

## TITLE I – POLICY AND ADMINISTRATION (Chapters 1-6)

**CHAPTER 3****GENERAL ASSISTANCE**

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**3.01 EFFECTIVE DATE.**

The effective date of this ordinance is July 2, 2024, as adopted by the Board of Supervisors on July 2, 2024.

**3.02. PURPOSE.**

General Assistance is available from Warren County pursuant to Chapter 252 in the Iowa Code (2024) and this Ordinance and provides a safety net for individuals and families with emergency needs. Emergency needs will be met in the form of rent, utilities, medical expenses, funeral or cremation expenses, emergency shelter or transportation expenses. The Board of Supervisors shall provide for the assistance of poor persons lawfully in the County who are ineligible for or are in immediate need and are awaiting approval and receipt of, assistance under programs provided by state and federal law, or whose actual needs cannot be fully met by the assistance furnished under those programs. The Board of Supervisors will adopt policies and procedures for General Assistance that will be administered by the General Assistance Director. The General Assistance Director is appointed by the Board of Supervisors.

**3.03 DEFINITIONS.**

For use in this chapter, the following terms are defined:

1. “Assistance” means the provision of basic and special needs through a payment or payments from the County, on behalf of an eligible person or household for rent, utilities, medical supplies, transportation, prescriptions, burial or cremation services, and in exceptional circumstances, other emergency needs.
2. “Basic Needs” means food, shelter and utilities. Food shall not include cigarettes, alcoholic beverages, or pet food except pet food for a guide dog, but does include personal care items and cleaning supplies used to operate a household.

3. “Board of Supervisors” means the Warren County Board of Supervisors.
4. “Circumstances which are attributable to a person” shall mean all circumstances occurring to a person which involves failure to safeguard liquid assets and/or resources, or failure to prioritize expenses.
  - a. “Failure to safeguard liquid assets and/or resources” means that the person’s liquid assets and/or resources were lost or stolen, the person failed to file a police report, and there is no evidence of an assault or break-in occurring.
  - b. “Failure to prioritize expenses” means that the person has not directed his/her income toward securing and paying for basic needs as a first priority or where the person has demonstrated a continued inability to plan and spread necessary expenditures over the usual period between assistance checks.
5. “County” means Warren County, Iowa.
6. “County of Residence” means the county in this state in which, at the time a person applies for or receives services, the person is living and has established an ongoing presence with the declared, good faith intention of living in the county for a permanent or indefinite period of time. The county of residence of a person who is a homeless person is the county where the homeless person usually sleeps. A person maintains residency in the county or state in which the person last resided while the person is present in another county or state receiving services in a hospital, a correctional facility, a halfway house for community-based corrections or substance use disorder treatment, a nursing facility, an intermediate care facility for persons with an intellectual disability, or a residential care facility, or for the purpose of attending a college or university. Iowa Code 225C.61 (2024).
7. “College Students” are not eligible for General Assistance from Warren County, as they do not meet the definition of “county of residence” from the Iowa Code (Chapter 225C.61 (2024), and this Warren County Ordinance.
8. “Common-law Spouses” means two persons who each have a present intent and agreement to be married to each other, they are cohabitating, and they have made a public declaration that they are spouses.
9. “Domestic Partner” means either member of an unmarried adult couple in a committed, mutual relationship who maintains a common residence and responsibility for each other’s common welfare and financial obligations and are not married to or the domestic partner of anyone else.

