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MONTGOMERY COUNTY, INDIANA

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TOWNSHIP ASSISTANCE

STANDARDS, ELIGIBILITY AND PROCEDURES GUIDELINES

Effective January 1, 2016 INTRODUCTION

A. In the State of Indiana, it is the legal duty of the Township to provide for its poor and needy, and the Township Trustee is charged with the responsibility of assisting and servicing all the poor and needy persons within their respective township.

B. In order to meet the legislative purpose of providing necessary and prompt relief to both the poor and needy families within their township, the Trustee will determine eligibility for assistance based upon the applicant/recipient's total situation. The Trustee shall extend aid only when the personal effort of the applicant fails to provide one (1) or more basic necessities (described in paragraph 1.80.00) and will carefully investigate the circumstances of each applicant/recipient. (IC 12-20-16-1)

C. All decisions regarding eligibility will be based on the following standards. The Standards and Guidelines will be posted at the office of the Township Trustee and any member of the public will be permitted to inspect them. Additional copies will be furnished to the County Commissioners and may also be made available to interested public and private social welfare agencies. These standards will be revised yearly by the Township to reflect changes in both statutory and case law.

1.00.00. OFFICE HOURS – The Brown Township Trustee's office is open by appointment only. The office is located at Waveland Fire House in Waveland, Indiana. Township Assistance Applications are accepted by appointment. In case of the emergency closing of the Township Assistance Office, a notice indicating the hours change will be posted as soon as possible. (IC 12-20-5.5)

1.00.10. TELEPHONE LISTING – The township telephone number is listed on the fire house on the sign stating TOWNSHIP TRUSTEE on the front of the building. A telephone voice mail receives telephone calls 24 hours a day including holidays and weekends. (IC 12-20-5.5)

1.10.00. APPLICATIONS – An individual desiring to make an initial application for assistance from the Township should call the Township Trustee office and schedule an appointment. At the time an appointment is scheduled, the applicant will be given a list of the documents and/or information needed to complete an application. Failure to keep an appointment or to bring the necessary documents may cause an unnecessary delay in the applicant receiving assistance. Persons requesting township assistance are required to complete and sign necessary township forms and waivers. An application for township assistance is not considered completed until all adult members of the household have signed all forms, instruments or documents required by law or determined necessary for investigative purposes by the Trustee as contained in these Standards and Guidelines. Each application and copies of other documents of verification shall be retained in the Trustee’s office and are kept confidential.

1.10.10. DISCLOSURE AND RELEASE OF INFORMATION – Each applicant and each adult member of the applicant’s household for township assistance must sign a “Disclosure and Release of Information” authorization (which is the last page of the application) and any form, instrument, or provide any document that is required by law or determined necessary for investigative purposes by the Trustee and as contained in these standards before township assistance can be provided. (IC 12-20-6-8(c)) The required documents include but are not necessarily limited to the items listed on Attachment #3.

1.10.20. ASSISTANCE WITH COMPLETION OF THE APPLICATION – The Township Trustee will assist an applicant for township assistance in completing the application if the applicant has a mental or physical disability, including mental retardation, cerebral palsy, blindness, or paralysis; has dyslexia; or cannot read or write the English language. (IC 12-20-6-1(e))

1.10.30. THE PERSONAL EFFORTS AND THE EXPENDITURE OF FINANCIAL RESOURCES – The Township Trustee, as administrator of township assistance, may provide and shall extend township assistance only when the personal efforts of the township assistance applicant fails to provide one (1) or more basic necessities. This shall include expending the household’s available financial resources for basic necessities in the sequence they come due or considered necessary and reasonable at the time the expenditure is made. The Township, before continuing township assistance is provided, may require, in writing on the proper form furnished by the Trustee, that the recipient expend a substantial portion of their monthly financial resources on a specific recurring basic necessity. Failure to comply may result in a denial for a period **not to exceed sixty (60) days.** (IC 12-20-16-1)

1.10.40. ADDITIONAL OR CONTINUING ASSISTANCE – The application for township assistance is considered valid for one hundred eighty (180) days from the date of the initial application. The Township Trustee, however, may not extend additional or continuing aid to an individual or household unless the individual or household files a supplemental application. An “Application for Additional or Continuing Township Assistance” (Form TA1-B) may be completed if the personal condition of the individual or household have not changed from that set forth in the individual’s or household’s most recent application. (IC 12-20-7-1)

1.10.50. RESIDENCY – It is necessary for the Township to make some determination as to the applicant’s living arrangements and whether they are physically living in the Township and whether or not they intend to make the Township in which they are requesting assistance their permanent place of residence. Therefore, in order to verify an applicant’s residency and their intent to live permanently in the Township, the Township will consider the conduct of the applicant, both active and passive, as may reveal intent to reside within a given household and within the Township. The following items may be used to determine residency: (IC 12-20-8)

- 1) mailing address;
- 2) telephone listing;
- 3) driver’s license;
- 4) voter registration card;
- 5) utility billing;
- 6) motor vehicle registration;
- 7) addresses given to former employers and others;
- 8) U.S. postal service change of address notices;
- 9) verification from current landlord;
- 10) where the applicant came from and how they supported themselves there, i.e. job, food stamps, TANF, township assistance, subsidized housing, Medicaid, etc.;
- 11) what means of transportation brought them (applicant household) to this Township and how was it paid;
- 12) were they invited or promised assistance by anyone, such as relatives, friends, or other social service agencies; and
- 13) any other item, documentation, or verification requested from the applicant.

Undocumented aliens or un-emancipated youth will not be eligible for township assistance benefits.

