assistance applicant/recipient must file a request for a hearing within thirty (30) days of receipt of notification of the proposed action or denial of assistance. Notices will be deemed to have been received two (2) days from the date
of mailing, unless proof is made to the contrary. The filing date of the request for a hearing will be the postmark date of the envelope. If the request has no postmark date, the filing date will be the date the request was received by the Agency.

C. If a timely request for a hearing is made, as provided in Section 6.4 (B), the Agency will conduct a hearing and render a written decision within forty-five (45) calendar days of the date on which the hearing occurred.

D. Failure of the Agency to meet the time limitations (other than the 10-day Notice of Proposed Action) shall not be a basis for disallowing the proposed action or determination.

E. If the request for a hearing is made within ten (10) days of receipt of the Notice of Action, aid will be paid pending the hearing date, or prior to the effective date of the Notice of Action.

7.4 Aid Paid Pending a Hearing

When a recipient files a request for a hearing within ten (10) days of the date of the Notice of Proposed Action, aid shall be continued until the hearing decision in the amount that the claimant would have been paid if the proposed action had not been taken. Exception to Aid Paid Pending may occur in any of the following circumstances.

A. The claimant withdraws or abandons the request for a hearing.

B. The Fair Hearing Referee determines, based on the record of the claimant's hearing, that the issue pertinent to the hearing is one of law or change in law and not one of incorrect application of law.

C. The claimant voluntarily and knowingly waived the continuation of aid.

D. The issue of the hearing request is only created because of a change of state or federal law, or county ordinance, which requires grant adjustments for a class/group of applicant/recipients.

E. Applicant/recipient fails to comply with requirements while receiving aid paid pending.

F. Aid paid pending will not be granted if an employable recipient has already received three (3) months of General Assistance.

G. Aid paid pending shall not extend past the recipient’s certification period. If a recipient’s certification period expires, the individual may reapply, and may be determined eligible for a new certification period and for new cash aid benefits, as calculated by the HRA.
Nothing in this chapter shall prohibit the county from making any appropriate change in the recipient’s grant while a fair hearing is pending, if the reason for the proposed change (action) is different than the reason the recipient is receiving aid paid pending.

7.5 Hearing Procedures

A. Pre-Hearing Procedures:

1. Upon receipt of a request for a hearing, the Hearing Referee designated by the Agency will determine whether the request for a hearing was timely. If the Hearing Referee determines that the request was not timely, the Referee shall send a notice to that effect to the party requesting the hearing.

2. If, upon receipt of the request for a hearing, the same is found to be timely, the Hearing Referee will set a hearing date.

3. The Hearing Officer will prepare a statement of position and will submit a copy to the Hearing Referee and make a copy available to the claimant two (2) days prior to the date of the hearing.

4. Both parties to the hearing shall be entitled to inspect and copy all unprivileged, non-confidential evidence relevant to the proceedings prior to the hearing. Demands for inspection must be by appointment with an eligibility worker and must occur at the HRA prior to the hearing at a mutually agreeable time.

5. A hearing will be postponed upon request of the claimant prior to the hearing if good cause is determined by the Referee.

a. Any applicable aid pending the hearing shall cease unless the claimant establishes good cause as specified in Section 7.5 (A) (8).

6. A hearing shall be postponed by a Fair Hearing Referee at the time of the hearing and any applicable aid pending continued if any of the following occur:

a. The claimant establishes good cause as specified in Section 7.5 (A) (8).

b. The Agency has failed to furnish adequate notice and the claimant requests the postponement.

7. Upon the request of either party, a hearing may be postponed at the discretion of the Fair Hearing Referee. The Referee shall order that aid pending be continued only if the postponement is necessary to ensure a full
and fair hearing and the postponement did not result from any act or omission on the part of the claimant.

8. Good cause shall be established if the claimant or authorized representative establishes that the hearing should be postponed due to any of the following:

a. Death in the family.

b. Personal illness or injury.

c. Sudden and unexpected emergencies. Sudden and unexpected emergencies shall include, but are not limited to, medical appointments that cannot be rescheduled, court appearances of the claimant, the temporary inability of the claimant to be released from work, or the conflicting schedule of the authorized representative if the conflict is beyond the control of the authorized representative. Vacation or attendance at a social event shall not be regarded as a sudden or unexpected emergency.

