

**LEE COUNTY, IOWA
GENERAL ASSISTANCE ORDINANCE**

Adopted by the Lee County Supervisors the 10th day of January, 2017

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

Section 1.

Purpose: It is the purpose of the Lee County Board of Supervisors to provide General Assistance to those persons who are legal residents of Lee County in accordance with Chapter 252 of the Code of Iowa in an orderly manner without regard to race, religion, gender, disability or political affiliation. All individuals are given the right to apply for benefits and are entitled to be treated with dignity and respect. Lee County General Assistance benefits are intended to fill short-term needs and are considered to be "last resort" funding for very low-income persons unable to access state and federal assistance programs. All applicants will first be placed on a waiting list until information contained in their application can be verified and eligibility for the specific type of assistance is confirmed. Day to day operation of this program is delegated to a General Assistance Director appointed by the Board who may in turn employ persons to operate this program following this ordinance. The general assistance director shall use all due diligence in the attempt to verify all information in the application and make an initial determination as to eligibility within 30 days of application. If the director is unable to do so within the time permitted, the director, upon written notice to the applicant may take not more than an additional thirty (30) days to verify necessary information.

Section 2.

Categories of Eligibility: There are three general categories of eligibility for General Assistance in Lee County:

- A. Assistance for poor persons;
- B. Short term assistance for needy persons;
- C. Interim assistance for poor and needy persons who are in immediate need and are awaiting approval and receipt of assistance under state or federal programs.

Assistance for persons qualified for services under the Southeast Iowa Link Mental Health and Disability Services Region (hereinafter referred to as SEIL) Management Plan will be governed by the provisions of that plan.

Section 3.

Definitions:

- "Board" refers to the Board of Supervisors of Lee County
- "Days" as referenced in the Claims, Reviews and Appeals section refers to calendar days.
- "Director" refers to the General Assistance Director appointed by the Board of Supervisors pursuant to Ch. 252.26 of the Code of Iowa or an individual supervised by the Director.

- "General Assistance" is a payment or payments made on behalf of an eligible person or household for rent, utilities, medical services, transportation or cremation services.
- "Income" refers to gross income received from wages, social security, public assistance, unemployment compensation or any other source. Food stamps, utility and housing assistance vouchers or food from charitable organizations are exempt, as well as income earned by children under age 18 who attend school. Income received by other adult persons in the dwelling unit may be used in the determination of benefits.
- "Household" is the adult applicant applying for general assistance, the applicant's spouse, the applicant's domestic partner, and any children, stepchildren or wards under the age of 18 residing with the applicant.
- "Needy Person" is defined as an individual without income or resources to provide the necessities of life and those persons legally dependent on them.
- "Poor Person" is a person who has no property, exempt or otherwise, and is unable because of physical or mental disability to earn a living by labor. Such disability should be verifiable by a recognized medical or mental health professional.
- "Resources" includes all liquid assets including cash on hand; checking, savings, and share draft accounts; stocks, bonds and other similar instruments; boats, campers, motor vehicles, real estate and household items with individual retail value in excess of \$500.00 or total items with \$2,000.00 combined value. Exempt from resource limitations are one licensed motor vehicle with a value under \$2000, the homestead being occupied by the applicant, a burial plot and household furnishings to the extent exempt from civil execution.
- "Utilities" includes electricity, water, natural gas, fuel oil, propane, and other heating fuels approved by local codes for space heating or cooking. It specifically does not include telephone, internet access, satellite or cable television.
- "Vendor Payment" is a county auditor's warrant to a supplier of goods or services.

Section 4.

General Eligibility:

Persons wishing to apply for Lee County General Assistance will be required to complete and sign an application form approved by the Board, and to provide requested verification of information relevant to the determination of eligibility. Applicants may also be required to sign releases of information to permit the general assistance worker to obtain and/or verify information relevant to program eligibility. Since the General Assistance program is a "last resort" form of assistance, applicants will be expect to apply for and accept assistance from all other federal, state and charitable resources prior to receiving county assistance. Examples of this include but are not limited to assistance available from unemployment insurance, worker's compensation, Social Security, prescription drug manufacturer indigent assistance, low rent housing, Medicare, Medicaid, and the Family Investment Program. Applicants will also be required to sign necessary documents for the Social Security interim assistance program and be willing to repay the county for expenses incurred on their behalf when retroactive approval for a state or federal program results in a lump sum payment. Similar repayment will be

required if lump sum payment is received from a court or insurance settlement. Persons under age 18 are not eligible for assistance unless living in an eligible household with their parent(s) or legal guardian. Payment will only be made for expenses incurred during approved periods of eligibility and not for unpaid charges of any sort incurred prior to month of application. General Assistance will not pay for rent or utility deposits.