1.10.60. PERMANENT RESIDENCY – All applicants for township assistance must be residents of the Township as verified by the provisions of above paragraph 1.10.05 (1 through 13). In case of emergency, however, the Township may provide temporary assistance to applicants who are temporarily in the Township unless the applicant is specifically in the Township for township assistance benefits. This should not be

interpreted or construed to mean that individuals living in adjoining townships should come to the larger urban township for shelter assistance. The township in which they presently reside or found to be in distress is still obligated to investigate the circumstances of the distressed person(s) and render whatever assistance is necessary. Consequently, the Township may refer individuals falling into this category to the appropriate township. Individuals in the United States without the permission of the Immigration and Naturalization Service are ineligible to receive township assistance. (IC 12-20-8-1,2,3,4 & 7 and IC 12-14-2.5-3)

1.10.70. TEMPORARY RESIDENTS – The definition of residency/household shall not be construed to mean temporary living arrangements made available by friends, relatives, their acquaintances, or social service agencies, either public or private. The residency must not be established for the primary purpose of qualifying for township assistance.

1.10.80. HOMELESS – An individual or household which has spent the prior night (or with the likelihood of spending the night in the immediate future) in an environment considered to be unsafe or unhealthy shall be considered homeless for definition of these guidelines. Temporarily living with relatives or a friend does not, in itself, constitute a “homeless” condition for the purpose of township assistance.

1.10.90. COOPERATION – During the interview process, the applicant will be required to complete an Application for Township Assistance on behalf of the household and must provide the names of all household members and any information necessary for determining the household’s eligibility for township assistance. The household will be required to cooperate with an investigation of all finances, responsibilities, and their eligibility to receive other types of governmental assistance. The investigation may include a home visit and/or contact with other members of the household, relatives, and employers. The Township Trustee requires that an applicant for township assistance make application for and utilize all other forms of public assistance before being granted township assistance. All adult members of the household will be required to sign all necessary documents, including the “Application for Township Assistance – Form TA-1” and the “Disclosure and Release of Information.” Individuals pending a determination for Supplemental Security Income (SSI) benefits may be required to sign a “Reimbursement Authorization” for interim assistance reimbursement.

1.20.00. RELATIVES DEFINED – For the purposes of these Standards and Guidelines the term “relative” shall include only the parent, stepparent, child, stepchild, sibling, stepsibling, grandparent, step grandparent, grandchild, or step grandchild of a township assistance applicant.

1.20.10. EMERGENCY DEFINED – “Emergency” for the purposes of these guidelines, means an **unpredictable circumstance** or a series of **unpredictable circumstances** that place the health or safety of a household or a member of a household in jeopardy; and cannot be remedied in a timely manner by means other than township assistance.

1.20.20. HOUSEHOLD DEFINED – “Household” for the purposes of these guidelines, means any of the following: (1) an individual living alone, (2) a family related by blood, or (3) a group of individuals living

together at one (1) residence as a domestic unit with mutual economic dependency.

1.30.00. APPLICATION REVIEW – In a case of emergency, the Trustee will accept and promptly act upon a verified request for emergency assistance. In all other non-emergency requests, the Trustee shall act on the application within seventy-two (72) hours after receiving the application. Weekends and legal holidays are excluded from the seventy-two (72) hour rule. Unusual circumstances concerning the household or failure to supply the Township with needed documentation may necessitate an additional seventy-two (72) hour period. This is often referred to as “pending” and is permitted by Indiana law. (IC 12-0-6-7 & 8) (See section 1.20.01 for definition of “emergency”.)

1.30.10. NOTICE OF ACTION (PR-1A) – The Township will notify the applicant, as required by law, of the action taken by the Township upon their request for township assistance. The Township shall do the following:

- 1) Mail the Notice of Action (PR-1A) or provide personal notice not later than seventy-two (72) hours, excluding weekends and legal holidays, after receiving the application.
- 2) The notice shall include information that notifies the applicant of their right to appeal the Trustee’s decision and where the appeal is to be filed.
- 3) The notice shall include (a) the type and amount of assistance granted, (b) the type and amount of assistance denied or partially granted, (c) the specific reason for denying all or part of the assistance requested.
- 4) The Township shall not render a decision on a request for township assistance without an application on file in the office of the Trustee.

1.30.20. NON EMERGENCY REVIEW – If, before granting township assistance, the Trustee determines that an applicant or a member of the household may be eligible for public assistance other than township assistance, the applicant or household member shall, when referred by the Trustee, make an application and comply with all necessary requirements for completing the application process for public assistance administered by the county office of the Division of Families and Children, or any other federal or state governmental entity.

1.30.30. LENGTH OF TIME OF ASSISTANCE – The length of time that an applicant/household may remain on township assistance is sixty (60) consecutive days in a six (6) month period, unless the Trustee determines the individual applicant’s/household’s situation qualifies extended assistance.

1.40.00. DENIALS – Denials may be given to applicants for one or more of the following reasons with a stated duration for the denial period:

- 1) KNOWINGLY AND WILLINGLY FALSIFYING AN APPLICATION – An applicant

suspected of fraud by falsifying the information given to the township solely to gain “township assistance” benefits shall be denied for a period not to exceed **sixty (60) days**, commencing on the date of the improper conduct or the date the last aid was extended based on the improper conduct. The township may also make a criminal referral to the county prosecutor’s office.

2) **WELFARE AND/OR TOWNSHIP ASSISTANCE FRAUD.** If a person is convicted of an offense under IC 25-43-5-7, a Township Trustee may not extend aid to or for the benefit of that individual for the following periods: one (1) year if convicted of a misdemeanor; ten (10) years if convicted of a felony; and if the Township finds that an individual obtained township assistance from any township by means of conduct described in IC 35-43-5-7, the Trustee may refuse to extend aid to or for the benefit of that individual for sixty (60) days after the later of the following: (a) date of the improper conduct; (b) date aid was last extended to the individual based on the improper conduct.