10. “Eligible Persons or Eligible Households” means persons or households that meet the Iowa Code definitions of “Poor Person” and the definition of “Needy Person” in this Ordinance. “Eligible Person(s)” or “Eligible Household(s)” will be used throughout this Ordinance.
11. “Gross Income” means income before federal and state payroll taxes, child support payments, and health care premiums, garnishments or other deductibles are deducted for all persons in the household.
12. “Net Income” means all income received by the household members, including child support.
13. “Household” means all related persons; unmarried couples who share a child in common; or domestic partners who reside or cohabitate together in the same household. Unrelated persons living in a roommate situation and listed on the lease constitute a separate household with eligibility based on meeting General Assistance Guidelines.
14. “Household Income” includes but is not limited to gross income, cash-on-hand, child support, retirement and disability benefits, gifts, loans, cash assistance received from private and public entities, including fundraising and crowdsourcing.
15. “Poor Person”, as defined by Iowa Code 252.1 (2024), means the following: The words “poor” and “poor person” as used in this chapter shall be construed to mean those who have no property, exempt or otherwise, and are unable, because of physical or mental disabilities, to earn a living by labor; but this section shall not be construed to forbid aid to needy persons who have some means, when the Board of Supervisors shall be of the opinion that the same will be conducive to their welfare and the best interests of the public. This ordinance may make reference to a poor person as an eligible person.
16. “State” means the state of Iowa.

### **3.04 GENERAL ELIGIBILITY.**

**General Eligibility.** To be eligible for assistance, a Warren County resident must meet and comply with the following requirements:

1. Must be a resident of Warren County.
2. Must be at least 18 years of age, married, or an emancipated minor (as defined by the Iowa Code 232C (2023)).

3. Applicants who state they are unable to work due to a mental or physical illness may be required to provide written verification from a doctor or other professional medical personnel. This verification must state the primary health condition; if the inability to work is temporary or permanent; and the approximate date (if applicable) the applicant may return to employment.
4. If not currently employed, the applicant and all adult members in the household must be actively seeking employment sufficient to exceed the General Assistance Income Guidelines, by applying for a minimum of two jobs per week.

The applicant and all adult members in the household must provide documentation of registration with Iowa Works, WeLift Job Search Center or Iowa Vocational Rehabilitation.

5. Applicants must apply for and follow through with all other assistance programs for which they may be eligible including but not limited to Veterans Affairs (Warren County Veterans Affairs), Family Investment Program (FIP), Supplemental Nutrition Assistance Program (SNAP), Medicaid, Housing Choice Voucher and all other state and federal rent and utility assistance programs, Low Income Home Energy Assistance Program (LIHEAP), Social Security, Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI) and/or Unemployment.
6. An applicant or household member of an applicant, who has voluntarily terminated employment or is terminated for poor work attendance (without sufficient explanation) shall not be eligible for General Assistance for a period of three (3) months after termination. If the applicant or household obtains a new ongoing job and provides verification of hire, eligibility may be considered. Consideration will be made for a person who is needed in the home to care for a dependent child or dependent adult with special needs in exceptional circumstances.
7. An applicant or household member of the applicant, who is registered in post high school training or education is not eligible for assistance. This does not include applicants working towards their high school diploma, HiSet Series to earn their High School Equivalency Diploma (HSED) (High School Equivalency Test and HSED has replaced GED in Iowa) or engaged in unpaid vocational training provided through their employer, the Division of Vocational Rehabilitation Services, or a transitional support services program.
8. Applicant or household member of the applicant must demonstrate prioritization of expenses, and safeguard liquid assets and/or resources. A household's failure to prioritize expenses and failure to safeguard liquid assets and/or resources are not eligible for assistance.

9. Assistance may be provided during a twelve- (12) month period for so long as the total amount of assistance does not exceed the maximum amount designated by the Board of Supervisors. The twelve- (12) month period begins with the month when the first assistance is issued.

### **3.05 INCOME ELIGIBILITY.**

1. Income.
  - a. The total gross income of the household unit for the previous thirty (30) days will be considered when determining eligibility. Household income includes, but is not limited to, gross income, child support, retirement and disability benefits, gifts, loans, and any cash assistance received from public and private entities.
  - b. The applicant household must have a gross income of at or below the percentage of the Federal Poverty Guideline (updated annually by the US Department of Health and Human Services) and approved by the Board of Supervisors.
  - c. Lump sum payments received by a household up to three (3) months preceding the application for General Assistance will be considered a resource. A period ineligibility, in months, shall be equal to the expenditure of the lump sum payment at the percentage of the federal poverty level for the applicable household and as approved by the Board of Supervisors.

