



**SOLANO COUNTY HEALTH
AND SOCIAL SERVICES
GENERAL ASSISTANCE
PROGRAM
MINUTE ORDER**

Solano County Health & Social Services Department
General Assistance Program Minute Order

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Solano County Health & Social Services Department

General Assistance Program Minute Order

General Assistance is administered by the Solano County Health and Social Services Department, under the authority of the County Board of Supervisors and pursuant to Welfare and Institutions Code 17000. General Assistance (GA) shall be administered promptly, humanely, and without discrimination.

I. Application

- A. Any person has the right to apply for aid on his/her behalf or on behalf of any member of his/her household.
- B. The beginning date of aid is the date the application is signed, dated, and received by the agency, assuming all conditions of eligibility are met.
- C. When an application for General Assistance is received by mail, the beginning date of aid is the date the returned application is date-stamped as received by the agency.

II. Residence

- A. An otherwise eligible applicant/recipient must physically reside in Solano County to receive General Assistance. Physical presence in Solano County and the intent to reside in Solano County must both exist at the same time. Applicant/recipients must maintain residency for continued eligibility.
 - 1. If a client has any active benefits (non-GA) in another county or state, the General Assistance intake worker will initiate and/or assist the client with an application or transfer of those benefits to Solano County as a requirement for eligibility.
- B. A client who resides outside the county for more than 30 days will no longer be considered a resident of Solano County, unless the client is called elsewhere for labor or other temporary purpose and intends to return.
 - 1. In the case of an applicant/recipient that is called elsewhere for labor or other temporary purpose, residence is considered the place where he/she remains when not called for those purposes (Welfare and Institutions Code 17101).
- C. Written verification of Solano County residence is required in order to receive General Assistance. If verification is not provided, assistance shall not be granted or assistance shall be discontinued.

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1. Written verification may include a Shelter Cost Statement (form CSF 47, rent receipt, lease agreement, driver's license or other government document showing current address, or verification obtained through other resources including a home visit by a Special Investigations Bureau (SIB) investigator.

III. Citizenship and Alienage

- A. An applicant/recipient must be either a United States citizen or Legal Permanent Resident in the United States to be eligible for General Assistance.
 1. The sponsor of the Legal Permanent Resident is financially responsible for the non-citizen for the first three (3) years after the date of entry into the United States. The applicant will not be eligible for General Assistance during this time. After three (3) years from the date of entry, a Legal Permanent Resident may be eligible for General Assistance if all other conditions of eligibility are met.

IV. Identity

- A. Verification of identity is required to be eligible for General Assistance benefits. The following are acceptable identity verifications:
 1. Drivers license or state identification card
 2. Photo ID (from government agency, school, etc.)
 3. Passport
 4. US Citizenship and Immigration Services (USCIS) documents
 5. Verification from the Social Security Administration (SSA) through the Medicaid Eligibility Decision System (MEDS) system
 6. A signed statement from a collateral contact confirming the identity of the applicant/recipient, if no other verifications are available

V. Age Requirement

- A. An otherwise eligible applicant/recipient must be an adult or an emancipated minor.
- B. An adult is defined as a person who has attained his/her 18th birthday.

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1. Any General Assistance applicant still enrolled in high school will be screened for California Work Opportunity and Responsibility to Kids (CalWORKs) eligibility.
- C. An emancipated minor is any person under the age of 18 years who meets at least one of the following criteria:
 1. Has entered into a valid marriage, whether or not such marriage was terminated by dissolution; or
 2. Is on active duty in any of the armed forces of the United States; or
 3. Has received a declaration of emancipation from a County Superior Court.

VI. Property

A. Property Limit

1. To be eligible for General Assistance, the net market value of an applicant/recipient's non-exempt property shall not exceed the maximum grant amount for the budget unit.

B. Real Property

1. A single-family home, regardless of value, owned by and used as the full-time residence of an applicant/recipient shall be considered exempt when determining eligibility for General Assistance.
2. An Applicant/recipient having a financial interest in real property not used as their home shall be required to verify the value of the property. The net market value of the property will be considered in determining eligibility for General Assistance.
3. When an otherwise eligible applicant has an interest in real property that is used as their full-time residence, the applicant/recipient will be required to sign a lien. A security agreement shall be entered into between the applicant/recipient and Solano County for all General Assistance paid. All lien documents will be notarized by a Solano County employee with a public notary certification.