B. Hearing Procedures

1. If the party requesting the hearing fails to appear at the hearing, he/she shall be deemed to have waived his/her right to a hearing.

2. At the hearing, the party requesting the hearing shall be entitled to be represented by himself/herself, an attorney, or any other authorized representative. He/she shall be entitled to call any witnesses of his/her choice, and to confront and cross-examine witnesses called by the county. He/she shall be allowed to present documentary evidence.

3. The hearing shall be private unless the party initiating the hearing requests a public hearing. If the hearing is private, only the party requesting the hearing; his/her authorized representative; his/her witnesses; an official from the county; its counsel and its witnesses; and the Hearing Referee shall be allowed to attend, in the absence of a stipulation by both parties to the contrary. In all cases, other persons may attend the hearing only if the claimant agrees to or requests their presence and the Hearing Referee determines that their presence will not adversely affect the conduct of the hearing.

4. The hearing shall be conducted on an informal basis and formal rules of evidence shall not be strictly adhered to. The primary consideration is that all evidence having relevance to the issues at hand should be considered.

5. The Referee shall make a record of the hearing by tape or digital recorder, Court Reporter or other means, and will preserve the record for six (6) months. This record shall be the only official record of the hearing. If any
party desires to prolong or repeat the testimony presented for consideration at the hearing, said party shall bear his/her own costs of transcribing the record of action taken.

6. In all actions involving a hearing based upon a reduction or a termination of a General Assistance grant, the Agency shall have the burden of proof of justifying the proposed action. In those cases where the request for hearing is based upon the denial of an application for General Assistance, the burden of proof is upon the Agency.

7. The order of presentation at the hearing shall be as prescribed by the Referee, which shall be consistent with the informal nature of the proceedings and will assure that all parties are allowed to state their case and ask questions of those present regarding the subject matter of the hearing.

8. All decisions of the Referee on procedural matters shall be final unless otherwise determined by the Director.

9. At the conclusion of the hearing, the Referee shall examine all information presented at the hearing. The Referee shall provide a written decision within forty-five (45) days of the date on which the hearing occurred by forwarding a copy of the decision to both the Director of the Human Resource Agency (for his/her signature) and the Hearing Officer. A copy shall also be sent via first class mail to the claimant and/or to the party who requested the hearing (if other than the claimant).

10. The decision of the Referee shall be based solely on the facts presented for consideration at the hearing and shall be based on substantive evidence and not hearsay. The decision shall contain a statement of the decision rationale and the evidence relied upon in reaching the decision.

11. A party requesting a hearing who is dissatisfied with the decision of the Referee may appeal the decision to the Glenn County Board of Supervisors.

7.6 Appeals to the County Board of Supervisors

A. Any party who wishes to appeal an action of the Fair Hearing Decision under this policy may do so in writing to the Board of Supervisors within ten (10) calendar days of the date of receipt of the Fair Hearing Decision subject to appeal (see Section 7.3). Appeals postmarked later than ten (10) calendar days will not be heard by the Board.

B. Such an appeal shall contain at a minimum:

1. Name, address and telephone number of the party who submits the appeal to the Board of Supervisors (also known as the “appellant”).
2. Description of action being appealed.

3. Reasons or rationale as to why it is believed that the action is incorrect.

C. The Clerk of the Board will schedule all appeals before the Board of Supervisors on the first date and time available in the Board's schedule. The Clerk will then notify both parties in writing of the scheduled date and time of the hearing regarding the appeal. The Clerk will also provide a copy of the appeal to the claimant.

D. At the scheduled date and time of the appeal hearing, the parties and their representatives will appear before the Board of Supervisors to present their respective arguments. Failure of the appellant, without good cause, to appear at the date and time specified will be sufficient to deny the appeal.

E. The decision rendered by the Board of Supervisors at the appeal hearing is final and binding unless reversed by a Court of Law.

7.7 Compliance with Hearing Decisions

A. Immediately upon receipt of a hearing decision, the HRA shall initiate action to comply with such decision.

B. A report of compliance shall be submitted to the Referee within thirty (30) days of receipt of the decision by the HRA.
CHAPTER EIGHT

INDIGENT BURIAL PROGRAM

8.1 Purpose

The Indigent Burial Program provides for cremation of deceased indigent residents of Glenn County or deceased indigent transients who die within Glenn County.