Specific Eligibility Factors - Poor Persons:

INCOME: Income must be below the current payment standard for the Family Investment Program, based on household size. When there is household income below the F.I.P. standard, then that income plus allowable rent and utility payments shall not exceed the F.I.P. standard. Income is counted for the calendar month prior to application.

RESOURCES: Household Resources may not exceed \$500.

DISABILITY: Applicants must meet the definition of a "poor person" as found in Chapter 252 of the Code of Iowa. Applicants are required to apply for disability benefits from the Social Security Administration (and/or Veterans Administration when a veteran) and are expected to fully cooperate with the disability determination process of these agencies. If a person is deemed not disabled by these organizations, or does not cooperate with their disability determination process, and said determination is not actively under appeal, that person will not be considered a "poor person" for the purposes of this ordinance. In the event that the person goes through the appeals process for disability benefits on three different occasions and was denied each time, general assistance benefits will be determined to be maximized and their general assistance benefits will be terminated. If a person's inability to work is related to an employment related injury, they are expected to file a request for compensation with that employer's worker's compensation carrier. Lee County reserves the right to require a physical or mental examination at the counties expense to evaluate an applicant's ability to work.

EMPLOYMENT: Specific programs may exist to allow persons with a disability to work. A "poor person" is expected to participate in one of these programs if available and appropriate for that individual's condition. In the event that the person refuses to participate in a specified program in which they are qualified and appropriate, general assistance is under no obligation to provide benefit just as if the person had voluntarily left employment. The "suitable employment" requirements of unemployment compensation are not applicable to the General Assistance program.

FULL TIME STUDENTS: Full time students are not eligible for General Assistance benefits.

APPLICATION: Application shall be made in person, and shall be reviewed in person every 61 days or less. Responsibility of scheduling appointments on a timely basis rests with the applicant. Proof of identification and a valid social security number (or legal equivalent) must be provided at time of application in order to access assistance.

SANCTIONS: Persons who would otherwise be eligible for state or federal public assistance programs but who have been sanctioned for any reason are not eligible to receive Lee County General Assistance during the time that the sanctions are in force. Any person, who is found to have provided false information to Lee County General Assistance in order to receive benefits will have their benefits immediately cancelled,

will be ineligible to receive further benefits and may be referred to the Lee County Attorney for possible criminal prosecution and reimbursement of accrued benefits gained under false pretense.

Specific Eligibility Factors - Needy Persons:

INCOME: Income must be below the current payment standard for the Family Investment Program, based on household size. When there is household income below the F.I.P. standard, then that income plus rent and utility payments shall not exceed the F.I.P. standard. Income is counted for the calendar month prior to application.

RESOURCES: Household resources may not exceed \$500.

EMPLOYMENT: All applicants and adult members of the household are expected to have active employment applications on file at Iowa Workforce Development and other private employment services where an application fee is not charged. Applicants must accept employment if offered, regardless of whether it is deemed "suitable employment" by Iowa Workforce Development standards, and shall be found ineligible if they voluntarily left employment immediately prior to application.

FULL TIME STUDENTS: Full time students are not eligible for General Assistance benefits.

APPLICATION: Application shall be made in person, and shall be reviewed in person every 31 days or less. Responsibility for scheduling appointments on a timely basis rests with the applicant. Proof of identification and a valid social security number (or legal equivalent) must be provided at time of application in order to access assistance.

SANCTIONS: Persons who would otherwise be eligible for a state or federal public assistance program but who have been sanctioned for any reason are not eligible to receive Lee County General Assistance during the time these sanctions are in force. Any person, who is found to have provided false information to Lee County General Assistance in order to receive benefits will have their benefits immediately cancelled, will be ineligible to receive further benefits and may be referred to the Lee County Attorney for criminal prosecution and reimbursement of accrued benefits gained under false pretense.

TIME LIMITS: Since Lee County General Assistance is a short-term emergency assistance program, needy persons may only receive General Assistance benefits for a total of 12 months during their lifetime. Each approved application shall entitle the applicant to up to six months benefits. After a six-month waiting period the applicant may re-apply for additional benefits up to six additional months. The lifetime limitation will also apply to the time benefits were received while classified as a "poor person".

Section 5.

Forms of Assistance

Rent: Maximum rent payments shall be \$100 per month. If utilities are included in the rent then rent payments may be increased giving consideration to utilities allowance below. Lee County will not make rent payments to persons who are related to the applicant. Rent shall be paid only to the verified owner of the property or their designee.

Only one qualifying individual of a “household” will receive benefit at a given time. All restrictions and limitations apply per individual receiving assistance.