C. Personal Property - Exempt

1. The following personal property shall be considered exempt when determining eligibility for General Assistance.

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- a. At the time of application only, the first \$25.00 held in cash, checking/savings accounts, stocks, bonds, credit union accounts, or in any other form readily converted to cash.
- b. Insurance policies if the total cash surrender value does not exceed \$1000.00.
- c. One motor vehicle per household member.
- d. A mobile home used as a full-time residence of an applicant/recipient.
- e. Retirement funds that are not accessible to the client. Verification must be provided that the funds are not accessible.
- f. Any Recreational Vehicle (R.V.) motor home, trailer or boat owned by and used as the full-time residence of an applicant/recipient.
- g. Tools of an applicant's/recipient's customary trade.
- h. Personal clothing.
- i. Household furnishings and appliances.
- j. Durable medical equipment, ie: wheelchairs, and prosthetic devices.
- k. Heirlooms, wedding rings and engagement rings.
- l. One burial plot and one irrevocable burial trust per household member.

D. Personal Property – Non-Exempt

1. Cash, checking/savings accounts, stocks, bonds, credit union accounts, other securities, mortgages, notes deeds of trust, annuities and any other asset the total of which exceeds \$25.00.
2. Any R.V., motor home, trailer or boat owned by an applicant/recipient but not used as a full-time residence.
3. All motor vehicles, other than one (per household member) exempted by C.1.c above.

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4. Retirement funds (minus early withdrawal penalties) available to an applicant/recipient upon termination, resignation, or retirement.
5. Any burial plan that can be converted to cash, or is not reserved for a household member.

E. Transfers of Property

The following applies to property transfers that occurred within 90 days of application for General Assistance:

1. When an applicant/recipient claims that his/her property holdings have been reduced within the statutory maximum, the applicant/recipient must have received just compensation for the property and this must be clearly verified. Failure to satisfactorily account for the disposition of the property will result in discontinuance/denial and may result in a period of ineligibility.
2. The duration of the period of ineligibility will be a number of months equal to the net market value of the non-exempt property in excess of the statutory maximum at the time of transfer, divided by the amount of the applicant's/recipient's potential General Assistance grant.
3. The period of ineligibility begins the first day of the first month following the month in which the transfer or disposal occurred. This period will not be extended due to income or property received during the period, all additional income and property will be considered separately after the period of ineligibility.

VII. Income/Reporting Responsibilities

- A. All net income will be taken in to consideration at eligibility determination and deducted from the grant amount. Aid shall not be granted for any month to a General Assistance budget unit whose net income for that month is equal to, or in excess of the maximum grant amount.
 1. Net income is defined as gross income minus any involuntary deductions and any expenses that are necessary to the acquisition of the income (such as self-employment expenses).
 - a. For self-employment only verifiable business expenses necessary for business operations are deducted.

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- B. Specific types of income are budgeted as follows:
1. Earned Income – Gross earned income, less any involuntary deductions, shall be deducted from the grant on a dollar for dollar basis.
 2. Income-in-kind – If an applicant/recipient is not required to pay for any housing costs, ie: the landlord provides housing free of charge, the income-in-kind value shall be deducted from the grant. If the applicant/recipient is responsible for **any** part of the housing costs including utilities, the deduction shall not apply.
 3. School Grants/Financial Aid received less often than monthly shall be budgeted as follows:
 4. The grant, minus allowable expenses which have been verified, shall be divided over the period of time it was intended to cover. That amount is then budgeted beginning the month the school grant was received. Allowable expenses include tuition, books, supplies required for the class, clothing such as lab coats and gym clothes and transportation costs.
 5. Unearned income –All unearned income shall be deducted from the grant amount on a dollar for dollar basis. All cases shall be reviewed for possible eligibility for income from any source, including categorical aid programs and benefit programs, Unemployment Insurance Benefits, State Disability Insurance Benefits, Civil Service Annuity, Retirement Plans, Social Security, Veteran’s Benefits, Workers Compensation, private insurance or union benefits, accumulated vacation or sick leave pay, etc. If potential eligibility exists for any of the above, refusal to apply for such benefits shall result in ineligibility for General Assistance.
 6. Lump Sum Income – Lump sum income may result in a period of ineligibility to be determined as follows:
 - a. $\text{Countable lump sum amount} \div \text{General Assistance grant amount} = \text{number of months of ineligibility.}$
 - b. If payment has been made for medical bills or other verifiable catastrophic occurrences subsequent to receiving lump-sum income, the amount of such payments shall be deducted from the lump-sum income in determining the period of ineligibility. Receipts or verification of payment must be submitted before the deduction will be allowed.

