

DEPARTMENT: Human Services Dept. BY: Tom Archer

PHONE: 966-3609

Social Services Division

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No X)
Resolution Modifying County General Assistance Program to: (a) Change the Maximum Aid Payment formula from "AFDC in kind" to the lowest range of " AFDC Maximum Aid Payment," and (b) limit GA benefits for "able bodied" adults to a maximum of three months in any one year period.

BACKGROUND AND HISTORY OF BOARD ACTIONS: For many years Mariposa County has provided a General Assistance Program to indigent adults as mandated by the California Welfare and Institution Codes. Recent changes in State law permit a reduction in aid in this County only funded program by changing the formula used to figure the grant amount. This reduction would be consistent with the recent reduction in the State AFDC grant. Under our present formula current GA maximum payment for one person is \$292. The proposed formula would reduce that payment to \$258. We also recommend limiting GA benefits for able bodied adults to three months in any one year period as is now permitted in the codes.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: Continue current policy.

COSTS: (X) Not Applicable		SPECIAL INSTRUCTIONS:
A. Budgeted current FY	\$ _____	List the attachments and number
B. Total anticipated costs	\$ _____	the pages consecutively:
C. Required additional funding	\$ _____	_____
D. Internal Transfers	\$ _____	_____
SOURCE: () 4/5ths Vote Required		_____
A. Unanticipated revenues	\$ _____	_____
B. Reserve for contingencies	\$ _____	_____
C. Source description: _____		_____
Balance in Reserve for Contingencies, if approved: \$ _____		_____

CLERK'S USE ONLY:

Res. No.: 97-77

Vote - Ayes: 5

Absent: _____

mw) Approved

() Minute Order Attached () No Action Necessary

Ord. No. _____

Noes: _____

Abstained: _____

() Denied

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

BY: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- Recommended
- Not Recommended
- For Policy Determination
- Submitted with Comment
- Returned for Further Action

Comment: _____

A.O. Initials: *JL*

GA RESOLUTION NO. 97-77

BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Mariposa that the following be adopted to establish policies and standards for the administration of aid and care to indigent persons of the County of Mariposa. This aid and care program shall be known as General Assistance ("GA") within Mariposa County.

A. AUTHORITY AND MANDATE

1. The General Assistance program is established pursuant to Chapter 1, Part 5, of the Welfare and Institutions Code of the State of California, commencing with Section 17000 which mandates that counties provide this program.
2. The provisions of this Resolution shall govern in relation to all rules and regulations promulgated pursuant thereto.

B. PURPOSES AND PRINCIPLES

1. This Resolution is enacted to establish policies and requirements for the administration of aid to the indigent and dependent poor of the County of Mariposa and to adopt standards and conditions for such aid.
2. General Assistance is the public assistance program of last resort. Its purpose is to provide temporary financial assistance and/or other services to indigent persons lawfully resident within the county who are unable to support themselves, have exhausted their own means of support and have no relatives who are legally responsible and actually providing support. General Assistance is available to such individuals not eligible for any other federal, state or county public assistance programs provided they have cooperated with the requirements of such programs. Persons found ineligible for AFDC benefits due to sanctions or other penalties are not eligible for General Assistance Benefits.
3. General Assistance is intended to enable and encourage persons aided to find employment or job training if employable, and to reduce or eliminate the conditions that have led to indigence and dependency.
4. General Assistance is to be so administered as to encourage self-respect, self-reliance and the desire to be a good citizen, useful to society.
5. General Assistance is to be administered without discrimination on account of race, sex, sexual orientation, age, health, disability, religion or political affiliation

C. POLICY AND ADMINISTRATION

1. The Board of Supervisors has authority for establishing the policies under which the General Assistance Program is administered, and any change or exceptions, except as otherwise provided, may be made only upon its authorization.
2. The Mariposa County Department of Human Services ("Social Services Division") and its Director ("Director") shall have administrative responsibility for all public aid and relief pursuant to California Welfare and Institutions Code Section 17000 et seq., to indigent persons of the county. Such aid and relief shall be administered in accordance with standards of aid and care for such persons as adopted herein by the Board of Supervisors.
3. Each county board of supervisors establishes its own policies, rules, and regulations to carry out the intent of the law; and these policies may vary from time to time due to economic conditions. The Director of Human Services has the responsibility for recommending revisions of policy for action by the Board of Supervisors.
4. It is the policy of the Board of Supervisors of Mariposa County that General Assistance in the County of Mariposa shall be administered in such a manner to:
 - (a.) Assure uniform, equitable treatment of all needy persons; and,
 - (b.) Insure that every possible effort is made by recipients with the help of the Department of Human Services and other agencies to restore themselves to self-sufficiency; and,
 - (c.) To make sure that persons who receive General Assistance shall repay to the county the value of such assistance if, after receiving General Assistance, such persons are capable of making repayment.
 - (d.) Ensure that only genuinely needy persons receive services.

