



# county of Santa Cruz

## HUMAN RESOURCES AGENCY

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June 12, 2000

Agenda: August 1, 2000

### BOARD OF SUPERVISORS

Santa Cruz County  
701 Ocean Street  
Santa Cruz, CA. 95060

### GENERAL ASSISTANCE PROGRAM REVISIONS

Dear Members of the Board:

As you know, General Assistance (GA) is a state mandated, 100% County-funded program that provides cash assistance to eligible disabled or unemployed single adult county residents who are ineligible for other aid programs. Each year the GA program regulations are reviewed for compliance with state law. The purpose of this letter is to have your Board approve recommended changes to the General Assistance program regulations.

In 1996, Welfare and Institutions Code 10830 mandated the implementation of a statewide finger/photo imaging system as a means to detect and deter fraud in certain public assistance programs. As of June 5, 2000, the Statewide Finger Imaging System (SFIS) is a requirement for receiving public assistance under the Food Stamps and CalWORK's programs in Santa Cruz County. The regulations governing this requirement were effective January 1, 1998 but due to the State's operational delays the implementation is just now occurring. Eligible adults in the Food Stamps households and all eligible and child caretaker adults in the CalWORK's households are subject to the SFIS requirement. The entire household will be ineligible for assistance if all required adults do not comply. The information on the SFIS database is confidential and by law can only be used for the prevention and detection of fraud in public assistance programs.

The majority of General Assistance recipients also receives Food Stamps and will be required to

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## GENERAL ASSISTANCE PROGRAM REVISIONS

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comply with SFIS regulations. In order to maintain consistency in program administration and regulations it is recommended that all General Assistance recipients, regardless of Food Stamp program participation, be required to comply with SFIS. Typically, the number of General Assistance recipients who do not also receive Food Stamps is less than five.

In addition to the SFIS requirement, there are several other changes to the General Assistance regulations that are proposed. These changes include clarifications of existing regulations, making sanction levels consistent within the General Assistance program and a moderate increase in the meal rate for Return Transportation cases.

The proposed regulations have been reviewed by County Counsel, Legal Aid and the Human Services Commission. The Human Services Commission voted at its May 17 meeting to support the recommended changes as proposed.

Attachment "A" provides a summary of the proposed changes to General Assistance. A complete copy of the proposed regulations is included as Attachment "B." Additions to the regulations are denoted by the highlighted areas. Deletions are denoted by strikeouts.

**IT IS THEREFORE RECOMMENDED** that your Board approve the recommended changes to the General Assistance Program regulations.

Very truly yours,



CECILIA ESPINOLA  
Administrator

## Attachments

CE:RB:rb:Board Ltr Regs Change 5-00.doc

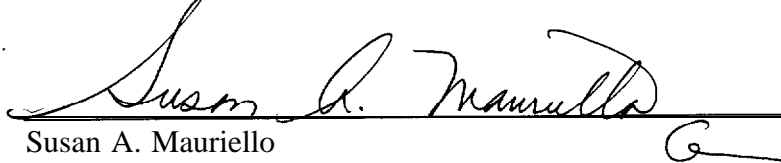
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RECOMMENDED:

A handwritten signature in cursive script, reading "Susan A. Mauriello", is written over a horizontal line. The signature is fluid and extends slightly to the right of the line.

Susan A. Mauriello

County Administrative Officer

cc: County Administrative Office  
Human Services Commission  
Legal Aid

# SANTA CRUZ COUNTY GENERAL ASSISTANCE REGULATIONS INDEX

Revision:5/1/00

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# ATTACHMENT A

## PROPOSED GENERAL ASSISTANCE REGULATIONS JUNE, 2000

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General Assistance Manual Section	Chapter III, a	Reporting Responsibilities	Chapter III, E, 1	Non-Compliance with Reporting Responsibilities	Chapter III, E, 2
States that the eligibility process shall include a home visit prior to the granting of assistance.	Amends regulation to state that the determination process shall include an in-office or at-home interview prior to the granting of assistance.	Would add a time limit of ten (10) days from date of request to provide the required information. On pending cases, a denial action can be rescinded if the required information is received after ten (10) but within thirty (30) days of the initial request.	Imposes a six (6) month sanction for the third and each subsequent incident of non-compliance.	Provides consistency across the program for "failure to comply" sanctions (e.g., Employable and Incapacity sanctions.	Projected 4 cases in a calendar year would receive an added 3 month sanction. 4 x 3 months @ \$277/mo = \$3324 savings
Current Regulation	Proposed Regulation	Program Impact	Fiscal Impact		

# ATTACHMENT A

## PROPOSED GENERAL ASSISTANCE REGULATIONS JUNE, 2000

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General Assistance Manual Section	Applicant and Recipient Responsibility	Chapter III, E, 5	Incapacitated Persons Chapter IV, B	
Current Regulation			Currently, it is a program requirement for incapacitated persons to comply with a treatment plan recommended by the physician. There is no sanction when a client fails to abide by the recommendations of the physician. Rather, the case is closed and the client may immediately re-apply. Also, for drug/alcohol dependency the physicians plan may not include recovery programs such as AA/NA.	
Proposed Regulation	Add compliance with State-Wide Finger Imaging System (SFIS) as a condition of aid.		F or clients with multiple diagnoses which include drug/alcohol dependency, require attendance at three(3) AA/NA meetings each week as specified in the Incapacity Contract (WEL 4043). Failure to comply with the WEL4043 or the physicians treatment plan would result in a sanction. Sanction for first incident is one (1) month; second incident is three (3) months; third and each subsequent incident will be sanctioned for six (6) months.	
Program Impact	Would make the GA program consistent with the new requirements for Food Stamps and CalWORK's.		Provides incentive to attend mandatory meeting(s) as a condition of eligibility and aids in the client's recovery. Unavailability of services or lack of access to services shall be considered good cause for non-compliance.	
Fiscal Impact	None.		Projected 6 cases in a calendar year would receive a 1, 3 or 6 month sanction. $6 \times 1 \times 277 = 1662$ $6 \times 6 \times 277 = 9972$ Savings between \$1662 - \$9972	

ATTACHMENT A

PROPOSED GENERAL ASSISTANCE REGULATIONS JUNE, 2000

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General Assistance Manual Section	Transportation for Return to Residence	Chapter IX, D, 8
Current Regulation	Current the "reasonable cost of meals" is \$5.00 per day per person.	
Proposed Regulation	Increase the "reasonable cost of meals" to \$15.00 per day per person.	
Program Impact	Slight increase in GA cost related to Return Transportation.	
Fiscal Impact	Project 6 cases in a calendar year: 6 x \$10 = \$60 additional cost	



# **ATTACHMENT B**

Revised General Assistance Regulations

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## HUMAN RESOURCES AGENCY

### GENERAL ASSISTANCE REGULATIONS

## **CHAPTER I. IN GENERAL**

In accordance with Section 17000 of the Welfare and Institution Code, the County of Santa Cruz, hereinafter referred to as County, adopts these General Assistance regulations effective for implementation on and after October 1, 1982. These regulations are promulgated so as to comply with all applicable Federal, State and local laws, regulations, guidelines, bulletins. These regulations shall be governed and construed in accordance with the laws of the United States, and State of California, and County of Santa Cruz.

