

Standards of Administration

Part 1

Standards of Aid

101. Pursuant to Welfare and Institutions Code section 17000.5, the Contra Costa County Board of Supervisors hereby adopts general assistance standards of aid that are 62 percent of the 1991 federal official poverty guidelines, and which are adjusted in an amount equal to the adjustments provided under Chapter 2 (commencing with Section 11200) of part 3 of the Welfare and Institutions Code.

(a) An amount not to exceed \$40 per month, per recipient, shall be deducted from the standard of aid in recognition of the value of health care provided by the county.

102. The general assistance standards of aid for applicants or recipients living alone, or with responsible relatives, are established by budget units. A family budget unit consists of the General Assistance applicant or recipient, (family budget unit) and all legally responsible relatives (spouse or parent of minor child) with whom the applicant or recipient lives.

(a) The standard of aid for each person in a budget unit exceeding one person shall be an amount equal to the multiple person budget unit standard divided by the number of persons in the budget unit. Any budget unit with five or more persons shall be considered as having four persons in the budget unit.

(b) The monthly standards of General Assistance aid per budget unit are:

<u>Size of Budget Unit</u>	<u>Standard of Aid</u>
1	\$336
2	\$454
3	\$567
4	\$685
5	\$797
6	\$960
7	\$1,032
8	\$1,146
9	\$1,217
10	\$1,1290

103. Pursuant to Welfare and Institutions Code section 17001.5, the standard of aid for applicants or recipients who share housing with one or more unrelated persons, or with one or more persons related by birth, marriage or adoption, who are not legally responsible for the applicant or recipient, (non-family budget unit) shall be the standard of aid for the budget unit reduced as follows:

- (a) By 15% if the applicant/recipient lives with one other person;
 - (b) By 20% if the applicant/recipient lives with two other persons;
 - (c) By 25 % if the applicant/recipient lives with three or more other persons.
104. Housing assistance will be issued on a monthly, rather than a weekly basis, to all applicants and recipients regardless of their homeless status.
105. The standard of aid for an applicant who is eligible for General Assistance and is homeless shall be administered as follows:
- (a) At the time of Intake and Orientation, the County will ask all applicants if they are homeless, and, if so, do they want a shelter bed.
 - (b) If the applicant is not homeless, and does not have housing costs, the grant shall be reduced to 0% for 30 days. If the applicant is homeless and has housing costs, and the client provides verification of those costs, the client will receive the actual housing costs, up to the maximum amount of the housing allowance.
 - (c) If the applicant is homeless, and there is a shelter bed available, and the homeless applicant goes to the shelter, the grant shall be reduced to 47% for 30 days. If there is a shelter bed available, but the homeless applicant refuses to go to the shelter, the County must determine if there is good cause for refusing the shelter bed.
 - (1) Good cause may include: mental or physical disability, client owns a pet and/or service animal, client owns or uses a vehicle for temporary housing or a safety threat exists for client. The GA Supervisor may grant good cause to the homeless applicant for a reason not identified above.
 - (d) If the County does not find good cause for the homeless applicant's refusal to accept a shelter bed, the County will not issue the housing allowance for the first 30 days, after which the County will review the applicant's housing status using the same criteria.
 - (e) If the County finds good cause for the homeless applicant's refusal to accept a shelter bed, or if the County is unable to offer a shelter bed to the individual because no bed is available, the County will issue the full housing allowance for the first 30 days.
 - (f) When a General Assistance recipient returns to the General Assistance office for their housing allowance after the first 30 days, the recipient will be asked to verify their housing expenses from the prior month. If the recipient's expenses are less than the maximum amount allowed, their housing allowance for the next 30 days will be reduced to actual costs.

106. General Assistance applicants or recipients may verify housing costs either by submitting receipts or by signing a declaration under penalty of perjury.
107. There shall be no reduction in aid for a homeless person who is willing to accept available county or private shelter if the only available shelter is in a geographic region of the county other than that in which the person normally resides.
108. When a General Assistance recipient is staying in a shelter, and moves to a new housing situation, which has been confirmed by EHSD, the recipient shall receive the unused balance of shelter and food payments for that month.
109. General Assistance aid is payable by the calendar month and shall be pro-rated for periods less than a calendar month.
110. The amount of aid payable is determined by subtracting from the applicant's or recipient's standard of aid cash resources, net income, and the value of income in kind as determined by the EHSD.
111. Method of Payment
- EHSD may substitute in-kind assistance, vendor payments or vouchers for any cash grant or allowance provided hereunder at the discretion of the Director of EHSD.
112. General Assistance recipients with overpayments will have their monthly benefits reduced by 5% for Administrative Errors or 10% for Inadvertent Household Errors.
113. Medical care excepted, the aid and care to which Contra Costa County legal residents are entitled under Welfare and Institutions Code section 17000 is limited to those provided by this Resolution.