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- c. Actual and reasonable costs for housing, and necessary living expenses, will be deducted in determining the period of ineligibility. Receipts or verification of payment must be submitted before the deduction will be allowed

- C. Aid payments or social insurance (TANF/CalWORKs and SSI/SSP) that are for the benefit of the recipient only, do not constitute income to any other person. Income considered in the computation of any other aid payment shall be exempt from consideration for General Assistance purposes.

- D. SSI/SSP payments received by a member of the General Assistance budget unit are considered to be for the benefit of the recipient only, and will not constitute income to any other person.

- E. Upon separation from employment applicant/recipients must report any payout of accumulated vacation pay, sick leave, etc. which will be considered income in the month received.

- F. General Assistance applicants must apply for all potentially available income prior to approval. Potentially available income includes: Unemployment Insurance Benefits, State Disability Insurance Benefits, Civil Service Annuity, Retirement Plans, Social Security, Veteran's Benefits, Workers Compensation, private insurance or union benefits, etc. If potential eligibility exists for any of the above, refusal to apply for such benefits shall result in ineligibility for General Assistance.

- G. Non-recurring lump-sum income is defined as income of a windfall nature such as, but not limited to: retroactive social security, worker's compensation, personal injury court awards, casino or lottery winnings, inheritances, retirement and the like and will be counted as income.

- H. Reporting Responsibilities
 - 1. All income changes must be reported within 5 days.
 - 2. All address changes and/or changes in county of residence must be reported within 5 days.
 - 3. The General Assistance Income Report must be submitted by the 5th day of every third month for unemployable General Assistance recipients. All income shall be reported and verification shall be attached in accordance with departmental procedures. Noncompliance, without good cause, will result in discontinuance of assistance.

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- a. Good cause may be a mental or physical condition which prevents timely reporting, county error, or other extenuating circumstances as determined by the General Assistance Supervisor or Lead Worker.

VIII. Employability

- A. General Assistance may be granted to otherwise eligible applicants under the following circumstances related to employability.
 1. An employable person may not be denied General Assistance solely upon the basis of employability.
 2. An employable applicant/recipient shall not receive General Assistance (General Assistance) for more than three full months in any twelve-month period whether or not the months are consecutive. This applies to General Assistance received in any California county. (Effective 1/1/97)
 3. Employable General Assistance applicants/recipients may be given the opportunity to participate in an employment service program on a voluntary basis.
 4. An employable person otherwise eligible for General Assistance shall be available for and willing to accept employment. He/she shall, in the judgement of the department, be making an adequate effort to secure employment. Failure to accept an offer of employment will result in ineligibility for General Assistance.
 5. An employable person need not meet the requirements of section; VIII, Parts A.2 & A.4, if this persons' presence is required in the home for the care of a child, an incapacitated spouse, or another related person, and such care, in the judgement of a physician, cannot be arranged in another suitable way.
 6. An employable General Assistance applicant/recipient enrolled in high school will be exempt from Job Search requirements.
 7. A determination that an applicant/recipient is unemployable because of mental or physical incapacity shall be based upon the findings of a licensed physician, psychologist, chiropractor, or their authorized representative. In addition, the county may require an examination by a county physician. The applicant/recipient's failure to cooperate fully in obtaining necessary medical information to establish unemployability shall result in ineligibility for unemployable status.