The County Human Resources Agency hereinafter referred to as HRA shall be responsible for the administration of the General Assistance program in accordance with the provisions set forth in these regulations.

## **CHAPTER II. COUNTY RESPONSIBILITY**

### **A. In General**

Section 17000 of the Welfare and Institutions Code provides that every County is responsible for providing relief and support for all incompetent, poor, indigent persons, and those incapacitated by age, disease, or accident who are lawfully resident there, when such persons are not supported and relieved by their relatives and friends, by their own means, or by state hospitals or other private institutions.

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### **B. Administration of General Assistance**

General Assistance is administered by Santa Cruz HRA under authority of the County Board of Supervisors and pursuant to Part 5, W & I Code. General Assistance shall be administered promptly and humanely, with due regard for the preservation of family life. General Assistance shall be so administered as to encourage self-respect, self reliance, and the desire to be a productive citizen. Further, it is the responsibility of all who are concerned with the administration of General Assistance to do so with courtesy, consideration, and respect toward applicants and recipients and without attempting to elicit any information not necessary to carry out the provisions of these regulations.

The provisions of the law relating to General Assistance are to be construed to effect the stated objects and purposes of the program.

### **C. Duty to Plan for Independence of Applicants/Recipients**

It is the joint responsibility of HRA and the applicant(s) or recipient(s) to develop a plan of rehabilitation and support to the end that the applicant(s)/recipient(s) shall become independent of further assistance.

### **D. Emergency Exception to Limitations**

In emergency and unusual circumstances, exceptions may be made by the Administrator or his/her designated representative to the limitations provided in these regulations.

**E. Form of Aid**

Aid will be granted in a monthly cash payment or by vendor payment (a payment paid to a provider of an item of need).

**F. Confidentiality**

General Assistance records are confidential. Names, addresses, and all information concerning the circumstances of any persons from whom or about whom information is obtained is confidential. Records are not open to examination or inspection except by the Grand Jury or by the Board of Supervisors of Santa Cruz County as a whole in their official capacity and not as individual members, or by an officer of the State or of Santa Cruz County charged with the supervision, direction and enforcement of General Assistance policies, or by the individual recipient or applicant or by his/her authorized representative.

**G. Destruction of Case Records**

The Board of Supervisors may authorize the destruction by HRA of the case history, or any part thereof, of any recipient of General Assistance who has not received aid from the County of Santa Cruz for more than four years.

**H. Delegation of Authority to Administer Oaths**

The Administrator or HRA may designate persons as his/her representative to take such affidavits and administer such oaths as are required under the General Assistance Program.

## **CHAPTER III. PROCEDURES FOR APPLICATION AND DETERMINATION OF ELIGIBILITY**

### **A. In General**

Any person has the right to apply for General Assistance, and HRA is required to process all applications for assistance. It is the responsibility of the applicant or recipient of General Assistance to apply for, to actively pursue, and to accept all potentially available income and resources. Failure to apply for, to actively pursue, or to accept such income or resources after being informed by HRA of the applicant's or recipient's apparent eligibility for such other income or resources all render the applicant or recipient ineligible for General Assistance.

Pursuant to Welfare and Institutions Code Section 17020; any person eligible for and/or in receipt of AFDC is ineligible for General Assistance whenever the County's General Assistance maximum payment level exceed the AFDC payment level.

All persons other than dependent minor children who are members of applicant or recipient households must file a complete application for General Assistance. Parents of minor children shall apply on behalf of their children.

### **B. Determination of Eligibility**

HRA will conduct a prompt, complete, and careful investigation of the needs and resources and will make a determination of eligibility of each applicant within 30

days of the date of application. The eligibility determination process for all applicants shall include ~~a home visit~~ **an in-office interview** by an eligibility worker prior to the granting of assistance, other than emergency assistance. ~~The home visit may be pre-arranged by the eligibility worker and the applicant.~~

### **C. Eligibility Redetermination**

HRA will conduct a semi-annual redetermination of each active case which may include a home visit.

### **D. HRA Responsibility**

1. HRA is responsible for assisting the applicant or recipient when he/she is unable to provide necessary information. HRA shall inform the applicant or recipient what information is required and why it is needed. If HRA must obtain verification for the applicant or recipient from another source, the applicant or recipient must provide written consent for the release of information to HRA. The written consent document must clearly state its purpose, the specific information requested, and the individual or agency to contact for the information.
2. HRA is responsible for giving to each applicant and recipient a clear and thorough explanation of the General Assistance program and of the individual's rights and responsibilities. Such explanations will be given both verbally and in writing, at intake and at any other time determined to be necessary by HRA. The General Assistance Regulations will be available upon request to all applicants and recipients as well as other interested persons. A sign will be displayed in a visible place in the waiting room at the General Assistance offices informing people of their right to review all such regulations. Further, this sign will inform all applicants and recipients of their rights to know any and all regulations which are the grounds for specific actions taken by the County relating to General Assistance.

## E. Applicant and Recipient Responsibility

### 1. Reporting Responsibilities

The applicant or recipient is the primary source of information. It is his/her responsibility to provide, insofar as possible, within his/her capability, all necessary information to establish eligibility. Information necessary to establish eligibility shall be listed on the appropriate approved form (WEL 4048) and ten (10) days shall be given for the requested information/verification to be submitted to the agency. If the information/verification is not received by the agency within ten (10) days, a denial or discontinuance notice of action will be sent to the applicant/recipient. On pending cases, the verification shall be accepted by the agency and the proposed denial action will be rescinded if received after ten (10) days but prior to thirty (30) days of the date of request. On active cases, the verification shall be accepted by the last working day of the month of the request and any proposed action to discontinue will be rescinded. Failure to provide necessary information and verification shall render the applicant or recipient ineligible for General Assistance. An applicant or recipient of General Assistance is required to report any income or changes in circumstances to the General Assistance Unit within five (5) days of receipt or of the change.