### **3.06 GENERAL ASSISTANCE EXCEPTION POLICY.**

Emergency assistance may be approved for an applicant who does not meet the above eligibility, in instances of extraordinary circumstances determined to be non-recurring in nature. Exceptions will not be granted for applicants with a gross income exceeding the eligibility guidelines set forth herein. The amount of assistance granted will not exceed the guideline amounts set out in this Ordinance. At the Director's discretion, assistance for emergency needs not outlined in the General Assistance Guidelines may be granted in exceptional circumstances and when no other funding support is available. An applicant will not receive more than one exception in a 12-month period. The following considerations may be used to determine the extension of assistance:

1. Help cannot be obtained from any other source.
2. The applicant clearly demonstrates the inability to meet this emergency.
3. The applicant agrees to follow the recommended case plan of the Social Services Worker to assure the non-repetition of this situation.
4. The applicant can demonstrate the ability to maintain their living situation through their own resources following the receipt of General Assistance benefits.

5. Applicant's health and/or housing stability are threatened without assistance.

### **3.07 FURTHER INQUIRY.**

The General Assistance Director may make further inquiry of factual details regarding eligibility. Providing false or inaccurate information in order to qualify for General Assistance benefits may result in denial of General Assistance benefits for a period of one year from the date of discovery, and referral to the County Attorney's Office. Examples of when such inquiry may be conducted include but are not limited to:

1. A person's situation indicates they have resources.
2. Living expenses exceed income.
3. The individuals' condition indicates that the eligibility factors need further inquiry or verification including, but not limited to, instances in which the applicant (a) may be physically ill or disabled and unable to participate adequately in the eligibility determination process; or (b) has a known history of misrepresentation.

### **3.08 NEEDS.**

Needs for which General Assistance may be provided are rent, utilities, prescription medications, medical supplies, transportation, and funeral or cremation expenses.

#### **1. Rent.**

- a. Rent payment shall only be paid to the property owner or their designee. Property ownership will be verified by General Assistance.
- b. Rent will not be paid to businesses that operate for the primary purpose of providing short-term lodging, such as hotels or motels.
- c. Applicants must provide a copy of a current, formal lease when applying for rental assistance from General Assistance.
- d. Rent shall not be paid to parents, grandparents, children, or grandchildren of the applying household.
- e. Rent assistance will not be used to supplement Section 8 Housing Assistance (Housing Choice Voucher) or other federally subsidized units unless a General Assistance worker determines the situation is exceptional in nature.

- f. General Assistance will not be granted for late fees, deposits, taxes, interest, house payments (mortgage) or other payments not directly necessary for support and maintenance of a home.

## **2. Utilities.**

- a. Utility assistance may include water, fuel or electricity for the purpose of heating and cooling, cooking, and lights.
- b. Utility assistance shall not exceed three approvals in a 12-month period. Assistance will not be granted unless assistance and other resources of the applicant are such that the utility provider will agree to continued or reinstated service.
- c. Assistance shall not be granted for utilities for housing units that are subsidized by the federal government or other programs where a utility allowance is included in calculating the rent paid by the applying household.
- d. Utility bills must be in the name of the applicant or another adult member of the household or family unit. If the expense of utilities is being shared, the utility amount will be prorated.
- e. The applicant must show that they have made payments toward their bill within the previous six (6) month period.
- f. General Assistance will not be granted for deposits or bills accrued at prior addresses.