Part 2

General Assistance Eligibility

201. General Assistance applicants must attend one mandatory Intake and Orientation appointment.
202. A General Assistance applicant or recipient must meet all of the following criteria:
- (a) Must be at least 18 years of age or legally married or disqualified for categorical assistance.

- (b) Must have been present in, and a resident of, Contra Costa County for (15) fifteen consecutive days. To prove residency, the applicant or recipient must provide their address. If the applicant or recipient does not have an address, at the discretion of EHSD, other conclusive evidence of residency may be substituted for the address requirement.
- (c) Must be without sufficient income or resources to meet the applicable General Assistance standard of aid.
- (d) Must not be in receipt of, or eligible for, categorical cash assistance, the standard of aid for which equals or exceeds the applicable General Assistance standard of aid, in the same month. Any person who is eligible for aid under Chapter 2 (commencing with section 12000) of Part 3 of the Welfare and Institutions Code shall not be eligible for General Assistance if that person's payment level established pursuant to Welfare and Institutions Code section 11450 (a) is exceeded by the applicable General Assistance standard of aid. Where an individual fails to take all reasonable steps to establish or maintain his or her eligibility for categorical aid, or refuses to cooperate with the General Assistance program requirements, he or she renders himself or herself ineligible for General Assistance.
- (e) Must not be serving a General Assistance/General Relief period of ineligibility from another California county.

203. General Assistance Program Eligibility Determination Standards.

EHSD will process applications and determine eligibility promptly. A decision to grant or deny general assistance will be made within thirty (30) days after the date an application for general assistance is filed with the Department.

- (a) When a decision to grant aid is made in 30 days or less, if the applicant met all eligibility conditions on the date the application was filed with EHSD, the applicant will be entitled to General Assistance payments retroactive to the date the application was filed. If the applicant did not meet all eligibility conditions on the date the application was filed with EHSD, the applicant will be entitled to General Assistance payments retroactive to the date when the applicant met all eligibility conditions.
- (b) When a decision to grant aid is made beyond 30 days through no fault of the applicant, the applicant will be entitled to General Assistance payments retroactive to the date the application was filed with EHSD .
- (c) If a determination of eligibility cannot be made within 30 days due to the applicant's own delays or failure to cooperate, the decision to grant or deny aid

will be made no later than seven (7) business days after the date that the final piece of verification information is received from the applicant. In such cases, if aid is ultimately granted, the applicant will be entitled to General Assistance payments retroactive thirty (30) days before the date of the decision to grant aid.

204. EHSD will encourage applicants to participate in available job training and job search activities during the application period. Applicant participation in job search activities will not be a condition for determining the applicant's eligibility to receive aid.
205. Applicants who state that they cannot work due to a disability will be advised by EHSD to provide a valid medical verification of the disability as soon as possible. A decision to grant an application for General Assistance will not be delayed while the applicant is obtaining a medical verification of a disability.

Part 3

Employability

301. A General Assistance applicant or recipient who has the ability to obtain gainful employment will be categorized as a Level 1 employable. An employable individual who has been offered an opportunity to attend job skills or job training sessions may not receive aid for more than three months in a twelve-month period, whether or not the months are consecutive. This applies to aid received as an employable person in any California county.
302. An applicant or recipient who is employable is subject to the following conditions of eligibility:
- (a) Must be available for or actively seeking employment.
 - (b) Must not have failed to continue in employment without good cause within 60 days of application.
 - (c) A recipient must actively participate in the EHSD General Assistance employment programs.
 - (d) A recipient must actively participant in any manpower program to which the applicant or recipient is referred.
 - (e) An applicant or recipient must accept any reasonable job offer.
 - (f) A recipient must agree to participate as assigned in the Workfare Program.