D. PROGRAMS

I. General Assistance

The intent of the Mariposa County General Assistance Program is to provide assistance to needy, disabled, underemployed or unemployed county residents who are not able to provide for their own support or not eligible for or supported by any other assistance program.

II. Emergency Assistance

The Emergency Assistance Program is designed to provide emergency assistance to indigent families or individuals transiting Mariposa County and in need of emergency assistance in order to continue their journey.

III. Indigent Burial

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

E. ELIGIBILITY

1. Any resident age 18 or older may apply for General Assistance. Minimum age may not apply to married persons.
2. No person is eligible for General Assistance unless that person is lawfully resident within Mariposa County. "Lawfully resident" means the person (a) is a resident of the County and (b) is a citizen of the United States or is an alien lawfully admitted to the United States for permanent or indefinite residence under Federal law or regulation. Appropriate documentation of such alien status must be provided to the Human Services Department, Social Services Division, before eligibility can be established. Residence is determined by the combined physical presence and intent to remain within Mariposa County. An applicant must establish that he or she has been a resident of Mariposa County for at least fifteen (15) days prior to applying for General Assistance. General Assistance shall not be denied or discontinued solely on the basis of an applicant or recipient's lack of a fixed residence address.
3. Non-residents of Mariposa County may be assisted to return to their place of legal residence at the discretion of the Director. (for example a bus ticket)
4. No person who has quit a job shall be eligible for General Assistance for 30 calendar days following the date of quit.
5. Eligibility for General Assistance for able bodied adults is limited to three months in any one year period.
6. Persons capable of being employed shall be evaluated and required to register for, seek and accept employment, or other work authorized by the County of Mariposa in accordance with Section 17200, Welfare and Institutions Code. Persons who are unable to work shall provide a doctor's statement of disability attesting to the physical or mental condition of the applicant/recipient. Limited scope assignments may be designed in order to overcome any identified disability.
7. Real property owned by the applicant or in which the applicant owns an interest with any other person and is used to provide the applicant with a home is disregarded in determining the property holdings. A lien on the real property interests of the applicant or recipient shall be executed in favor of the County of Mariposa for any General Assistance paid to the applicant or recipient.
8. Real property owned by the applicant or in which the applicant owns an interest with any other person but is not occupied as a home: a) shall not exceed a total assessed value of \$1,500; b) if it is income producing, shall be used for the support of the applicant consistent with the value of the property; c) applicant must make a bona fide effort to sell the property, at fair market value, and shall grant to the County of Mariposa a lien as security for the moneys expended for General Assistance. However, the person may retain an interest in real property not currently marketable.

9. Personal property is that property which is not considered to be real property. It consists of things which are temporary or movable, and it includes both liquid and non-liquid assets. No assistance shall be granted or paid for any person who has not exhausted all liquid assets and resources currently available for support, except for those personal properties exempted under subsection D. "7" below.
10. No person who owns any of the following shall be eligible for General Assistance:
 - (a) a motor vehicle with a net equity value in excess of one thousand five hundred dollars. (\$1,500.00)
 - (b) insurance policies with cash surrender value in excess of five hundred dollars (\$500.00)
 - (c) funds held in an irrevocable trust or other burial pre-need plan or burial insurance in excess of one thousand dollars (\$1,000.00)
 - (d) any cash, bank accounts, stocks, bonds or other liquid assets in excess of fifty dollars (\$50.00)
 - (e) any other personal property, including market value of boats, campers, or other equipment not consistent with a General Assistance standard, in excess of two hundred dollars (\$200.00)
11. Tools necessary to the applicant's normal occupation may be exempt in consideration of the total value of personal property if it appears the applicant will be able to return to his usual line of work within a six-month period. If the applicant has become disabled, or for some reason it does not appear feasible for him to return to work in this time, the value of the tools would need to be included in the \$200.00 maximum for miscellaneous personal property items.
12. Necessary personal and domestic effects and household furnishings of the applicant or recipient are exempt for eligibility purposes under GA.
13. An applicant or recipient shall be ineligible for the period of time his or her current income and/or nonexempt liquid assets equal or exceed his/her needs based on the current General Assistance aid and care allowances. Households shall be asked to provide information regarding any moneys received, transfer of resources, lump sums or other such resources which are considered available to the household and which were transferred or spent within the twelve month period immediately preceding the date of application. If such moneys were received and transferred or spent without adequate consideration then a period of ineligibility shall be assessed. This shall be the length of time the resource could have met the needs of the applicant/recipient. (For example, the person received a lump sum of \$5,000.00 in 5/96, gave away the money, and applied for General Assistance on 9/15/96. A period of ineligibility would be assessed for the period of time the lump sum could have met the needs of the applicant/recipient by dividing the lump sum by the applicable monthly payment.