## **3. Medical.**

- a. All applicants must apply for Medicaid through the Iowa Department of Health and Human Services.
- b. Eye exam, frame repair, and glasses when recommended by a physician and assistance is not available through the Free Medical Clinic or Community Crisis Services.
- c. Prescriptions or non-prescription items when recommended by a physician. The applicant will use the discount prescription savings plan that provides the lowest price for eligible prescriptions.
- d. Payment of medical supplies such as hearing aids, and special shoes, and items that may improve health outcomes including an air purifier, humidifier, vacuum, etc., when these items are not available through other sources.

- e. Medical assistance shall not exceed three approvals in a 12-month period.

#### **4. Transportation.**

- a. A HIRTA voucher will be provided upon request; or
- b. A gas voucher for up to \$35, with a maximum of two gas vouchers provided in a 12-month period.

### **3.09 BURIAL AND CREMATION.**

Warren County will pay for basic funeral expenses not to exceed the amount established by the Board of Supervisors and set out in the General Assistance Guidelines. The next of kin or officially designated representative must work with the funeral home to identify eligible burial and cremation services.

#### **1. Eligibility.**

- a. The decedent must be a resident of Warren County.
- b. Decedent's household income must not exceed the income guidelines set by the Warren County Board of Supervisors. The total gross income of the household unit (decedent, spouse/domestic partner, parents, and children) for the previous 30 days will be considered when determining eligibility, as defined in this Ordinance.
- c. Death benefits may be available from employment, railroad retirement, pension plans, Veterans Affairs, life insurance policies, prepaid burial agreements or Social Security. The family of the deceased must apply for these benefits to assist with the burial expenses. Any funds generated from memorials, fundraising and crowdsourcing must be applied to the funeral expenses. If the family of the deceased discovers a death benefit, savings account, or other resources after the funeral, they are expected to notify General Assistance. IF the County deems the family of the deceased ineligible because of the resources, the family will be required to reimburse the funeral expenses disbursed by the County on behalf of the deceased.

#### **2. Application.**

- a. The next of kin or an officially designated representative must submit an application for County funded funeral assistance with the General Assistance Director.



- b. Next of kin or officially designated representative will work with the funeral home to identify eligible burial and cremation services. County funded funeral benefits cover limited funeral services and goods. Arrangements for burial and/or cremation services will be made with funeral directors, who will obtain authorization for County funded funeral services from the General Assistance Director prior to proceeding with services.
- c. Payment for funeral expenses will be made directly to the funeral home.

### **3. Description of Funeral Benefits.**

#### **a. Funeral services expenses for cremation of up to a maximum of \$1,900:**

- i. Funeral home services.
- ii. Use of funeral service provider facilities.
- iii. Memorial service.
- iv. Embalming and preparation of the body.
- v. Cremation.
- vi. Basic urn.
- vii. Fees and permits.
- viii. Preparation and filing of death certificate.
- ix. Transfer of decedent to funeral home and cemetery.

#### **b. Funeral service expenses for burial up to a maximum of \$1,900:**

- i. Funeral home services.
- ii. Use of funeral service provider facilities.
- iii. Memorial service.
- iv. Embalming and preparation of the body.
- v. Basic casket and grave liner.
- vi. Fees and permits.

- vii. Preparation and filing of the death certificate.
  - viii. Transfer of decedent to funeral home and cemetery.
4. The family is financially responsible for all printed materials, published obituaries, clergy or music honorariums, flowers, limousines or family cars, copies of the death certificate, and luncheon or reception charges.
  5. The funding provided through General Assistance is considered payment in full for funeral home services and goods associated with burial or cremation, as well as expenses related to the interment of remains (i.e., cemetery fees). The funeral home will work with the next of kin or officially designated representative. The total billable expenses for funeral and burial services will not exceed \$1,900. This benefit represents payment in full, and the burden for any cost in excess of this total shall be the responsibility of the funeral home, cemetery, or participating vendors.
  6. Payment for out-of-state funerals will not be provided by General Assistance.
  7. General Assistance will pay \$250 for burial or cremation of decedents deemed non-resident transients (Iowa Code 252.27 (2023)).