3) **FAILURE TO MEET WORKFARE REQUIREMENTS** – The Trustee may require applicants, after first receiving township assistance benefits, to participate in the Township’s workfare program. Failure to comply with this requirement may result in a denial **not to exceed one hundred eighty (180) days**. This rule also applies to anyone who fails to comply with workfare requirements in any other township within the State of Indiana. (IC 12-20-11-1)

4) **WASTING RESOURCES** – The term “wasted resources” means the amount of money or resources expended by an applicant or an adult member of an applicant’s household seeking township assistance during the thirty (30) day period before the date of the township assistance application, for items or services that are not considered basic necessities. Income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application for township assistance by an applicant or an adult member of the applicant’s household, unless the adult can establish a good reason for the act. (IC 12-7-2-200.5) Examples might include, but are not limited to, the following: (a) loss of gainful employment, with or without cause; (b) failure to actively seek and/or accept gainful employment when offered, whether the compensation for the work will be payable in money or in house rent or in commodities consisting of the necessities of life; (c) eviction from subsidized housing for violations of regulations and guidelines for voluntarily terminating housing without just cause. **Denial up to sixty (60) days.**

5) **FAILURE TO ACCEPT FREE OR LOW COST SHELTER** – Shelter accommodations provided by relatives or others should be considered a resource and something the applicant should not refuse without good reason. The Township is not required to provide shelter assistance to an otherwise eligible individual if the individual’s most recent residence was provided by the individual’s parent guardian, or foster parent, and the individual, without just cause, leaves that residence for the shelter for which the individual seeks assistance. **Denial up to sixty (60) days.** (IC 12-20-10-2) (IC 12-7-2-200.5)

6) **VIOLENCE, THREATS OF VIOLENCE OR ABUSIVE LANGUAGE** – The Township will deny any individual who threatens violence to the Township staff or property and/or uses abusive

language and threatening language while on Township property or while talking with a Township staff person, or is under the influence of drugs or alcohol. **Denial up to sixty (60) days.** (IC 12-20-17-2)

7) **SUFFICIENT INCOME** – Income in excess of the amounts found in section 1.70.00 of these standards may be the basis for a denial. However, individual applicants may have unpredictable circumstances or unusual expenses which would, when reviewed, indicate a necessary expenditure from the Township's township assistance fund. Sanctions by other governmental agencies will not be considered as a justification for waiving the income guidelines. **Denial up to sixty (60) days.** (IC 12-7-2-44.7 & IC 12-7-2-200.5)

8) **FAILURE TO COOPERATE** – An applicant may be denied township assistance services when they, or an adult member of their household, fails to cooperate or provide the Township with the necessary information for determining eligibility which is not readily available or cannot be secured in a timely manner by the Township. **Denial up to sixty (60) days.** (IC 12-20-6-1)

9) **FREQUENTLY REPORTING THE LOSS OR THEFT OF FOOD STAMPS OR MONEY** – Applicants who frequently report the loss or theft of food stamps or money will be denied township assistance benefits for **up to sixty (60) days.**

10) **LOSS OF GAINFUL EMPLOYMENT, with or without cause.** A denial from the Indiana Office of Employment and Training for Unemployment Compensation may also be used as grounds for being denied township assistance benefits. The Township shall not be obligated to provide township assistance benefits to or for an applicant for **a period of sixty (60) days commencing on the date his/her employment is terminated.** (IC 12-7-2-200.5)

11) **FAILURE TO ACTIVELY SEEK AND/OR ACCEPT GAINFUL EMPLOYMENT** when offered, whether the compensation for the work will be payable in money or in house rent or in commodities consisting of the necessities of life. The Township may require applicants to furnish documented evidence that they are actively seeking employment. The Township may periodically provide and require individuals to complete an Employment Search form in order to comply with this statutory provision. **Denial up to sixty (60) days.** (IC 12-20-10-1&2)

12) **FAILURE TO APPLY, COMPLETE AND MAINTAIN OTHER GOVERNMENTAL PROGRAMS OFFERING ASSISTANCE** as required by those governmental programs offering assistance for the basic necessities of living; failure to cooperate with other governmental agency programs; or failure to comply with the rules and regulations of an assisting governmental agency. **Denial up to sixty (60) days.** (IC 12-20-6-5 & 5.5)

13) **EVICTED FROM SUBSIDIZED HOUSING** – Eviction of an applicant from subsidized household for violation of regulations or guidelines, or voluntarily terminating housing assistance. **Denial up to sixty (60) days.**

14) **FAILURE TO LIQUIDATE COUNTABLE ASSETS** – Households must liquidate non-essential assets within sixty (60) days of the date of their initial application for township assistance before additional township benefits can be granted. Refer to 2.20.00 of this document. **Denial up to sixty (60) days.**

15) **REFUSING TO SIGN** – Failure of an applicant (within fifteen (15) working days of the township referral) to make and complete the application process for other governmental programs for which they may qualify or failure to participate or comply, after being referred by the Township, in a program offered by any other public or private agency. **Denial up to sixty (60) days.** (IC 12-20-6-5 & 5.5)

16) **PREVIOUS OR REAFFIRMATION OF DENIAL** – The Township will not extend aid to or for the benefit of any member of an applicant household if the aid requested would pay for goods or services provided to or for the benefit of the individual during a period that the individual has previously for and been denied township assistance. **Denial up to sixty (60) days.**

17) **ASSIGNMENT OF OR TRANSFERRING ASSETS** – An applicant may be denied township assistance benefits whenever the applicant or a member of an applicant's household makes an assignment of or transfers assets during the six (6) month period immediately preceding the filing of an application for township assistance. Assets considered must be of sufficient value to have rendered the applicant ineligible for township assistance. **Denial up to sixty (60) days.**

1.50.00. **EMPLOYMENT** – If an applicant for township assistance is in good health, or if any member of the household are so, the Trustee shall insist that those able to labor shall seek employment, and the Trustee shall refuse to furnish any aid until he/she is satisfied that the persons claiming help are endeavoring to find work for themselves. Each able-bodied adult member of the household will, at a minimum, be required to maintain an updated employment file with the Indiana Department of Employment and Training Services, as well as provide other reasonable documentation that they are endeavoring to find employment. The Township may also require any adult member of the applicant household to complete a minimum number of employment applications prior to receiving continued township assistance. These forms may be required on a monthly basis.