14. All income received regardless of source whether in cash or in kind, or readily available to a person or member of the family, shall be considered in determining eligibility for GA. The income of a spouse, or an unrelated person living with the applicant in a spouselike relationship, may be determined and considered as income to the household.
15. Non-recurring lump sum payments from any source, received while on aid, such as but not limited to, tax refunds, inheritances, judgments, lotteries, retirement funds, back child support, back alimony, etc., shall be considered income in the month of receipt and a period of ineligibility assessed as described above.
16. The legal responsibility and liability of relatives for the support and maintenance of an applicant or recipient shall be determined in accordance with Section 17300, Welfare and Institutions Code.
17. An adult applicant/recipient shall not be eligible for General Assistance if he/she is attending higher education (College Level or equivalent.)

F. APPLICATION

1. Application procedures for General Assistance shall be determined and established by the Social Services Division of the Human Services Department.
2. Any person who indicates a desire to apply for General Assistance shall be given the opportunity to do so at the initial contact. Persons who are unable to complete applications themselves shall be assisted by Department staff.
3. The Social Services Division of the Human Services Department shall maintain an official log on which the date of application shall be recorded.
4. Department personnel shall accept written applications and schedule intake interviews as soon as administratively feasible after the date of application.
5. Any person applying for General Assistance shall provide all information and verification required to establish eligibility, within his or her physical, mental, and educational capabilities and competence.
6. Verification requirements shall be reasonable and shall be consistent with verification requirements of other public assistance programs.
7. An applicant or recipient who fails or refuses to comply with applicable provisions of this Resolution and any regulations promulgated thereunder without good cause may have his or her GA denied, decreased, or discontinued. A recipient shall be unable to reapply for General Assistance for a period of thirty (30) days from the effective date of discontinuance imposed as a sanction for noncompliance. Any person who without good cause fails or refuses to comply with program requirements for the second time will be sanctioned for a period of sixty (60) days

and the third time will be sanctioned for ninety (90) days. Each succeeding instance of non-compliance without good cause will be subject to sanction for a period of one hundred eighty (180) days. A recipient may "cure" the sanction only if it is his or her first offense or if the applicant/recipient has been off of the General Assistance program for 12 or more consecutive months. Reapplication for General Assistance may be made when the sanction is lifted. This provision does not apply to denial and discontinuance for reasons related to ineligibility based on residence, income, and/or resources.

8. Lack of "good cause" may be demonstrated by a showing of either (a) willful failure or refusal of the recipient to follow program requirements or (b) two (2) or more separate acts of negligent failure of the recipient to follow program requirements. "Willful" failure or refusal occurs when a client who, being capable of complying with program policies, refuses, or, having been given the opportunity to correct his or her conduct, fails to correct such conduct without reasonable excuse.
9. The determination of eligibility shall be completed and appropriate action taken as soon as possible but not more than thirty (30) calendar days after the application is received. An initial application for GA subsequently approved shall be calculated as of the first of the month following the month of application or the date of eligibility whichever is later in time.

G. RIGHT OF APPEAL

1. When aid is denied/decreased or discontinued, the applicant/recipient will be notified of the decision in writing. A form for requesting a Fair Hearing will be included with the notice, advising the applicant/recipient that he/she has a right to appeal the action by submitting a written request within five (5) calendar days of the date the notice of action is mailed or otherwise delivered.
2. Notice of hearing date shall be served to the interested parties within ten (10) working days after the request is filed.
3. The hearing shall be conducted within fifteen (15) working days after the date the hearing notice is served.
4. The Director shall designate, as an impartial hearing officer, a person who is not involved in the direct administration of the General Assistance Program.
5. The hearing shall be conducted in an impartial and informal manner. All evidence shall be submitted under oath or affirmation.
6. At the hearing, the applicant or recipient and/or his/her authorized representative may present testimony and documentary evidence, cross-examine all witnesses, have the proceeding tape recorded and be provided with a translator, if necessary.
7. The Social Services Division of the Human Services Department shall upon request make available without charge to the applicant or recipient, or his/her representative, copies of pertinent information in the case file.
8. A written decision shall be rendered within ten (10) working days from the date the hearing is held.
9. Copies of the written decision will be sent within five (5) working days from the date the decision is made.
10. A request for review or rehearing may be filed with the Director within ten (10) days of the mailing of the adopted decision when the claimant:
 - (a) alleges irregularities in the conducting of the hearing, or
 - (b) has additional information which was unavailable at the previous hearing and might impact the decision.