### 2. Non-compliance with Reporting Responsibilities

When it comes to the attention of HRA that an applicant or recipient has failed to report changes in income or circumstances to the General Assistance Unit within five (5) calendar days of the change or has willfully provided misinformation to the General Assistance Unit, HRA shall take appropriate action as follows.

- a) Failure to report changes in income and circumstances within five (5) calendar days of change without good cause shall be a basis for denial or discontinuance of assistance.
- b) The willful provision of misinformation to the General Assistance Unit shall be a basis for denial or discontinuance of assistance.

### 3. Sanction Period

An applicant or recipient and the household of such applicant or

recipient shall be sanctioned from receiving General Assistance for the period described below according to his/her actions:

- a) First incident of non-compliance, 1 month.
- b) Second incident of non-compliance ~~and subsequent incidents~~, 3 months.
- c) ~~Third and subsequent incidents of non-compliance, 6 months each.~~
- d) Good cause for failure to report receipt of income and changes in income or circumstances to the General Assistance Unit within five (5) calendar days of the change exists when:
  - (1) The individual was verifiably ill.
  - (2) The individual is able to verify that due to circumstances beyond his/her control he/she was unable to report a change within the required five (5) day period.

#### 4. Promptness

At the point that an applicant for General Assistance submits an application to the agency, the next available General Assistance intake appointment is assigned. The applicant is required to sign and date the Wel 4053 (15 minute requirement form). This form advises the applicant that his/her case will be denied if the applicant is more than 15 minutes late for his/her appointment. The applicant is given the original of the Wel 4053 and an appointment letter (Wel 4050).

- a) Good cause for failure to be present for a General Assistance intake appointment within 15 minutes of the assigned time exists when:
  - (1) The applicant is verifiably ill.
  - (2) The applicant is able to verify that due to circumstances beyond his/her control he/she was unable to be present for the assigned appointment within 15 minutes of the assigned time.
- b) When good cause is granted, benefits will be computed pursuant to General Assistance regulation Chapter IX, D, 5.



### 5. Compliance With Finger/Photo Imaging Requirements

At the time of application or recertification and after an apparent determination of eligibility, the applicant/recipient must be finger/photo imaged as part of the County SFIS program (State-Wide Finger Imaging System). Failure to comply with the SFIS program requirements will result in a denial or discontinuance of benefits. If good cause is shown, a temporary exemption of not more than 60 days can be granted. Good cause is demonstrated by:

- a) Persons with hands so damaged fingerprint imaging is not possible. A photo image is still required.
- b) Technical problems with SFIS.
- c) Persons with other medically verified conditions, which prevent them from coming into the office.
- d) A permanent exemption will be granted for persons missing all ten fingers. A photo image is still required.

### F. Reimbursement of General Assistance

Prior to the authorization of assistance, all applicants shall sign a reimbursement agreement and lien. For sponsored aliens, the legal sponsor of an alien shall be required to sign a General Assistance reimbursement agreement. The County is entitled to reimbursement for General Assistance funds. The County is also entitled to reimbursement for Interim Assistance payments.

Collectable accounts may be referred by HRA to the County Collections

Department. (Refer to W & I Code Chapter 5, Sections 17000 to 17409, Public law 93-368, EAS Manual 46-337.1)

## **CHAPTER IV. PERSONS ELIGIBLE FOR GENERAL ASSISTANCE**

Persons who are legal residents of Santa Cruz County, who are indigent in that they are incapacitated by age, disease, infirmity or physical impairment to the extent that such incapacity prevents seeking, accepting, or engaging in gainful employment or in that by circumstances at the time of application for aid, they are without the necessities of life and immediate means to provide them and who have income and resources below the standards established in these regulations may qualify for aid under the General Assistance Program of the County of Santa Cruz as provided below.

### **A. Employable Persons**

#### **1. An employable person is a person:**

- a) who is able to work
- b) who is actively seeking work
- c) who has not rejected an offer of work or terminated employment within 30 days of the date of application or while receiving General Assistance.
- d) who is unemployed in that he/she is:
  - (1) not employed, or
  - (2) employed less than 100 hours per month.

#### **2. Exclusions**

A person is not considered employable if he/she is:

- a) Sixty-five (65) years of age or older.
- b) A caretaker whose presence in the home is required on a

substantially continuous basis because of the illness or incapacity of another member of the household, as verified by a physician, and there is no other reasonable means of caring for the disabled persons; or

c) Incapacitated to the extent that all possible benefit from employment or training is precluded, as verified by a physician; or

d) An unmarried minor child of an applicant or recipient, unless that child is 16 to 18 years old and is attending high school full-time or is in an approved training program.

e) A caretaker of a child under six who is presently providing full-time care for the child with only brief and infrequent absences.

## **B. Incapacitated Persons**

Applicants or recipients who claim full or partial inability to work based on one or more of the factors listed below will be referred for medical evaluation to determine their degree of employability. A medical evaluation clearly exempting an applicant or recipient from employment for a specific length of time must be provided by the applicant or recipient prior to granting continuing assistance on the basis of incapacity. As a condition of initial and/or continuing eligibility, applicants and recipients must actively pursue and abide by all recommendations as stated by the physician or his/her designee.

In addition, when multiple diagnoses are listed on the statement of disability form and one or more diagnosis is addiction or dependency to drugs and/or alcohol, the eligibility worker shall make it a requirement on the GENERAL ASSISTANCE INCAPACITATED PERSON AGREEMENT (WEL 4043) that the applicant/recipient must attend three (3) AA/NA meetings each week and provide verification of attendance on a weekly basis. Failure to attend meetings and provide verification of attendance shall be the basis for denial or discontinuance of assistance.

No new financial assistance shall be granted from the effective date of denial/discontinuance for the sanction period set forth in Paragraph 5 of this chapter.

### 1. Physical Disability

Evidence of physical disability shall consist of a physician's statement as to the nature of disability and length of expected duration. Temporary emergency assistance of a period not to exceed one month may be granted to a person with a visible physical impairment. If a statement of disability from a physician does not include prognosis of the expected duration of incapacity, another statement of disability must be provided by the recipient within thirty (30) days in order to substantiate continued eligibility.

### 2. Mental Incapacity

A person may be unemployable for reasons of mental incapacity if he/she is:

- a) Mentally retarded, as evidenced by the results of currently accepted psychological testing.
- b) Mentally ill. A person declaring incapacity due to mental illness shall be referred to a psychiatrist for evaluation prior to the granting of continuing General Assistance. General Assistance may be granted for no more than two (2) months prior to the psychiatric evaluation on the basis of a brief evaluation by the County Mental Health Services staff.