1.50.10. **MEDICAL EXAMINATION** – If a township assistance applicant or a member of the applicant's household claims an inability to work due to health, the Trustee may require and provide for any medical examination necessary for the Trustee to determine whether the applicant or household member is able to perform work. (IC 12-20-10-3.5)

1.50.20. **REFUSAL TO WORK** – If the applicant refuses employment at a reasonable compensation offered by any individual, governmental agency, or employer, regardless of whether the compensation is in the form of money, rent, or other necessities, the Trustee shall not furnish assistance to the applicant until they perform the work or show just cause for not performing the work.

1.60.00. TANF RECIPIENT HOUSEHOLDS – Townships are not obligated to extend aid to a township assistance applicant or any member of a township assistance applicant’s household if any member of that household has been denied assistance or sanctioned by the local office of the Indiana Division of Family and Children for non-compliance of/or violations of Title 12 Article 14 of the Indiana Code. The Township may continue to refuse township assistance until the sanction or denial by the Indiana Division of Family and Children has been lifted or rectified.

1.70.00. INCOME GUIDELINES – Income guidelines to be used for determining the eligibility of a given household are contained in the following table, and must include any and all monetary benefits received by any and all members of a household, regardless of age, during the thirty (30) day period preceding the request for township assistance.

HOUSEHOLD SIZE	GROSS MONTHLY INCOME
1	\$1,471.00
2	\$1,991.00
3	\$2,511.00
4	\$3,031.00
5	\$3,551.00
6	\$4,071.00
7	\$4,591.00
8	\$5,111.00
Each additional household member for families with more than 8 persons	\$5.00

These amounts are based on the current Federal Income Guidelines.

1.70.10. COUNTABLE INCOME – This term means a monetary amount either paid to an applicant or a member of an applicant’s household not more than thirty (30) days before the date of application for township assistance, or accrued and legally available for withdrawal by an applicant or a member of an applicant’s household at the time of the application or not more than thirty (30) days after the date of application for township assistance. This term also includes the following:

- 1) Gross wages before mandatory deductions;
- 2) Social Security benefits, including Supplemental Security Income (SSI);
- 3) Temporary Assistance to Needy Families (TANF);
- 4) Unemployment compensation;

- 5) Worker's compensation (except compensation that is restricted for the payment of medical expenses);
- 6) Vacation pay;
- 7) Sick benefits;
- 8) Strike benefits;
- 9) Private or public pensions;
- 10) Taxable income from self-employment;
- 11) The value of bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household if monetary compensation or the provision of basic necessities would have been reasonably available from that individual;
- 12) Child support;
- 13) Gifts of cash, goods, or services;
- 14) Other sources of revenue or services that the Trustee may reasonable determine to be countable income.

1.90.00. SPECIAL CONDITIONS/TEMPORARY AID – Exceptional financial obligations, emergencies, and/or extraordinary expenses or circumstances, as may be determined, documented, and approved by the Trustee, may give justification to TEMPORARILY waive certain provisions of these guidelines and grant temporary aid. (IC 12-7-2-76.5)

2.00.00. RECEIPTS – When a household applies for township assistance, the applicant and members of the household must provide the Township with proper receipts from the past thirty (30) days to verify how their income was spent. The Trustee's office will require receipts for the expenditure of all income/benefits received by any and all members of the household. Hand written receipts provided by friends or relatives are considered unacceptable. Receipts from expenditures for court related expenses, such as: attorney fees, probationary fees, drug and alcohol program fees, fines, court costs, bail, user fees for an in-home detention program, restitution, or any other expenditure directly or indirectly associated with the applicant or a member of the applicant's household, because of their involvement with the courts, will not be recognized as a legitimate expense. It will, however, be counted as spent income. (IC 12-7-2-200.5)

2.10.00. EXPENDITURES – Only receipts for the basic necessities of living for the past thirty (30) days will be recognized as an acceptable expenditure. Expenditures undocumented by written receipts will be counted as unexpended income. Expenditures for items not considered basic necessities will not be recognized.

Receipts should closely balance with reported income. (IC 12-7-200.5)

2.10.10. BASIC NECESSITIES – Basic necessities, for the purpose of township assistance administration, include those services or items essential to meet the minimum standards of health, safety, and decency such as: food, shelter, clothing including footwear, medical, transportation to seek and accept employment, household supplies, essential utility service, and other necessary services or items as the Trustee may determine. (IC 12-7-2-20.5)

2.20.00. ASSETS – Households requesting assistance must also report all assets belonging to any member of the household. Assets which may affect eligibility are those which are available to the household, but are not necessary for health, safety, or decent living standard of a household that:

- 1) are owned wholly or in part by the applicant or a member of the applicant's household;
- 2) the applicant or the household member has the legal right to sell or liquidate; and

include but are not necessarily limited to the following:

- a) all real property other than property that is used for the production of income or that is the primary residence of the household;
- b) motorcycles or similar modes of transportation not being used as the household's primary mode;
- c) boats, boat motors, or boat trailers;
- d) guns and/or hunting equipment;
- e) camping trailers and/or recreational vehicles;
- f) jewelry, i.e. gold chains, rings, etc.;
- g) cable television; and
- h) any other item of value which can be determined as non-essential.