Utilities: May 1 through September 30th the maximum monthly utility payment is \$55. October 1 through April 30th the maximum monthly utility payment is \$85.

Cremations: Lee County will pay for cremation expenses not to exceed \$1,200 paid directly to a Lee County funeral home for services in full. This application may be made with the assistance of the involved funeral director and eligibility determination will be made by Lee County general assistance worker/director with regards to the deceased’s assets upon date of death as per general assistance guidelines which is established at the F.I.P. standard. Any resources available to the estate (other than sentimental property with a nominal value) including but not limited to donations, gifts, non-organizational memorials, life insurance, bank accounts, personal allowance accounts, cash on hand, real estate and veteran's benefits will be deducted from the amount paid by the county.

TRANSIENTS: Lee County will reimburse the local bus company or railroad for the cost of a one way ticket not to exceed \$150 per person to allow an otherwise eligible person or persons without a permanent residence in Lee County to leave our county. If these persons have a motor vehicle but are unable to travel further due to their resources being exhausted, Lee County will reimburse a local vendor the cost of one tank of gas (\$30) and up to two quarts of motor oil if needed to allow them to continue their journey. Any unused benefits will remain the property and possession of Lee County. All refunds will be issued back to the Lee County General Assistance program. Persons who are provided this aid are not eligible for additional assistance from Lee County for lifetime following the receipt of this aid.

Section 6

Claims, Reviews, and Appeals:

Claims: All vendors must submit an IRS form W-9 as required to receive payment from Lee County. Claims must be submitted within 60 days of provision of goods or services, or within 60 days of claim rejection/partial payment by a third party payer. Failure to submit bills within the time period allowed will require that the bill be submitted to the General Assistance Director for appeal to the Lee County Board of Supervisors. The issues before the Board will be (a) whether, in fact, the claim is due and owing; (b) whether the late submission is part of a pattern of practice of late submissions of claims; (c) and whether the late submission results in some undue hardship to Lee County. If any of those conditions are found by the Board to be true, upon hearing, the parties agree that the vendor waives his right to payment. Upon approval of the claim, payment shall be submitted to the vendor within thirty (30) days unless it is determined by the Board that the payment of the delinquent claim(s) shall result in fiscal hardship which could jeopardize services to existing recipients. In such a case, the claim would be paid the beginning of the following fiscal year.

Reviews: Any applicant or vendor who is denied benefits or payment from Lee County General Assistance may file a written request for a review of this denial with the General

Assistance Director within 15 days of such denial. The General Assistance Director will schedule an interview within 15 days if requested and will render a decision within a week of said review. The General Assistance Director has the authority to review handling of the application to determine that the rules in this ordinance were applied correctly, but does not have the authority to make an exception to these rules.

Appeals: If an applicant or vendor does not agree with the decision of the General Assistance Director or wishes to request an exception to these rules they must make a written request for an appeal hearing to the Board within 45 days of the original denial of benefits or payment. This hearing will be held in accordance with Chapter 21 of the Code of Iowa (open meetings law) and is subject to being closed under the provisions of this chapter. The decision of the Board will be final.

Section 7

Severability Clause.

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 8

Repeal of previous ordinance.

This ordinance replaces any previous General Assistance ordinances adopted by the Board of Supervisors on the effective date of this ordinance. The effective date of this ordinance is January 24th, 2017.

First Reading of Amendment: January 3, 2017

Second Reading of Amendment: January 10, 2017

Third Reading of Amendment: waived

Amendment Published: January 24, 2017, Fort Madison Democrat; Keokuk Gate City

First Reading of Amendment: March 23, 2010

Second Reading of Amendment: April 6, 2010

Third Reading of Amendment: Waived April 6, 2010

Amendment Published: May 3, 2010, Fort Madison Democrat; Keokuk Gate City;
West Point Bee

First Reading of Amendment: July 12, 2005

Second Reading of Amendment: July 19, 2005

Third Reading of Amendment: Waived July 19, 2005

Amendment Published: July 21, 2005, Fort Madison Democrat; Keokuk Gate City;
West Point Bee

First Reading of Amendment: March 15, 2005

Second Reading of Amendment: March 22, 2005

Third Reading of Amendment: April 5, 2005
Amendment Published: April 14, 2005, Fort Madison Democrat; Keokuk Gate City;
West Point Bee

First Reading: September 3, 2002
Second Reading: September 10, 2002
Third Reading: Waived on September 10, 2002
Published: August 29, 2002, Fort Madison Democrat, Keokuk Gate City, West Point
Bee

Signed:

Rick Larkin, Chairman
Lee County Board of Supervisors

Don Hunold, Vice Chair
Lee County Board of Supervisors

Ron Fedler, Member
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Gary Folluo, Member
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Matt Pflug, Member
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