### 3. Persons with a Substance Abuse Problem

Narcotic addicts, alcoholics, and other drug abusers may be eligible for General Assistance first as an employable person and secondly as a temporarily incapacitated person.

- a) Persons with a substance abuse problem will first be classified as an employable applicant or recipient and will be subject to the regulations outlined in Chapter V, Employment and Rehabilitation, General Assistance Regulations.
- b) Failure to meet the regulations outlined in Chapter V, Employment and Rehabilitation, General Assistance Regulations shall be a basis for denial or discontinuance. An individual may reapply and may be eligible for General Assistance as a temporarily incapacitated person based on an evaluation of incapacity due to substance abuse from a doctor at the time of reapplication or reinvestigation.

(1) Recipients must abide by the conditions of the incapacity contract which will include verification of participation in a treatment program.

(2) Recipients with an incapacity of substance abuse will be limited to 6 (six) cumulative months of assistance.

#### 4. Other Unemployability

A person may be unemployable if:

a) He/she is restricted to light work by a physical incapacity and he/she does not have the mental capacity and work background to perform light work.

b) His/her personal mannerisms, disfigurement, and general physical appearance are unnatural and uncontrollable.

#### 5. Sanction Period

An applicant or recipient and the General Assistance household of such applicant or recipient shall be sanctioned from receiving General Assistance for the period described below according to his/her actions:

a) First refusal, or failure to comply, 1 month.

b) Second refusal, or failure to comply, 3 months.

c) Third and subsequent refusal, or failure to comply, 6 months.

### **C. Minors**

Minors are defined as unmarried persons under 18 years of age.

1. If a minor is living at home, he/she is not eligible for General Assistance except as a member of a family receiving General Assistance.

2. Any minor not living at home shall only be eligible for General Assistance if:

a) The minor's parents live in Santa Cruz County and sign a reimbursement agreement. If the parents have signed a reimbursement agreement, then the minor must be actively

seeking full-time permanent employment. All minors under 18 years of age shall be referred to the Protective Services Unit for appropriate social services, or

b) The minor meets the following criteria:

(1) He/she is emancipated in accordance with the provisions of the Emancipation of Minors Act, Civil Code Sections 60 to 70; and

(2) He/she is 16 or older and under 18; and

(a) Has graduated from high school; or

(b) **Has successfully** demonstrated proficiency equal to or greater than standards published by the Department of Education, as specified in Education Code Section 484 12;or

(c) Has been disqualified from attendance at special continuation classes because of physical or mental condition as specified in Education Code Section 484 10.

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3. Welfare and Institutions Code Section 17102 shall be strictly applied to every minor who is not emancipated in accordance with the Emancipation of Minors Act.

It reads as follows: "The residence of an unmarried minor child is the residence of the parent or parents with whom a child maintains his or her place of abode or of the parent who has legal custody of the minor. The residence of an orphan is that of the last deceased person who had his or her custody. The residence of a dependent child who has been declared free from the custody and control of his or her parent or parents, by order of the juvenile court, is not changed by change of residence of the parent or parents. The provisions of this section apply to the extent not in conflict with federal law."

#### **D. Students**

A student age 16 to 18 may be eligible as a dependent child in an eligible General Assistance Household. Students 18 years of age or older who are otherwise employable are not considered to be available for full-time permanent employment and are not eligible for General Assistance. Availability for employment prior to enrollment or between terms is not availability for permanent full-time employment. Students should be counseled to inquire into available loan and grant resources through their schools.

#### **E. Stepparents, Related Children and Adults**

Stepparents, related children and adults, all members of an AFDC household or a potential AFDC household, shall be referred for AFDC eligibility screening prior to making application for General Assistance.

#### **F. Aliens**

Aliens may be determined to be eligible for General Assistance either as Non-sponsored Aliens or as Sponsored Aliens. Regardless of their entry, GA shall not be authorized until alien status is verified. Only aliens lawfully admitted to the U.S. under color of law may be eligible for General Assistance. Aliens permanently residing in the U.S. under color of law include:

1. Aliens lawfully present in the U.S. as a result of the application of the following provisions of the Immigration and Nationality Act.

a) Section 207(c), after March 31, 1980-Aliens Admitted as

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## Refugees.

b) Section 208-Aliens Granted Political Asylum by the Attorney General.

c) Section 212(d) @)-Aliens Granted Temporary Parole Status by the Attorney General.

2. Aliens granted status as Conditional Entrant Refugees pursuant to Section 203(a) (7) of the Immigration and Nationality Act in effect prior to April 1, 1980.

a) Aliens granted indefinite voluntary departure in lieu of deportation.

b) Aliens granted an indefinite stay of deportation.  
Documentation of legal alien status must be provided each alien applicant prior to the granting any General Assistance.  
Documentation of alien status will be required as follows:

(1) Aliens lawfully admitted for permanent residence: INS Form I-551, or earlier forms I-151, **AR-3a**, if specifically endorsed to show legal right to reside permanently.

(2) Aliens granted asylum or refugee status: INS Form I-94, annotated with the term asylee, refugee or conditional entry or entrant.

(3) Parolees: INS Form I-94 (Arrival-Departure Record - Parole Edition) endorsed to show bearer has been paroled in the U.S. pursuant to Section 212(d)(5) of the Immigration and Nationality Act.

c) Persons granted indefinite voluntary departure or an indefinite stay of deportation. A court order or correspondence from the INS stating that the individual has been granted this status.

Documentation which appears to be of doubtful authenticity must be substantiated by the EW through contact with the INS. Any alien applicant who refuses to cooperate in the verification of his/her current alien status is not eligible for General Assistance.



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### **G. Ineligible by State Law**

Effective January 1, 1998, the following individuals will be ineligible for General

Assistance by state law:

1. Those who are fleeing to avoid prosecution for, or imprisonment after being convicted of a felony crime, or who are violating a condition of probation. (AB 1542, Chapter 270, Statutes of 1997)
2. Those convicted in state or federal court after December 31, 1997 of any offense classified as a felony for the use, possession, or distribution of a controlled substance. (AB 1008, Chapter 283, Statutes of 1997)
3. Those who are ineligible for **CalWorks** due to their 60 month time limit and whose youngest child is under the age of 18. (AB 1008, Chapter 283, Statutes of 1997)
4. Those who are ineligible for assistance under **CalWorks** due to sanctions. (AB 1008, Chapter 283, Statutes of 1997)

## **CHAPTER V. EMPLOYMENT AND REHABILITATION**

### **A. Employable Persons**

1. An employable person applying for or receiving General Assistance is required to accept a definite offer of reasonable employment. If an applicant for General Assistance has terminated employment without good cause, no assistance shall be granted for a period of thirty (30) days from the date employment was terminated.
2. Each employable applicant or recipient must register for employment with the Employment Development Department (EDD) at the time of application or at the time he/she becomes employable. Every employable person must be actively seeking work and must be available to all existing employment throughout Santa Cruz County.
3. It is the joint responsibility of the applicant/recipient and HRA to conduct a job search aimed at locating employment and/or job training. Each applicant/recipient is required to report weekly to HRA for employment and job search counseling. HRA shall take an active role in locating suitable employment and/or job training and will coordinate efforts with other public agencies aimed at increasing job potentials for

General Assistance applicants and recipients.