- (g) An employable individual who has been offered an opportunity to attend job skills or job training sessions may not receive aid for more than three months in a twelve-month period, whether or not the months are consecutive. This applies to aid received as an employable person in any California county.
303. In order to assist employable recipients to meet the employment program requirements of the General Assistance program, and to assist those recipients to become self-sufficient by obtaining and maintaining employment, EHSD will pay for work-related equipment and expenses. The decision to pay for these expenses is at the discretion of EHSD Director or a designated representative.
304. Level 1 employable recipients will be notified in writing, that they will be eligible for a maximum of ninety (90) days of financial assistance in a 12-month period. They will also be notified of the termination date of aid no less than forty-five (45) days prior to the date their aid will be terminated.
305. General Assistance applicants and recipients who state that they are disabled and have not submitted medical verification will be categorized as Level 1 employable, pending medical verification. This category of Level 1 applicants and recipients will not be required to search for jobs or perform any work related activity pending verification of their disability. Once satisfactory verification is submitted, the recipient will be categorized as a Level 3 unemployable retroactive to the date of the most recent General Assistance application, and the grant amount must be adjusted accordingly.
306. A General Assistance applicant or recipient who is temporarily or permanently disabled, as verified by a licensed health care provider, will be categorized as a Level 3 unemployable.
307. An applicant or recipient who is unemployable is subject to the following conditions of eligibility:
- (a) Must provide medical verification of the reason for their unemployability.
 - (b) Must, if aged, blind, or disabled, apply for that assistance program provided for under Title XVI of the Social Security Act as implemented by Welfare and Institutions Code Section 12000 et seq., known as "Supplemental Security Income/State Supplemental Program" (hereafter SSI/SSP), and follow through with the reconsideration and appeal processes through the Social Security Administration. In addition, applicants must sign an agreement authorizing the Social Security Administration to make the initial SSI/SSP payment to the County and authorizing the County to deduct from such payment the amount of General Assistance paid to the recipient while SSI/SSP was pending or was approved and subsequently discontinued.
 - (c) Must cooperate in the determination of eligibility for benefits from any State, Federal or other source.

308. General Assistance applicants and recipients will be clearly notified in writing of the responsibilities of their assigned employability level as either, Level 1 employable, Level 2 temporarily unemployable, or Level 3 permanently unemployable. Applicants or recipients will not be required to comply with the obligations corresponding to more than one employability level.
309. A licensed health care provider may deem a General Assistance applicant or recipient as "unable to comply" with the General Assistance program rules because of a mental or physical disability.

Part 4

Property

401. Real Property

- (a) Home: The applicant's or recipient's personal residence is excluded in determining eligibility.
- (b) Real Property, other than the home, renders the applicant or recipient ineligible for General Assistance.

402. Personal Property

Insofar as it is possible, an applicant for or recipient of General Assistance shall be required to apply his or her own personal property to his or her support, subject to the provisions set for below:

- (a) Liquid Assets: Liquid assets are defined as cash, bank accounts, credit union shares, securities, stock or bonds, cash surrender value of insurance policies or other negotiable instruments readily convertible to cash. Liquid assets must be applied towards the applicant's or recipient's support. In determining need and eligibility, such assets shall be budgeted as though they were income. Other liquid assets are subject to the rule governing available property.
- (b) Motor Vehicle: One motor vehicle is excluded in determining eligibility if its value as determined by EHSD does not exceed \$4,500. In determining this value, EHSD shall not reduce the value by any amounts owing on the vehicle.
- (c) Personal effects: tools of the trade, an interment space, crypt or niche, the first \$500 for a burial or funeral trust are excluded in determining eligibility.
- (d) All other personal property: the value of other personal property may not exceed

\$500 in order for the General Assistance applicant or recipient to be eligible.

403. Available Property

Where the applicant or recipient owns and possesses assets that are not immediately available, or other property in excess of the standards set forth above, and is unable to utilize such property for his or her immediate support, he or she may be aided for a period of one month, upon the authorization of the EHSD Director or a designated representative, to provide him or her with an opportunity to convert the property for use toward his or her support.

404. Income in Kind

Gain or benefit available to or received by the applicant or recipient in the form of goods or commodities, as distinguished from cash, shall be considered an available resource, and will be treated as income in kind.