2.30.00. LIQUIDATION – All liquid assets such as bank accounts, bonds, certificates of deposit, etc., must be liquidated immediately. Recreational equipment (boats, motors, and camping trailers), motorcycles, etc. must also be liquidated in order to receive continued assistance from the Township. All members of the household will be expected to liquidate any of the assets listed in 2.20.00 (a through h) or other unnecessary items of similar nature, as soon as possible but not longer than sixty (60) days from the date their initial application is filed. However, non-essential assets purchased by any member of a household after having applied for township assistance must be liquidated immediately before further assistance can be authorized.

This would also include the applicant and/or members of the applicant's household entering into a rental or lease agreement for non-essential household items. The Township highly recommends, or in some cases insists, the termination of any and all credit cards in the name of any adult member of an applicant's household. The following factors will be taken into consideration by the Township when it is necessary to require an applicant to liquidate assets: (IC 12-7-2-44.6)

- 1) **Marketability of the Asset** – The true monetary value of the item to be liquidated may not be realized because of existing market conditions, i.e. sale of a boat or motorcycle during cold winter months.
- 2) **Expected Duration** – The length of time (approximately sixty (60) days) that the applicant/household may be reasonably expected to remain on township assistance.
- 3) **Lease/Rental Items** – Whether or not the items rented or leased are necessary for basic living. Or, if needed, could the same items have been purchased or secured more economically. Example: An individual may rent a cooking stove and/or refrigerator from a "Rent to Own" facility. These are, of course, considered basic needs, but the cost of renting will probably be greater than the direct purchase of a used item.
- 4) **Exemptions** – Assets which are exempt from liquidation will include one (1) house or mobile home (the primary residence of the applicant) in which the equity does not jeopardize the household from qualifying for other state or federal assistance programs. However, a client may be required to liquidate and retrieve the equity in a house if their expected duration of needing township assistance exceeds a reasonable time frame as determined by these standards.

2.40.00. REIMBURSEMENT/REPAYMENT FOR TOWNSHIP ASSISTANCE EXPENDITURES – The repayment of assistance or a promise to repay assistance may not constitute a condition of eligibility for township assistance, except as provided in 1.40.11 and 2.50.00 of these standards. A Trustee may not seek federal or state reimbursement or otherwise seek repayment of assistance for which a recipient or an adult member of the recipient's household has satisfactorily completed a workfare requirement.

2.40.10. FUTURE THIRD PARTY BENEFIT – If it is anticipated that a township assistance applicant has the potential of receiving a judgment, compensation, or monetary benefits from a third party, the Trustee may require the applicant to enter into a subrogation agreement or sign an authorization for the repayment of any township assistance benefits provided by the Township during this interim period. Failure of an applicant to sign the necessary authorization for reimbursement to the Township shall result in a denial of township assistance benefits. (IC 12-20-27-1.5)

2.40.20. SOCIAL SECURITY REIMBURSEMENT – Individuals awaiting a determination from the Social Security Administration for SSI benefits will not be required to perform workfare during the initial stages of the SSI application process. Once the initial application for SSI benefits has been denied by SSA, the

applicant may, at this point, be obligated to perform workfare, unless they present a current medical excuse as to why they cannot perform work. Other members of an SSI applicant's household able to perform workfare will be required to participate and work his/her proportionate share of the workfare obligation.

2.50.00. FOOD ORDER LIMITATIONS – It shall be unlawful for the Township to purchase out of the township assistance fund food for an applicant or a household that is eligible to participate in the federal food stamp program. The Township may purchase food for an eligible food stamp applicant or household only under these conditions:

- 1) During the interim when an applicant or a household is awaiting a determination of eligibility from the food stamp office and ending not later than five (5) days after the day the applicant or household becomes eligible to participate in the food stamp program.
- 2) Upon the loss of the food supply through unavoidable spoilage, fire, or other acts of nature.
- 3) Upon a written statement from a physician indicating that one (1) or more members of the household needs a special diet, the cost of which is greater than can be purchased with the household's allotment of food stamps. An expenditure of township assistance funds, for compliance with this section, should not occur until later in the monthly food stamp issuance cycle.
- 4) When the Trustee determines that a household including a one-member household is in need of supplementary food assistance, provided, however, that the household has participated in the food stamp program to the fullest extent allowable and that such supplementary food assistance is given solely upon the circumstances in each individual case.
- 5) Households reporting the theft of food stamps must first file a "theft report" with the appropriate law enforcement agency before any assistance will be given. Habitually reporting the theft or loss of food stamps and/or tax supported cash awards will result in a denial.

2.50.10. FOOD ORDER ALLOTMENTS – Food allotments provided to an eligible household are determined by the household's size and other criteria as established by these standards. The Township may provide assistance in obtaining food in the form of a purchase order for eligible grocery markets or refer an eligible household to a local government or privately funded food pantry.