4. County Work Program (CWP): All employable persons shall be required to accept and complete work assignments to the County Work Program (CWP). Each eligible employable persons shall be required to work off the total value of General Assistance received of a maximum of 100 hours per month, whichever is less.

a) Total value of General Assistance will be computed by dividing the amount of aid received by the minimum wage rate, the quotient being the number of hours the recipient will be required to work, if less than 100 hours. A recipient is required to report to his/her CWP assignment on the date specified on the notification of assignment.

b) The second employable parent of a dependent child who is attending elementary school may be assigned a proportionally reduced CWP assignment and job search based on the number of hours of the work day the child/ren normally attend(s) school if no other adequate child care is available after school.

#### 5. Work Adjustment Training Program (WATP):

As an alternative to General Assistance, and solely at the discretion of HRA, eligible employable persons may be referred to the Work Adjustment Training Program (WATP operated by HRA's Employment Training Division). Persons enrolled in this program will be assisted by Employment Training Specialists to develop an individualized Employment Development Plan and contract defining both the client's and HRA's responsibilities and expectations. WATP participants will receive intensive employment training services and will be assigned to work 24 hours per week for up to 6 weeks at community-based job training sites. Each WATP participant will earn \$5.00 per hour worked, and may also receive supportive services such as tools, supplies, work clothes, and transportation. In addition to working at assigned job sites and participating in training activities, WATP participants will be required to conduct an active job search supervised by Employment Training Specialists, and will be assisted with job placement and/or additional training activities at the end of their participation.

Employable persons who are referred to the WATP shall be required to fulfill all provisions of their Employment Development Plan and contract, including acceptance and completion of all work assignments, training activities, and job search requirements determined by WATP staff.

### **B. Failure to Cooperate**

When it comes to the attention of HRA that an applicant or recipient has failed to register for work, to accept an offer of employment or to conduct a job search or to accept and/or complete CWP or WAPT assignment, HRA shall take appropriate action as follows:

1. Failure to register with EDD shall be a basis for denial or discontinuance of assistance.
2. If an applicant or recipient fails to accept an offer of employment without good cause, assistance shall be denied or discontinuance for the Sanction Period set forth in Paragraph seven (7).

3. Failure to conduct a job search and/or failure to report weekly to HRA without good cause shall be a basis for denial or discontinuance of assistance. No new financial assistance shall be granted from the effective date of denial or discontinuance for the sanction period set forth in paragraph seven (7).

4. Lack of cooperation in seeking or accepting an employment referrals or employment counseling without good cause shall be a basis for denial or discontinuance of assistance. No new financial assistance shall be granted from the effective date of denial or discontinuance for the Sanction Period in Paragraph seven (7) below.

5. Failure to accept and complete the County Work Program assignment without good cause shall render the recipient ineligible from the effective date of discontinuance for the Sanction Period set for the in paragraph seven (7) below.

6. Failure to accept and complete the requirements of the Work Adjustment Training Program without good cause shall be the basis for denial or discontinuance of assistance. No new financial assistance shall be granted from the effective date of denial or discontinuance for the Sanction Period set forth in Paragraph seven (7).

#### 7. Sanction Period

An applicant or recipient and the General Assistance household of such applicant or recipient shall be sanctioned from receiving General Assistance for the period described below according to his/her actions:

- a) First refusal, or failure to comply, 1 month.
- b) Second refusal, or failure to comply, 3 months.
- c) Third and subsequent refusal, or failure to comply, 6 months.

### **C. Good Cause Determination**

1. Good cause for failure to accept employment, to conduct a job search, to report weekly, to report to or complete the CWP assignment, or to complete WATP requirements, must be reported to the assigned HRA worker within three (3) working days of the date such failure occurs.

2. Good cause for refusal of employment exists when:

- a) The employment violated applicable health and safety laws and regulation, and applicable unemployment and worker's compensation laws.
  - b) The wage offered for the employment was less than the applicable State or Federal minimum wage.
  - c) The job was available due to a bonafide strike or lockout.
  - d) The employment has been verified by a physician or psychiatrist to be in excess of the individual's physical or mental capacity.
  - e) The individual was verifiably ill or was required to care for a verifiably ill member of the immediate family and no other reasonable means of care was available.
3. Good cause for failure to accept a CWP or WAPT assignment or to complete CWP or WAPT hours exist if:
- a) The employment violated applicable health and safety laws and regulations, and applicable unemployment and workers compensation laws.
  - b) The job was available due directly to a bonafide strike or lockout.
  - c) The assignment has been verified by a physician or psychiatrist to be in excess of the individual's physical or mental capacity.
  - d) The individual was verifiably ill or required to care for a verifiably ill member of the immediate family and no other arrangements were available.

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e) Adequate day care for a minor child has become unavailable through no fault of the recipient.

4. Good cause for failure to conduct a job search and/or to report weekly to HRA exists if:

a) The individual was verifiably ill or required to care for a verifiably ill member of the immediate family and no other arrangements were available.

b) Adequate day care for a minor child has become unavailable though no fault of the applicant or recipient.

## **CHAPTER VI. RESIDENCE**

### **A. Residency Requirements**

An applicant or recipient shall be a lawful resident of the State of California and the County of Santa Cruz to be eligible for General Assistance (Welfare and Institutions Code 17100). Residency is established by confirming physical presence at a locale within the county for at least fifteen calendar days prior to the date of application, and an intent to remain in Santa Cruz County. Physical presence may be confirmed through the application of B. or C. of this section.