- (a) In-kind values for housing, food, personal needs and basic transportation shall be determined by the Employment and Human Services Director, and provided in the EHSD Manual of Policies and Procedures.

405. Transfer of Property

- (a) When property, other than excluded property, is transferred by an applicant or recipient, within twelve (12) months preceding the date of application, whether by conversion to other property, conversion to cash, or expenditure of liquid assets, the purpose and intent of the transferor must be evaluated. The burden of proof that the transfer was not made to qualify for aid, or for a greater amount of aid, or to avoid using it for expenses, is on the applicant or recipient.
- (b) When the applicant or recipient fails to prove that transfers of property were not made to qualify for aid or for a greater amount of aid, or to avoid utilization, the applicant or recipient is deemed ineligible for aid.
- (c) The applicant or recipient who has transferred property which results in ineligibility remains ineligible for the period not to exceed twelve months during which the proceeds would have supported him at the rate of \$342 per month for one person, plus \$230 per month for each additional person.

406. All currently available net income, which shall include liquid assets and aid payments from any source, as determined by EHSD, shall be deducted from the basic need allowance in determining the amount of the grant, which may be authorized.

Part 5

Assistance Unit Limitations on Eligibility

501. The General Assistance budget unit consists of the General Assistance applicant or recipient and those household members who are related to him or her by birth, marriage or adoption, except that minor children who are receiving Old-Age, Survivors and Disability Insurance Program (OASD) benefits are excluded. The assistance unit consists of those persons in the budget unit who are applying for General Assistance, and their legally responsible relatives (spouse for spouse and parents for minor children).
502. The General Assistance unit must meet the property and income limits as a group in order for any member of the assistance unit to be eligible for General Assistance.
503. If legally responsible persons receive categorical cash assistance, they are not included in the assistance unit and their property and income is excluded in determining eligibility of the General Assistance applicant or recipient.

Part 6

Administrative Eligibility Conditions

601. Review of Eligibility
 - (a) A review of eligibility factors will be made at intervals as determined by EHSD but at least once every twelve (12) months.
 - (b) **Quarterly** determinations will be made by review of the **Quarterly** Eligibility Report required from all General Assistance recipients. Failure to submit the required report shall result in the discontinuance of aid.
602. Exploration of Resource Support

General Assistance applicants and recipients must take all actions necessary to obtain any available resources.
603. Responsibility for Support

- (a) A determination of support from all sources shall be made at the time General Assistance is granted.
- (b) Responsible persons include the spouse, and parents of minor children who have a legal responsibility to support, as well as any other persons who have assumed responsibility for the support of the applicant or recipient.
- (c) An applicant or recipient is not eligible unless such person has made reasonable efforts to obtain support from all sources including legally responsible relatives.
- (d) As a condition of eligibility or General Assistance, an applicant or recipient must provide available information as to the identity and whereabouts of persons who are responsible for his or her support, as well as information as to the source and amount of support provided from any source during the past twelve months.
- (e) An applicant or recipient who lives with a responsible person(s) is not eligible unless the entire assistance unit meets the property limits and need standard of General Assistance.

604. Verification

- (a) An applicant or recipient must provide all information required for the determination and verification of eligibility and compliance with these standards and the EHSD Manual of Policies and Procedures including, but not limited to, name, address, and personal identification.
- (b) An applicant or recipient is required to consent to EHSD's investigations and inquiries reasonable necessary to verify eligibility at any time.
- (c) Applicants or recipients must consent to reasonable inspection, review, monitoring and audit of their household and records by authorized representatives of the EHSD.

605. Alcohol/Drug Abuse

Applicants or recipients must be screened for alcohol or drug abuse, if there is a reasonable suspicion to believe that the applicant or recipient is dependent upon alcohol or illegal drugs, and, if determined to be chemically dependent, must accept a referral to the General Assistance Alcohol and Drug Abuse Diversion Services (GAADDs) program, or other such alcohol or drug abuse programs, as the EHSD may direct, and actively and cooperatively participate in any treatment program recommended by GAADDs for such persons.