2.60.00. NON FOOD ITEMS AND HOUSEHOLD ESSENTIALS – Necessary supplies, such as minimal household furnishings, utensils, appliances, personal hygiene, and toiletry items may be furnished by the Trustee when a need is determined. The Township will request that the applicant be specific when requesting household items as to what is needed. The Township may then include these specific items on the township purchase order or refer the client to a governmentally or privately funded pantry. (IC 12-7-2-20.5)

2.70.00. SHELTER – The Township will provide aid as is necessary to provide shelter so long as such aid constitutes the most economical and practical method of relieving the applicant and the amount paid by the

Township is current rent owed and does not exceed the amounts listed on Attachment #2. The Township will not provide shelter assistance unless one full month's rent has been paid. The Township only pays rent for the number of bedrooms actually required for the number of persons in the household. If more than one person's name is on the lease agreement and one of the people on the lease moves from the leased premises prior to the end of the lease, the Township will only pay the percentage of rent owed by the current number of persons in the household, i.e. if two people are on the lease and one moves out, Township only pays one-half of the rent. Shelter is defined for the purpose of township assistance as a house, mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters, or if vacant, intended for occupancy as a separate living quarters. (IC 12-7-2-177)

2.70.10. SHELTER ASSISTANCE – The most practical and economically method of providing shelter will be used based on reasonable basic rates as per local availability. The Trustee may not be able to provide shelter assistance if the applicant receives assistance from HUD or Section 8.

2.70.20. SHELTER DOCUMENTATION – Whenever an applicant requests assistance from the Township, a written information statement from the applicant's landlord may be required. This statement will include the full name of the landlord (or the landlord's agent if applicable); their mailing address; their telephone number; and other data necessary to determine eligibility of the household. This form will also indicate whether the landlord will (or will not) accept payment from the Trustee's office for shelter. The form must be signed by the landlord. If a lease agreement is required, the lease must be in the name of an adult member of the applicant's household and a copy of the lease furnished to the Township.

2.70.30. LIVING WITH RELATIVES – The Township is not required to provide shelter assistance to an otherwise eligible individual if the individual's most recent residence was provided by the individual's parent, guardian, or foster parent, and the individual, without just cause, leaves the residence for the shelter for which the individual seeks assistance. If an individual as described in this section becomes a member of another township assistance household, then the entire household may be denied assistance.

2.70.40. TAX SUPPORTED SHELTER PROGRAMS – The Township is not under any obligation to enter into a contract or buy temporary shelter cost on behalf of an otherwise eligible application to a public or private agency which is wholly or partially funded by federal or state funds.

2.70.50. SUBSIDIZED SHELTER ASSISTANCE – The Township will not be obligated to subsidize or otherwise provide shelter assistance from the township assistance fund to households living in shelter units under the control and within the power of another governmental agency or municipality.

2.70.60. SHELTER MOVING – Clients moving within sixty (60) days immediately preceding the application for township assistance from a shelter provided by a relative or any form, kind, or type of subsidized shelter will be declared ineligible for township assistance. The burden of establishing good, just, and reasonable cause for having moved shall be upon the applicant.

2.70.70. INFERIOR HOUSING – The Township may deny shelter assistance whenever the Trustee determines that the housing for which rental assistance is being requested is suspected of being inferior and may not meet the minimum requirements of health, safety, or construction. The Trustee, when necessary, may assist the applicant in obtaining appropriate alternate shelter. (IC 12-20-16-17)

2.70.80. SHELTER DEPOSITS – The Township will not pay the cost of security or damage deposits and will not establish residency, i.e. the Township will not provide shelter assistance unless one full month's rent has been paid.

3.00.00. UTILITY SERVICE/HEATING FUELS – The Trustee, in cases of necessity and if the applicant otherwise qualifies, will authorize the payment of current water, current gas, current sewer, current heating and cooking fuels, and current electric services. In addition, the Trustee may authorize the payment of delinquent bills only when necessary to prevent their termination. There are, however, some limitations: (IC 12-20-16-3)

- 1) The Township will not pay utility deposits, service charges, repairs, or transfer fees.
- 2) The utility service must be in the name of an adult member of the requesting household or an emancipated minor who is the head of the household at the current address of the requesting household.
- 3) The Township will not pay for utility service received as a result of a fraudulent act by any adult member of a household requesting township assistance.
- 4) The Township will not consider the payment of delinquent utility bills if the applicant was not a tenant residing at the service address at the time the cost was incurred or the delinquent bill is older than twenty-four (24) months.
- 5) The Township will not consider the payment of master metered utility service when more than one (1) household is served by the same meter.
- 6) The Township will not consider the payment of estimated utility bills.
- 7) Individual applicants for township assistance needing utility assistance on a continuing basis shall be informed by the Township to request such assistance monthly. Failure to do so may result in a denial for failing to cooperate. During the period the state's energy assistance program is in effect, the Township will not pay or consider the payment of utility bills until after the state's energy assistance is credited to the applicant's account.
- 8) Before payment will be authorized, the applicant/recipient must have first attempted to make reasonable arrangements with the appropriate utility company, and in the event that arrangements have been made, the Trustee will only pay that part of the agreed-upon payments which are beyond the ability of the applicant/recipient to pay.

9) Telephone usage is not considered an essential utility service.

10) Fuel oil or L.P. gas must be ordered by the Trustee. Payment on fuel bills will be denied if ordered by the applicant.

3.10.00. ENERGY PROGRAMS – Applicants seeking township assistance with payment of energy bills must first utilize all available federal and state programs designed to assist indigent households with the cost of energy and must furnish the Township with written proof that an application for such assistance has been requested from other governmental sources. The Township shall inform an applicant for assistance for heating fuel or electric services that assistance may be available from the state. (IC 12-20-16-3)

4.00.00. BURIALS AND CREMATIONS – The Trustee shall provide a person to superintend (take charge) and authorize either the burial or cremation of the deceased individual. If it is determined that the deceased individual is a resident of another township in Indiana, the Trustee shall notify the Trustee of that township, who shall then provide a person to superintend and authorize either the burial or cremation of the deceased individual not leaving sufficient resources, i.e. cash, automobile, and/or real property, to defray expenses. The total cost of a burial for any deceased indigent person, including the opening and closing of the burial plot, may not exceed Two Thousand Seven Hundred Dollars (\$2,700.00) and the total cost of a cremation for any deceased indigent person may not exceed One Thousand Five Hundred Dollars (\$1,500.00). The Township will also require a “death certificate” and an itemized invoice/statement from the funeral home before payment can be authorized. (IC 12-20-16-12) If welfare burial funds are available, the Trustee can provide no burial or cremation assistance.