### **3.10 APPEALS.**

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

1. An applicant wishing to appeal may file, with the General Assistance Director, a written request for review of the application. Appeal must be filed within ten (10) days of the Notice of Decision and include the applicant's name, current address, phone number and email address, and reasons for the appeal. The Director shall review the application and issue a subsequent Director's Decision within five (5) business days of the receipt of the written appeal (request for review).

If the applicant provides a valid mailing address, the decision will be mailed to the applicant. If the applicant provides a valid email address, the decision shall be emailed to the applicant. Otherwise, the decision shall be held for at least one week at the General Assistance Office for pick up by the applicant.

2. An applicant wishing to appeal the General Assistance Director's appeal decision may file a written request for review by the Board of Supervisors within ten (10) business days of the Director's decision. The appeal to the Board of Supervisors will be placed on the next available agenda. If the applicant provides a valid mailing address, the date and time of the hearing will be mailed to the applicant. If the

applicant provides a valid email address, the date and time of the hearing shall be emailed to the applicant. The General Assistance Director will have a copy in the office for the applicant.

3. The Board of Supervisors shall hear the applicant's appeal at the time scheduled unless a continuance is requested by the applicant. The request for a continuance will be granted at the discretion of the Board of Supervisors. During the hearing, the applicant will be permitted to present evidence in support of the appeal including testifying, offering documentary evidence and cross examination of other witnesses. Technical rules of evidence do not apply. The Board may set a reasonable length of time for presentations by the parties. The Board may question the applicant, and the Director shall present the reasons for the Director's decision. The hearing before the Board of Supervisors will be closed to the public pursuant to Iowa Code 21.5(1)(a), 217.30 and 252.25. Information about the applicant which is disclosed during the hearing shall remain confidential. Applicant's failure to attend the meeting at which the appeal is to be heard by the Board may result in dismissal of the applicant's appeal.
4. The Board's findings shall be based solely upon the evidence presented at the hearing. The Board shall issue its decision in writing as promptly as possible, and within five (5) business days of the hearing date. If the applicant provides a valid mailing address, the decision will be mailed to the applicant. If the applicant provides a valid email address, the decision shall be emailed to the applicant. Otherwise, the decision shall be held for at least one week at the General Assistance Office for pick up by the applicant.

### **3.11 ACTIONS OF THE BOARD OF SUPERVISORS.**

The Board shall not take action regarding a recipient's assistance benefits until the Board reviews the action(s) of the Director and conducts a hearing. This hearing, the reasons for the hearing, and notification to the applicant shall be given in the same manner as if the applicant had taken an appeal. This hearing shall proceed in the same manner as an appeal from the Director's determination.

### **3.12 CONFIDENTIALITY.**

All applicants and/or recipients have the right to confidential treatment of information concerning their situations. However, recipients should understand that such information may be shared when appropriate with the Board of Supervisors. A certain amount of information may need to be released to direct providers of services, including but not limited to, grocery stores, pharmacies, hospitals, doctors, clothing stores, to authorize release of goods to the client. In certain instances when the General Assistance Director or designee is working cooperatively with other agencies, i.e., Veterans Affairs, Community Action Center, and/or County departments, certain information may be released to complete transactions.

The client's signature on the application not only indicates that information provided on the application is factual and true to the best of the client's knowledge, but also authorizes the department to conduct transactions with those mentioned above, obtain further information, verify information and to cooperate with others necessary to complete the application, eligibility, final determination and transaction of the assistance process.

### **3.13 FRAUDULENT ACTIVITY.**

Any person or persons applying for and/or receiving assistance through the General Assistance program who knowingly and intentionally (a) provides false information to become eligible or continue be eligible, or (b) alters vouchers or claims issued to providers to receive additional assistance, will be denied future assistance for a period three (3) years. Any individual or individuals alleged to have committed fraudulent activity will be referred to the County Attorney for possible prosecution.

### **3.14 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, paragraph, provision or part thereof not adjudged invalid or unconstitutional.