606. General Assistance applicants and recipients will not be subject to photographing or fingerprinting.

Part 7

Program Compliance

701. The clients' full cooperation with EHSD and compliance with all applicable policies and regulations governing the General Assistance program is expected during initial and continued eligibility. Applicant and recipient responsibilities are defined in this resolution, and in the GA Cooperation Agreement, as those responsibilities that correspond with the individuals' employability levels. A statement of all of those responsibilities are provided to the clients and shall be signed by all applicants prior to the granting or restoration of aid.
702. Failure to comply with General Assistance program requirements expressed in this Resolution, or in the EHSD Manual of Policies and Procedures, renders an applicant or recipient ineligible for aid. Failure to comply is excused if it was for good cause, of if a recipient has been certified by a medical provider as unable to comply with some or all of the program requirements
- (a) The Department shall be responsible for showing that a failure or refusal to comply with General Assistance program requirements occurred.
 - (b) The General Assistance recipient who alleges that he or she has good cause for his or her failure or refusal to comply with program requirements shall be responsible for showing that good cause exists. Good cause may be established by showing that a recipient's failure or refusal to comply with program requirements was not willful. A recipient may establish good cause by showing that the recipient failed to comply with program requirement's on account of recipient's negligence. A showing of good cause is subject to rebuttal by EHSD.
 - (c) There is no presumption that failure to follow program requirements is willful or negligent. EHSD shall have no obligation to determine willfulness or lack of good cause before sending warning notices, failure to comply notices, or notices of proposed action.
 - (d) Negligence occurs when an applicant or recipient did not comply with program requirements and the circumstances were within their control, but the failure was not a purposeful act.
 - (e) Willfulness occurs when an applicant or recipient purposefully does not comply with program requirements and the circumstances were within their control.
 - (f) Twice only, negligence shall be good cause; thereafter, negligence shall be subject

to evaluation.

- (g) Each case will be determined on its own facts. A determination must be made based on the evidence. Evidence can be direct or it may be inferred from an applicant's or recipient's acts.

703. An applicant who fails to comply with program requirements shall be denied aid unless the applicant shows that the failure to comply was for good cause, or if a recipient has been certified by a medical provider as unable to comply with some or all program requirements.

- (a) Examples of applicants' program requirements include, but are not limited to, keeping appointments; carrying out program duties, providing verification as requested by the due date; filing application for other sources of income or benefits, including Supplemental Security Income; participating in substance abuse screening; completing applicant job search; appearing for and participating in Work Programs Intake; cooperating with Early Fraud Detection and Prevention.

704. An applicant who has quit without compelling cause, or has been fired for cause from a job within sixty (60) days prior to the date of the General Assistance application is ineligible for General Assistance for sixty days from the last day of his or her employment.

705. An applicant who provides fraudulent information in order to qualify for a General Assistance grant, or for a larger grant, or to avoid termination or reduction of aid shall serve a six-month period of ineligibility.

706. Once aid is granted, a recipient who fails or refuses to comply with program requirements shall be discontinued aid, and sanctions will be imposed as follows, unless the recipient shows that the failure to comply was for good cause.

- (a) The first failure or refusal to comply with a program requirement shall result in a warning notice in lieu of a sanction.

- (1) The warning notice shall advise of the failure to comply and state that future failures to comply without good cause shall be subject to sanction, and that the Department shall clear the warning notice if the recipient contacts the responsible staff person within ten days and shows good cause.

- (2) Not more than twice, the Department shall clear a warning notice if the recipient arranges for a new opportunity to comply with the program requirement, and complies with the program requirement.

- (3) If the warning notice is cleared, the recipient shall be entitled to another warning notice in lieu of sanction for the next failure to comply.

- (b) If a warning notice has not been cleared, further failures to comply will be subject

to sanction, but before a notice of proposed action may be sent, a failure to comply notice will be given, offering the recipient the opportunity within ten days to contact the responsible staff person and clear the noncompliance by showing good cause.