4.00.10. SUPERINTEND – The legal definition of “superintend” means to take charge, to supervise, to manage, or to direct. Therefore, the person the Township provides to superintend shall be responsible for “taking charge” and “supervising” the selection of the funeral home for the deceased individual. Before a funeral home can be considered for selection, a current copy of their price list, as disclosed to the Federal Trade Commission, must be on file with the Township.

4.00.20. REQUEST FOR BURIAL OR CREMATION – The Township requires that a surviving member of the deceased person’s family, if known and available, make a formal request for assistance before providing a person to superintend. If there are no surviving family members, the person appointed to superintend will make the formal request for burial assistance by completing the standard Form TA-1 – Application for Township Assistance.

4.00.30. TRANSPORTATION BURIAL EXPENSES – The Township will not pay for the cost of transporting the remains of an indigent person back to the Township unless it can be determined that the deceased was, in fact, a resident of the Township at the time of death and the transportation cost can be accomplished within the total amount allotted for burial and cremation.

4.00.40. SUFFICIENT FUNDS FOR BURIAL OR CREMATION – The Township will neither

provide a person to “superintend” or become a participant in the burial or cremation of a deceased individual if it is determined that the deceased person has sufficient funds, real or personal property, or other assets to defray expenses.

4.00.50. FAMILY MEMBERS CONTRIBUTION – Every effort will be made to encourage family members, who are able, to financially contribute to the cost of the burial or cremation of the deceased.

4.10.00. TRANSPORTATION – The Township may provide transportation to individual applications to seek and accept employment within or outside the Township when there is reasonable evidence that employment is available.

4.10.10. TRANSPORTATION/DEPORTATION OF NONRESIDENTS – It is unlawful to furnish any nonresident of the Township with transportation until after the legal residence of the person applying has been ascertained beyond a reasonable doubt. Any transportation furnished such a person shall be in the direction of their legal residence unless it is shown, beyond a reasonable doubt, that the individual in need has a valid claim for support or some other means of support in some other place to perform which the person asks to be sent. The Township may, under this section, require an applicant to perform workfare prior to receiving transportation assistance. If, after being sent at township expense to their place of legal residence, the person returns to the township and again requests assistance, they shall be denied for a period not to exceed one hundred eighty (180) days. (IC 12-20-16-11)

4.10.20. AUTOMOBILES – An automobile is not, by statute, recognized as a basic necessity. Therefore, automobile payments and other related expenses may not be considered an acceptable expense, unless it is necessary to maintain current employment. In that case, the reasonableness of the expenditure will be considered.

5.00.00. MEDICAL SERVICES – The Township will, in cases of necessity, promptly provide medical assistance for qualifying township assistance applicants who are not provided for in public institutions; do not have coverage under a private insurance policy; or are not receiving governmentally subsidized medical benefits, such as Medicaid or Medicare. The Township shall only pay the cost of the following medical services for the eligible and qualifying poor of the Township: (IC 12-20-16-2)

1) PRESCRIPTION DRUGS – The Township will furnish prescription drugs, when prescribed by a physician, for eligible township assistance clients, provided the client obtains prior authorization from the Township office. (IC 12-20-16-2)

2) INSULIN – The Township shall furnish insulin without charge to Township residents who are in need of such treatment for diabetes and who are financially unable to purchase the insulin, upon the application of a duly licensed physician. The application from the physician shall affirm in the physician’s belief that the person is financially unable to pay for the insulin themselves. Upon receipt of an official form properly completed and signed, in ink, by a physician and the applicant, any pharmacist

may provide the insulin and then file the document as a legal claim with the Township in order to receive the market price of the insulin being furnished. If insulin assistance is required a second time, the Trustee may require the individual to complete and file a standard application for township assistance (PR1) in order for the Trustee to investigate the financial condition of the individual claiming to be indigent. (IC 12-20-16-2.3 & IC 12-20-16-14)

3) OFFICE CALLS – It is the responsibility of the applicant to make their own appointments for visits to medical service providers. Clients requesting assistance for a visit to a medical service provider, except in case of emergencies, must first obtain authorization from the Township. The cost of visits to a medical specialist cannot be paid by the Township unless the applicant was first referred to a specialist by their attending physician. (IC 12-20-162)

4) EMERGENCY ROOM TREATMENT – The Township may pay for necessary emergency room treatment that is of an emergency nature. However, a medical emergency does not exist in situations where the illness/injury could and would have been treated during a routine office call by a family doctor, and the applicant could have made contact with the Township office before such visit. (IC 12-20-16-2)

5) REPORT OF EMERGENCY TREATMENT – Emergency office calls, duly prescribed drugs and necessary emergency room medical treatment received in a hospital emergency room may be paid by the Township, provided a proper request for the service is made to the Township office by the applicant or a member of the applicant's household within fifteen (15) working days of the time the services are rendered. The medical service provider must indicate the services they provided on an official form, and the applicant or a member of the applicant's household must make proper application to the Township within the prescribed time limits or denial will result.

6) DENTAL CARE AND TREATMENT – The payment of dental care and/or treatment shall be limited to those costs which are medically necessary to eliminate pain and/or infection in the most economical and practical way. The Township may pay the cost of denture replacements and/or repairs not covered by other tax supported programs. However, the Township will not pay for the initial cost of dentures. (IC 12-20-16-2)

7) EYEGLASSES – The Township may pay the cost of eye exams, eyeglasses, eyeglass repair, or eyeglass replacement for eligible township assistance applicants provided the applicant has exhausted all other tax supported programs providing a similar service. (IC 12-20-16-2)

8) OTHER PRESCRIBED TREATMENTS – Other treatments prescribed by an attending physician under IC 25-22.5 including: pre-operation testing, over-the-counter drugs, x-rays and laboratory testing, visits to a medical specialist when referred, physical therapy, repair or replacement of a prosthesis not provided for by other tax supported state or federal programs.