8.2 Eligibility

A. The County will only assume payment for cremation of deceased indigent residents of Glenn County when the resident had no available resources or estate to defray cost of cremation, and next-of-kin are determined to be indigent according to guidelines established by the Department.

B. Next-of-kin are considered to be surviving spouse, adult children and parents of minor children.

C. Mortician services and interment will be provided within Glenn County unless transportation to return the deceased indigent transient to another county is provided without cost to the County of Glenn. In that event, Glenn County will pay the prevailing burial rates established by the Board of Supervisors of the other county, but in no event shall the payment be greater than rates established by Glenn County.

D. In no case will the County of Glenn be liable for funeral, interment or grave site expenses greater than those established by the Glenn County Board of Supervisors and set forth in a Schedule of Indigent Burial Fees.

E. Next-of-kin are considered indigent and not responsible for a described relative's cremation and interment expenses if their monthly income and other resources are less than 130% of the current poverty guidelines at the time application for payment is made.

F. Resources are defined as assets, such as life insurance and burial policies, bank accounts, cash on hand, stocks and bonds, or certificates of deposits.

8.3 Services Provided

A. The County will only reimburse the mortuary for the following services associated with indigent cremation:

1. Removing the remains from the place of death in Glenn County or from a hospital in an adjacent county (if the deceased had been transported out-of-county for medical treatment by local medical facilities).
2. Services of funeral director and staff (professional services).

3. Two (2) hours of viewing if requested by a close relative.

4. Cremation and legal disposal of remains. [Rev. 12/02]

B. At the request of an eligible out-of-county relative, funeral arrangements for a county resident may be provided outside of Glenn County providing:

1. All parts of this policy are adhered to.

2. Transportation to return the deceased to the relative’s county/state is provided without additional cost to Glenn County. [Rev. 12/02]

8.4 Application for Service

A. Prior to the provision of any indigent burial services, the funeral director shall refer any and all persons requesting a County-paid funeral for a deceased family member to the Social Services Division of the Glenn County Human Resource Agency to determine indigence.

1. A member of the deceased person’s immediate family or next-of-kin shall complete an application for indigent burial services and the application will be used to determine the deceased person’s indigence.

2. If the deceased person has no next-of-kin, then the application for indigent burial services may be completed by a member of the Adult Services staff.

B. The funeral directors shall use the eligibility guidelines in Section 8.2 to explore the indigence prior to making a referral to the Department.

C. After receiving a referral, the Division will advise the funeral directors as to the findings in the most expeditious manner possible and furnish the applicant with full details as to the services to be provided under the Indigent Burial Program.

D. The funeral director shall not make any claims for Social Security or Veteran Death Benefits for any indigent burial billed to Glenn County.

8.5 Schedule of Fees

The Board of Supervisors shall set rates for the burial of indigents.

A. The Director of the Human Resource Agency (or designee) and the Directors of funeral homes in Willows and Orland will meet annually to review the existing fees for indigent burials. Any recommended changes shall be submitted to the Board of Supervisors. [Rev. 12/02]
B. Glenn County Indigent Burial Program – Fee Schedule:

1. Maximum Cremation Fee .......................... $1,000

[Note: Maximum cremation fee shall include all professional services, including container and interment fees, California Sales Tax, California Disposition permit and any other fee, permit or charge necessary to legally prepare and dispose of the remains, including transportation when necessary.] [Rev. 12/02]

8.6 Reimbursement and Collection Procedures

A. Indigent burials are only provided when there are insufficient funds from all other resources to provide for burial expenses. Whenever there are death benefits accruing to the decedent from any source, or if any later-discovered assets or resources appear, then all such death benefits, assets and resources shall be claimed by Glenn County to offset the cost of the burial expenses advanced by the County.

B. The Director of the funeral home shall not make any claims for Social Security or Veteran Death Benefits for any indigent burials billed to the County.

C. Neither the Director of the funeral home, nor the cemetery, may accept additional compensation of any kind for an indigent burial from any source other than the County of Glenn.

8.6 Vendor Selection

Glenn County reserves the right to select any licensed vendor to provide mortuary services under this chapter. [Rev. 12/02]