- (1) The first failure to comply with a program requirement shall be followed by a two-month period of ineligibility; the second failure to comply with a program requirement shall be followed by a four-month period of ineligibility; and a third failure to comply with a program requirement shall be followed by a six-month period of ineligibility. Thereafter, each subsequent discontinuance or any willful failure to comply with a program requirement shall be followed by a six-month period of ineligibility.
- (2) In unusual circumstances, upon application by the recipient, based upon a written finding of facts showing that it is justified by either or:
 - i) the recipient's case record, or
 - ii) the nature of the failure to comply, or
 - iii) the reason for failure to comply;subject to approval by the Appeals Manager, and Appeal Hearing Officer may reduce a sanction from two months to one month or from four months to three months. Such reduction will not affect the length of subsequent sanctions.
- (c) If one year has elapsed since the end of the last discontinuance or period of ineligibility, without the initiation of procedures for failure to comply with a program requirement which result in sanctions, the process for imposing sanctions shall begin again.
- (d) Examples of recipients' program requirements include, but are not limited to: appearing for Work Programs Assignment appointments or monthly Job Club meetings; submitting a timely and complete job search report form; performing a monthly workfare assignment; cooperating with the General Assistance Alcohol and Drug Diversions Services (GAADDs); cooperating with Quality Control; submitting a timely and complete **Quarterly** status reports; cooperating with and completing the annual re-determination process; providing requested information or verification by the due date; applying for any other resource or benefit, including Supplemental Security Income, and taking all necessary steps to obtain such income.
- (e) The period of ineligibility shall apply to any member of a General Assistance's assistance unit how has failed to comply with program requirements.

707. A recipient who refuses an offer of employment, or who quits without compelling cause,

or is fired for cause from a job, shall be ineligible for General Assistance for six (6) months from the refusal or the last day of employment.

- 708. A recipient who provides fraudulent information in order to qualify for a General Assistance grant or for a larger grant, or to avoid termination or reduction of aid, shall serve a six-month period of ineligibility.
- 709. When an applicant for aid is denied, a new application shall be required to establish eligibility; when a recipient is discontinued, a new application shall be required to establish eligibility.

Part 8

Interim General Assistance Reimbursement Program

801. County Program

In accordance with P.L. 94-365 and 42 U.S.C 1383 (g), and with the "Agreement for Reimbursement to State for Interim Assistance Payments Pursuant to Section 1631 (g) of the Social Security Act" between the U.S. Secretary of Health, Education and Welfare and State of California, as executed on February 11, 1975, which provides for reimbursement to the State or certain counties thereof, for "interim assistance" paid to eligible applicants for SSI/SSP benefits while such application is pending; and pursuant to the "Contract for the Interim Assistance Program" between the State of California Department of Social Services and the Contra Costa County Board of Supervisors, which permits the County to participate in the State's "Interim Assistance Program", the County hereby adopts and establishes a Contra Costa County Interim General Assistance Reimbursement Program.

802. Interim General Assistance

Under the County's Program, General Assistance paid to those persons who are subject to paragraph Section 303 (b) herein, shall be considered "Interim General Assistance" where it is paid during the period beginning with the filing of an application for Federally paid SSI/SSP benefits for which said person is ultimately determined eligible, and ending with the first regular SSI/SSP payment made thereunder.

803. Program Operation

Subject to the recipient's right to State hearing, Interim General Assistance shall be repaid to the County from the recipient's federally paid SSI/SSP benefits.

Part 9

Additional Provisions

901. Reimbursement

In accordance with Welfare and Institutions Code sections 17109 and 17403, as a condition precedent to the receipt of General Assistance benefits, eligible persons are obligated to repay all benefits received and may be required to execute a repayment agreement and lien upon their property. The County Counsel is authorized to bring a legal action against a General Assistance recipient, at the direction of the Employment and Human Services Director, when the Director determines that the recipient has acquired property.

902. Return to Residence

Persons who are not residents of Contra Costa County, but otherwise would be eligible for General Assistance on the basis of property and income, may be provided County funds by EHSD in order to return such persons to their place of residence. In order to discourage a transient life-style which is a drain on county taxpayers, persons who return to this County after being transported out of County are ineligible to further county funds for twelve months from date of departure. If the place of residence has a source of support which is still available, such persons are not eligible to any further General Assistance.

903. Employment and Human Services Department Manual

- (a) Subject to the provisions contained herein, the General Assistance standards and policies of the Contra Costa County Board of Supervisors are expressed in the Employment and Human Services Department Manual of Policies and Procedures.
- (b) The County Employment and Human Services Director is empowered to adopt procedures and policies for the operation of the General Assistance program, which are consistent with and within the scope of this resolution, and to publish it in the EHSD Manual of Policies and Procedures.

904. Hearings

Applicants and recipients are entitled to notice, hearings and appeals as provided in the Employment and Human Services Department Manual, this Resolution, and Resolution No 95/385.