6.00.00. WORKFARE (RECIPIENT DEFINED) – The term “recipient” as it relates to workfare means a single person receiving township assistance or, when township assistance is received by a household with two (2) or more persons, the members of the household most suited to perform available work. Suitability to perform available work shall be determined by the Trustee, who may provide for medical examinations necessary to make the determination. (IC 12-20-10-3.5)

6.00.10. WORKFARE REQUIREMENTS – The Township may require a recipient household to do any work needed to be done within the Township or an adjoining township or for any governmental unit (including the state) having jurisdiction in those townships, or for a not-for-profit social service agency. (IC 12-20-11-01)

6.00.20. WORKFARE COMPENSATION – Work performed is considered “as satisfaction of a condition for township assistance and is not considered as services performed for remuneration.” The recipient shall be required to do an amount of work that equals the value of assistance received by him/her or his/her household divided by the hourly rate for the existing Federal Minimum wage. This translates into hours the recipient will owe in total workfare hours.

6.00.30. The Trustee may require the person or persons obligated to perform workfare to complete their workfare assignment before providing additional township assistance benefits. Failure to perform the workfare as assigned by the Township will result in a denial for a period not to exceed one hundred eighty (180) days.

6.00.40. WORKFARE EXCEPTIONS – Recipients may be excused from workfare for only the following reasons:

- 1) The obligated individual is not physically able to perform the proposed work and has provided the Township with medical evidence that they are unable to perform the work;
- 2) The obligated individual is a minor or is over sixty-five (65) years of age;
- 3) The obligated individual is needed to care for an individual as a result of the individual’s age or physical condition and has furnished the Township with medical evidence that the person to be cared for is in need of their assistance;
- 4) All obligated members of the household have full-time employment at the time they received township assistance;
- 5) The Township Trustee determines that there is no work available for any adult member of the recipient household; and
- 6) The individual(s) obligated is, at the direction of the Trustee, attending educational courses or self-help classes.

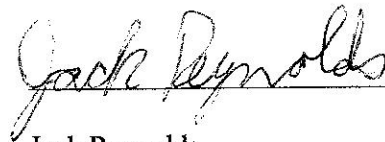
6.00.50. WORKFARE RESTRICTIONS – A recipient shall not be assigned to work which would result in displacement of governmental employees or in the reduction of hours worked by those employees, nor will an obligated individual be assigned to work at a location where a labor dispute is in effect. (IC 12-20-11-1g)

7.00.00. APPEALS – Anytime an applicant for township assistance is not satisfied with all or part of the decision of the Township Trustee, they may appeal that decision to the board of county commissioners. Appeals must be filed not more than fifteen (15) days from the date of issuance of the Township Trustee’s adequate notice of the denial. This is referred to as “Notice of Action” (Form PR-1A).

8.00.00. REPORTING ABUSE AND NEGLECT – The Township will report all suspected cases of abuse or neglect to the proper authorities. Un-emancipated youth requesting township assistance will automatically be reported to the Montgomery County Office of Families and Children.

9.00.00. COURTESY – We expect everyone who comes into this office to act and be treated in a courteous and dignified manner. We likewise expect the staff of the Township to be treated in a similar manner. The Trustee’s office is intent on assisting the poor of the Township and will endeavor to provide necessary assistance within the limits of the law and these standards and guidelines.

The preceding Township Assistance Standards, Eligibility, and Procedure Guidelines are hereby adopted to be effective January 5, 2016.



Jack Reynolds

Township Board President




Paul Surface

Township Board Member



Richard Graham

Township Board Member



Kylene Simpson

Brown Township Trustee

ATTACHMENT #1

PUBLIC LAW #46

PROVISIONS OF IC 12-14

ATTACHMENT #2

SHELTER ALLOWANCES

SHELTER ALLOWANCES

Brown Township, Montgomery County, Indiana

TOTAL ALLOWABLE RENT BY UNIT BEDROOMS					
	<u>Efficiency</u>	<u>1 Bedroom</u>	<u>2 Bedrooms</u>	<u>3 Bedrooms</u>	<u>4 Bedrooms</u>
Total Allowable Rent	\$410.00	\$485.00	\$620.00	\$835.00	\$880.00

ATTACHMENT #3

REQUIRED DOCUMENTS REQUIRED DOCUMENTS

Brown Township, Montgomery County, Indiana

- 1) Birth certificates for all children in the household;
- 2) Valid (unexpired with current address) Indiana state issued Photo ID for all household adults;
- 3) Social security cards for all household members;
- 4) Case number from Indiana Division of Family and Children if receiving food stamps, TANF or Medicaid;
- 5) Receipts for bills and expenses paid out in the last 30 days to document all entries made for expenses and

money owed;

- 6) Wage verification (pay stubs) for the last thirty (30) days for each person (adult or minor) working;
- 7) Bank statement(s) for the last 30 days;
- 8) Completed shelter form if applying for rent;
- 9) Current lease agreement if applying for rent; and
- 10) Tax Returns.

In addition, a signature is required on all consent forms. Also, signatures are required by all household adults on pages 2, 8, and 9 of the application, and all children living in the home must be listed on page 2 of the application.

*Please be aware that additional documents may be requested by the investigator at the time of an appointment for township assistance which will be important in aiding in the completion of the Township's investigation.