### **B. Confirming Physical Presence: Applicants/Recipients with a Fixed Address**

The applicant/recipient is required to supply verification of a fixed residential address in Santa Cruz County. Such verification shall be:

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1. A written statement from the applicant/recipient's landlord, or any other person with authority to grant permission to dwell in or on private property; or
2. Rent receipts or utility, bills (e.g., PG&E, telephone, water) in the applicant/recipient's name for a Santa Cruz County address for a period ending within the past 30 days; or
3. Mortgage payment book or receipt; or
4. Any primary identification document issued within the last twelve (12) months which shows a printed Santa Cruz County address; or
5. Any other combination of documents which provide a preponderance of evidence verifying that the applicant/recipient has a residence in Santa Cruz County.

**C. Confirming Physical Presence: Applicants/Recipients without a Fixed Address**

Applicants/recipients without a fixed residential address shall provide verification of continued physical presence at some location within Santa Cruz County. Applicants/recipients must submit the following verification:

1. Identification on a map of Santa Cruz County of the precise location where the applicant/recipient resides; and
2. Applicants/recipients must also provide at least one of the following:
  - a) Verification that the applicant/recipient was a public assistance recipient in Santa Cruz County within the last three months;
  - b) Verification from a probation or parole agent which states that the applicant/recipient is restricted to Santa Cruz County as a condition of probation or parole;
  - c) Acceptable written verification from an established social service agency that the applicant/recipient is currently residing in Santa Cruz County and receiving services from that agency, in Santa Cruz County;
  - d) A statement in writing from another local or state

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governmental entity that the applicant/recipient is currently residing in Santa Cruz County;

- e) Oral or written confirmation of the **applicant's/recipients** ongoing physical presence in Santa Cruz County by a person with authority to grant permission to dwell in or on private **property**;
- f) Mail addressed and delivered to the applicant/recipient at a residential address in Santa Cruz County within the last 30 days;
- g) Evidence of the establishment and maintenance of a Post office box located in Santa Cruz County;
- h) A voting registration card indicating residence in Santa Cruz County; `
- i) A driver's license indicating residence in Santa Cruz County;



- j) Any combination of documents and/or statements which provide a preponderance of evidence verifying that the applicant/recipient has continued physical presence in Santa Cruz County.

#### **D. Intent to Permanently Reside**

An applicant for General Assistance establishes intent to permanently reside at the place where he/she is living if he/she has no intention of presently leaving. (Welfare and Institutions Code 17101).

1. Factors to be considered when evaluating an applicant's intent to permanently reside in Santa Cruz County may include:

- a) The applicant's last out-of-county address
- b) Length of time the applicant lived at the last out-of-county address
- c) When the applicant arrived in California
- d) When the applicant arrived in Santa Cruz County
- e) Reason for the applicant's presence in Santa Cruz County
- f) Length of time the applicant expects to live in Santa Cruz County
- g) Living arrangements in Santa Cruz County
- h) Whether the applicant, if employable, has sought employment locally
- i) Location of the applicant's personal property
- j) Whether the applicant owns or is renting a place of residence outside of Santa Cruz County
- k) Whether the applicant is registered to vote in Santa Cruz County or another county

2. Persons incapable of changing residence - The intent to permanently reside in Santa Cruz County implies the legally recognized ability to make a choice. A person without such ability with

regard to his/her place of residence cannot by his/her own intent establish residence. This applies to the following persons:

a) Persons deprived by court action of freedom of movement-A person on probation or parole may not by intent establish his/her residence in Santa Cruz County is required by law or the terms of his/her parole to be elsewhere. The residence of a person deprived by court action of freedom of movement remains the same as at the time of court action, except as it may be ordered changed by court action.

b) Persons for whom a court has appointed a guardian or conservator-The place of residence for a person for whom there is a court-appointed guardian or conservator of the person is the county of residence at the time of the court action. Such place of residence may only be changed by decision of the guardian or conservator accompanied by removal of the ward or conservatee to another place.

#### **E. Prior Verifiable Address**

If the applicant has been evicted within the last 30 days prior to date of application or is in the process of moving within the County, his/her prior verifiable address in Santa Cruz County will be used to determine place of residence.

#### **F. Notation in the Case Record**

The case record shall contain a statement of how the applicant established his/her place of residence and his/her intent to reside in Santa Cruz County.

#### **G. Verifiable Residence Outside Santa Cruz County**

If the applicant does not meet the residency requirements listed in Chapter VI Part A and Part B of these regulations and has a verifiable residence elsewhere in the United States, HRA shall make every effort to complete arrangements for the applicant's return thereto.

## **CHAPTER VII. PROPERTY - REAL AND PERSONAL**

### **A. Real Property**

1. An applicant or recipient shall not receive assistance, if such person, spouse, or household owns real property, the combined full cash of which, as determined by the county assessor, exceeds

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\$25,000 after deduction of encumbrances of record.

2. Property not the client's home:

If an applicant owns property other than that occupied as a home, such property must be utilized as a resource from the date a lien is secured. Utilization shall be defined as sale of the property at its fair market value or rental of the property at the rate sufficient to produce a net income of 6% of the fair market value per year.

3. Transfer of property

A person or persons who have made an assignment or transfer of real property for the purpose of qualifying for assistance shall not be eligible for assistance. The period of ineligibility shall be the length of time in which the value of the property could have provided a level of support consistent with the maximum grant level for General Assistance for the person or household.

**B. Personal Property**

1. Maximum Limits

An applicant, recipient, or household is ineligible for General Assistance if the total value of his/her/their personal property exceeds the following limitations.

a) Liquid Assets: The total value of personal property consisting of liquid assets, readily negotiable items and cash, shall not exceed \$300.00 per household or \$200.00 per individual.

b) Insurance: The total negotiable value of an insurance policy or policies shall not exceed \$200.00 per household or \$100.00 per individual. The cash surrender value or insurance is exclusive of the liquid assets maximum and is to be computed separately.

c) Motor Vehicles: The total value of a single motor vehicle of an applicant or recipient shall not exceed \$1,500.00 above encumbrances of record. The value of a motor vehicle is determined by the wholesale value quoted in the current Kelly Blue Book or by the average value as estimated by three automobile dealers. No single applicant or recipient shall own more than one motor vehicle. A household may own motor

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vehicles equal to the number of persons who are employable and actively seeking employment, provided that the value of no vehicle exceeds \$1,500.00 above encumbrances of record.

d) Other Personal Property: The total value of other personal property shall not exceed \$200.00 per household or \$100.00 per individual.

## 2. Property Exempt from Limitations:

a) The value of essential household furniture and equipment, personal effects, wedding and engagement rings, and family heirlooms is exempt from the personal property limitation.

b) The value of tools, supplies, equipment, vehicles and other items which are determined by HRA to be an essential part of a program of rehabilitation or of a program to assist in the maintenance and self support of an applicant or recipient may be retained and exempted from the personal property limitations pursuant to W & I Code 17111.