H. AID AND CARE STANDARDS

1. Aid and care standards, including the value of in-kind aid, shall be based on the current (non-exempt) Aid to Families with Dependent Children (AFDC) Maximum Aid Payment (MAP), per EAS Manual Section 44-315.311.

- (a) The maximum General Assistance grant amounts shall be adjusted automatically by the annual percentage increase, decrease, or reductions in the Maximum Aid Payment (MAP) Schedule adopted by the California State Legislature in the Aid to Families with Dependent Children (AFDC) Program. The effective date of any such automatic adjustment to the General Assistance program shall correspond to the effective date of the change to the AFDC program, or as soon as it is administratively possible to make the change, whichever is later.
 - (b) Pursuant to the terms of Section 1 of Assembly Bill 2883 (Chapter 279 of the Statutes of 1991-1992) the amounts established under paragraphs 1 and 2(a) above shall be and hereby are reduced by 3.0 percent.
2. The maximum monthly amount of aid for which an applicant is eligible shall be the maximum General Assistance payment amount as of the first of the month less any income available to the applicant during that calendar month, and less the fair market value of any nonexempt personal property available to the applicant during that calendar month.
 3. Vendor or voucher payments may be made for any items of need.
 4. All General Assistance applicants will be required to execute a repayment agreement to repay Mariposa County for any General Assistance benefits received.
 5. The maximum allowance shall be determined by GA household size.
 6. Rent and utility requests must be verified monthly. No allowance for housing and utility expense will be made unless there is a bona fide rental arrangement covering a rental unit. The housing and utility allowance shall be determined as the AFDC in-kind income amount or the actual expense whichever is less.
 7. There shall be a reduction in the amount of General Assistance to which an applicant or recipient is entitled if he or she shares housing with one or more unrelated persons or with one or more persons who are not legally responsible for the applicant or recipient. The amount of General Assistance that such a single adult recipient receives shall be reduced by the following percentages (1) fifteen percent if the recipient shares housing with one other person, (2) Twenty percent if the recipient shares housing with two other persons and (3) Twenty-five percent if the recipient shares housing with three or more persons.
 8. If housing, utilities, and/or other needs are regularly met by resources other than General Assistance, the value of such assistance, determined by using the applicable amount specified on the applicable AFDC In-Kind Table, shall be deducted from the monthly maximum grant amount.
 9. An applicant or recipient who has been unable to obtain shelter is not entitled to the shelter component of the General Assistance grant, which amount is based on the AFDC In-Kind Table.
 10. No portion of the GA grant may be used for the purchase of alcoholic beverages, tobacco products, or lottery tickets, or for the payment or purchase of items benefiting anyone other than the

applicant/recipient. Violation of these provisions shall result in sanctioning of the person from receiving GA benefits. The sanction imposed shall be thirty (30) days for the first offense, sixty (60) days for the second offense, ninety (90) days for the third offense, and permanent disqualification from General Assistance for the fourth offense. No "cure" of the sanction is available. Re-application for General Assistance may be made when the sanction is lifted.

11. Items not specifically provided for may be approved by the Director, or his designee, upon a showing of valid need.
12. Any overpayment recouped through grant adjustment shall be at the rate of ten (10) percent of the current month's grant amount unless the client requests a larger percentage be collected.
13. General Assistance applicants or recipients who are, or become, applicants for Supplemental Security Income/State Supplemental Program ("SSI/SSP") will be required to sign an agreement to repay any General Assistance benefits received upon being determined eligible for SSI/SSP, in accordance with the State's "Interim Assistance" program requirements.
14. To the extent not inconsistent with federal law, Mariposa County will require the legal sponsor of an alien General Assistance recipient to sign a repayment agreement for any aid provided the alien during the period of time during which the sponsor has agreed, in writing, to provide for the alien.

AND BE IT RESOLVED that Resolution 92-602 adopted November 17, 1992 is hereby amended and superseded in its entirety.