## 3. Ineligibility Due to Transfer of Property

A person or persons who have made an assignment or transfer or personal property for the purpose of qualifying for assistance shall not be eligible for assistance. The period of ineligibility shall be the length of time in which the value of the property could have provided a level of support consistent with the maximum grant level for General Assistance for that person or household.

## C. Liens

Liens are to be secured on all real property, both in and out of the State, belonging to persons who are applying for and receiving General Assistance regardless of the assessed valuation of the property. If the applicant or recipient refuses to sign a lien and repayment agreement, or a collateral assignment of insurance policy, no aid shall be granted, however, temporary assistance may be granted pending the filing of the lien.

In all cases in which a lien is taken on a person's real property, HRA shall explain to the person that the lien will be exercised only upon transfer or sale of the property or at the death of the person. HRA shall also explain that the lien can only be released upon payment of the total debt and that the recipient(s) must petition the County Clerk's Office for final release of the lien.

## **CHAPTER VIII. INCOME**

### **A. Total Budgetary Need**

All net monthly income, in cash or in-kind, received or anticipated by an applicant, recipient, or household shall be verified and deducted from the person's or household's total budgetary need to determine eligibility and grant amount. All net income shall be deducted from the current month's total budgetary need except that, if the current month's grant has been issued already, the income shall be deducted from the future month's total budgetary need.

### **B. Determining Eligibility**

The total net income of individuals, or households, shall be utilized in determining eligibility for assistance. If the total net income exceeds the General Assistance budgetary need, no eligibility exists. The total General Assistance budgetary need shall be based on the basic needs of food, shelter, "needs" and transportation.

### **C. Income Reporting**

All gross income, in cash or in-kind, must be reported by the applicant or recipient to the eligibility worker within five (5) days of the date of the receipt. In addition, each recipient shall file a report of income and changed circumstances monthly by the fifth working day of the month.

### **D. Income Disregard**

Federal Energy Assistance payments, renter's credit, and the allowance for training expenses paid to recipients participating in the Department of Rehabilitation training programs shall be exempt from consideration as income in determining eligibility for General Assistance payments.

### **E. Lump Sum Income**

Lump sum income is any income that is anticipated or received by a General Assistance applicant which is non-recurring in regard to amount or source. The number of months that the General Assistance individual or household is ineligible for an aid payment due to the receipt or anticipated receipt of the lump sum income is determined by dividing the total lump sum plus any other net non-exempt income received or projected in the budget month by the General Assistance needs standard for the individual or household. The resulting whole number is the number of months of ineligibility for General Assistance. If there is a remainder from the division, the remainder shall be

counted as income in the month following the end of the period of ineligibility.

If the General Assistance individual or household reapplies for General Assistance before the number of months of ineligibility has expired, documentation of how the money was spent will be required and reasonable and necessary expenses for food, clothing, shelter, transportation, medical expenses, legal fees and employment enhancement will be allowed.

## **CHAPTER IX. STANDARD OF NEED AND AID PAYMENTS**

### **A. Single Person**

A single person means an individual, who is economically independent, living alone or in a shared housing arrangement. A person residing in a licensed residential care facility shall be considered a single person.

**NOTE:** A residential care facility or boarding home must be licensed in order to receive General Assistance room and board payments. Payments to such facilities shall be made in amounts which reflect the duration of the recipient's stay and the level of the service provided.

### **B. Household**

1. A household means a family unit or couple living together in one dwelling unit.
2. A family unit is defined as two or more persons of the relationship of father, mother, son, daughter, grandmother, grandfather, brother, sister, stepfather, stepmother, stepsister, stepbrother, uncle, aunt, first cousin, nephew, or niece, who live together in the same dwelling and share resources and expenses. An unborn will not be considered as a household member until it is born.
3. A couple is defined as two persons paired together and commingling moneys, resources and expenses, clearly distinguished from two single persons simply sharing housing, or one person being furnished room and board by another. If one person is receiving SSI, the other will be treated as a single person in a shared living situation.
4. A household may also be defined as more than two people living together and commingling moneys, and expenses clearly distinguished from more than two single persons simply sharing housing.
5. In order to receive General Assistance all household members

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must meet the eligibility requirements in these regulations.

### C. General Assistance Budget

1. The maximum grant level is the maximum amount of assistance which is available to provide a general assistance person or household with the following:

- a) Shelter including utilities and basic telephone cost (as owed up to the maximum)
- b) Food
- c) Transportation
- d) Personal needs including clothing

2. The monthly budget will be computed using the following figures:

<u>Size of GA Household</u>	<u>Shelter, Utilities and Basic Phone (as owed up to...)</u>	<u>Food</u>	<u>Trans- portation</u>	<u>Personal Needs</u>	<u>Maximum Grant</u>
1	\$213.00	\$100.00	\$11.00	\$17.00	\$341 .00
2	271.00	206.00	19.00	23.00	519.00
3	303.00	336.00	25.00	30.00	694.00
4	392.00	357.00	35.00	40.00	824.00
5	412.00	441 .00	41.00	46.00	940.00
6	434.00	524.00	45 .00	54.00	1057.00

For households over 6 **persons** the increase in food, transportation, and personal needs for each additional person will be \$37.00 per person.

3. Persons residing in a board and care of residential care facility will have their budgets computed as follows:

a) Residential Care Facility - Single individual:

Room, board and care as owed up to	\$529.00
Personal needs	<u>43.00</u>
Maximum Grant	\$572.00

b) Alcoholic Recovery House - Single individual:

Room, board and care as owed up to	\$364.00
Personal needs	<u>43.00</u>

Maximum Grant

**\$407.00**

#### **D. Other Budget Provisions**

1. Taxes - Provisions may be made for payment of property taxes on the home of a recipient.
2. Exceeding Maximum - In an emergency, such as an imminent foreclosure, HRA may provide the homeowner recipient the total amount of the monthly property payment due.
3. Special rent ceiling in emergencies - In extraordinary instances requiring location and negotiation of emergency housing, it will be department policy to follow the same principles used in emergency foster home placement. Eligibility workers may negotiate for emergency housing at a rate not to exceed \$20.00 per night for a period not to exceed seven (7) days.
4. Shelter Costs - Budget computation will include current monthly shelter costs, including utilities, as owed, up to the maximum budgeted amount. Basic telephone cost is included as a utility expense.
5. The General Assistance grant shall be computed from (1) either the date of application, if processing is completed and assistance is granted during the month of application, or (2) the first of the month following the date of application, provided that all eligibility requirements are met.
6. Vendor Payments - HRA shall pay vendor payments for emergency housing and board care. HRA may also provide vendor payments at the request of a recipient, or if the recipient has a history of mismanaged funds, or if the recipient has a history of uncontrolled substance abuse, verified by a social worker or physician.
7. Amount of Aid - If the amount of aid the applicant/recipient is determined to be eligible for is less than ten dollars (\$10.00) no payment shall be made for that month.
8. Transportation for Return to Residence - The cost of transportation necessary to return ~~to~~ a non-resident(s) to his/her/their place of legal residence shall be provided on a one-time only basis. HRA shall make arrangements for return to residence with a transportation provider. The reasonable cost of meals not to exceed ~~\$5.00~~ **\$15.00** per day per person while traveling may be provided if needed, in addition to the



cost of the transportation.

9. Unbudgeted Special Needs - Payment for unbudgeted special needs may be provided in unusual or emergency circumstances with the approval of the Administrator or his/her designee if the applicant, recipient, or household has no other means to provide for such needs. An example of such a special need would be a uniform or supplies necessary to accept an offer to meet this need.

10. Bus **Pass(es)** - Transit bus **pass(es)** will be available to applicants or recipients who are in need of transportation and are unable to meet this need.

11. Pregnancy Special Need - A special allowance of \$50.00 per month will be granted to a pregnant woman who is receiving General Assistance.

**12. Advanced Personal Needs** - In order to increase the employability of eligible applicants and to enhance the effectiveness of Job Search Procedures, each eligible employable applicant shall be granted for personal needs, an amount from \$10.00 minimum up to the monthly maximum for Personal Needs. Advanced personal needs will be prorated from the date of application. If the prorated amount is less than \$10.00, a \$10.00 warrant will be issued. Advanced personal needs may be issued prior to verification of eligibility. Advance Personal Needs Grants shall be granted to General Assistance employable applicants who:

- a) Have less than \$10.00 cash income in the month of application.
- b) Have less in liquid resources than the amount of Advance Personal Needs to which he/she would be entitled.
- c) Have not failed without good cause to complete job search requirements on a prior application, after having received an advance personal needs grant. Advanced personal needs will be issued within three days of date of application.

## **CHAPTER X. RESPONSIBILITY OF RELATIVES**

### **A. Legally Responsible Relatives**

For the purpose of General Assistance, legally responsible relatives are:

- 1. the spouse of an applicant,
- 2. the recipient and the parent(s) of a minor child who is not already emancipated pursuant to Civil Code Section 60, et seq., and who is an applicant or recipient,
- 3. the legal sponsor of an alien applicant/recipient. A legal sponsor of an alien applicant/recipient shall only be financially responsible during the period of time which sponsor has agreed, in writing, to provide for the alien.

### **B. Investigation of Relative's Financial Ability**

HRA will investigate the financial ability of the responsible relative to support or contribute to the support of the applicant or recipient.

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A financial inquiry shall be mailed to all responsible relatives, both in and out of the state. A responsible relative's contribution shall be computed in accordance with guidelines established by HRA.

### **C. Failure to Cooperate**

Cases in which relatives fail to cooperate shall be referred by HRA to the District Attorney for proper action.

## **CHAPTER XI. HEARING PROCEDURE FOR APPLICANTS AND RECIPIENTS OF GENERAL ASSISTANCE**

### **A. Notice of Action; Right of Hearing; Time to Appeal**

HRA shall give written notice to the applicant, recipient, or authorized representative of all actions granting, denying, discontinuing or decreasing General Assistance. Notices of Action shall cite applicable General Assistance regulations supporting the proposed action. The applicant, recipient, or authorized representative has a right to appeal and to have a hearing with respect to any such proposed action. The notice of action shall inform the applicant, recipient, or authorized representative of the method for filing an appeal. The applicant, recipient, or authorized representative may appeal the written proposed action, within seven (7) calendar days of the postmarked date, or the date of hand delivery with signed receipt, of the notification of such proposed action. If the applicant or recipient has a Court Appointed Guardian, the appeal must be filed by the Guardian of Record.

### **B. Prior Notice; Exception; Discontinuance Request**

HRA shall notify the recipient by the notice postmarked, or hand delivered with signed receipt, at least seven (7) calendar days prior to the effective date of the proposed action to discontinue or decrease assistance unless the recipient waives his/her right of seven (7) days prior notice in writing. The written request for discontinuance or decrease shall contain the reason for the request and should state that the recipient knows that he/she has the right to a hearing and voluntarily gives up these rights and the right to applicable continued aid.

There is to be no continuing aid paid pending the hearing and/or decision if the issue is one of law or of County regulations. A continuing aid paid pending decision shall be rendered by the Administrative Law Judge at the conclusion of the General Assistance Fair Hearing.

### **C. Hearing Rights**

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The applicant or recipient shall be advised in writing of his/her right to an informal conference, to obtain counsel or other representation for his/her hearing, to review all pertinent case records, to interview workers in a conference in advance of the hearing, to present testimony on his/her behalf, and to cross-examine witnesses.

#### **D. Impartial Administrative Law Judge**

HRA shall provide an Administrative Law Judge who has not been involved in any way in the determination to deny, decrease or discontinue aid. The decision shall be in writing and shall be based solely on the evidence, including the case record, presented at the hearing; and it shall be in accordance with this title, the law and the regulations. The Administrative Law Judge shall not present the Agency's case.

#### **E. Determination of Law and Fact; Aid Continued**

In the case of a decrease or discontinuance, the Administrative Law Judge will review the recipient's notice of action prior to the date of the hearing and will determine whether the dispute involves law, a County regulation, or a fact. If the issue relates to a dispute of the facts, the Administrative Law Judge will notify the worker to continue aid pending the hearing decision, unless the recipient has died, entered a medical or penal institution, left the country, or his/her current whereabouts are unknown.

There is no aid paid pending the decision on emergency assistance granted (including \$10.00 special advance payment).

#### **F. Schedule for Hearings; Extension; Time for Submission of Decision to Administrator**

Unless the applicant or recipient, for good reason, requests an extension of the time and the HRA Administrator approves the setting of a new time, the hearing shall be scheduled not later than twenty-one (21) working days after the request for hearing is received. The Administrative Law Judge shall submit a written decision to the Administrator, not later than sixty (60) working days following the receipt of the request for a hearing.

#### **G. Written Decision; Adoption by Administrator**

The decision shall be in writing and shall be final when adopted by the Administrator. The Administrator shall act upon the decision within ten (10) working days of the date of the decision and may accept, reject, or modify the decision, or return the case for further hearing.