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- a. If an applicant's disability form is returned with a designation that they are able to work, a statement of fact should be obtained from the client stating that they are applying as an employable individual and they understand all requirements for employable reporting and eligibility. Upon receipt of the statement of fact the client should be evaluated for employable General Assistance.

IX. Assistance Standards

A. General Assistance Allowances

1. Maximum General Assistance allowances shall be adjusted annually beginning on July 1, 2020 in accordance with the Census Bureau Federal Poverty Level annual adjustment. The maximum General Assistance grant amount shall be adjusted by the same percentage in which the Federal Poverty Level increases or decreases annually.
2. The cash grant shall be determined by deducting net income from the total maximum monthly allowance.
3. A General Assistance client with certified ongoing disabilities, severe enough to preclude him/her from employment for a minimum of one year, and whose SSI has been denied after following the SSI appeal process through the appeals council level will be entitled to receive an additional grant differential of \$72.00 for one person, and \$117.00 for a couple. (Effective 1/1/97)

B. General Assistance Budget Unit

1. The General Assistance budget unit shall be defined as either:
 - a. An individual
 - b. A married couple.

X. Return to Residence

- A. Transportation allowances are limited to those necessary for return to place of legal residence. When a person or family is returned to the place of legal residence, allowances are as follows:
 - a. Travel fare shall not exceed the actual cost of the least expensive mode of common carrier transportation.

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- b. Funds for meals during travel will be provided at established rates based on the amount of time required for travel.

XI. Disqualified Individuals

- A. A recipient of SSI/SSP is not eligible for General Assistance.
- B. Recipient(s) or potentially eligible recipient(s) of CalWORKs is (are) not eligible for General Assistance
 - 1. Individuals who have been discontinued or denied CalWORKs due to receiving 48 months of CalWORKs benefits will not be eligible for General Assistance if they still have minor children, whether or not the child is in the home.
- C. Persons who are fleeing to avoid prosecution, custody, or confinement after conviction, or violating a condition of probation or parole are ineligible for General Assistance.
- D. Any applicant/recipient who elects to live apart from his/her minor child(ren) and who is not legally (or by other verifiable compelling reasons, in the judgement of the county) prevented from establishing a residence together, shall not be eligible for General Assistance.
- E. An applicant/recipient who is disqualified for any other form of public assistance solely on the basis of refusal to cooperate shall be ineligible for General Assistance.
- F. An applicant/recipient who is incarcerated in a penal institution or a medical institution for 30 days or more is not eligible for General Assistance.
- G. Applicants who are on parole and residing in Solano county must be legally entitled to remain in the county to be eligible for General Assistance.
- H. Residents of county-supported facilities.
 - 1. A county-supported facility is considered to be any facility that receives funding or subsidy of any kind from Solano County, directly or indirectly.

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2. An applicant/recipient is considered to reside in a facility if their primary overnight sleeping quarters are located within the facility property.
3. Exceptions to this rule may be made with the approval of the Deputy Director.

XII. Notice of Action

A. Timely Notice of Action

1. When an adverse action results in discontinuance or a reduction in benefits, a notice of action (48-70-239) shall be mailed to the recipient at least 10 days prior to the effective date. Additional oral notice shall be given whenever possible.
2. A 10-day notice shall not be required in the following instances.
 - a. The county has factual information confirming the death of the person affected.
 - b. The person is confined to a medical or penal institution.

B. Adequate notice.

- a. In lieu of timely notice, adequate notice shall be provided.

C. The timely or adequate notice shall specify:

- a. The nature and effect of the proposed action upon the applicant/recipient's grant.
- b. The date on which the proposed action is to be effective.
- c. The regulations upon which the proposed action is based.
- d. The applicant/recipient's right to request an administrative hearing.
- e. The nature of the conditions attached to the applicant/recipient's rights to aid paid pending a final decision by the person conducting the hearing.

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- f. The applicant's/recipient's right to have legal counsel or other representation present at the hearing.
- g. The applicant's/recipient's right to review his case file and relevant documentary evidence prior to the hearing.
- h. The applicant's/recipient's right to receive a written decision.

XIII. Repayment of Aid

- A. Each applicant for General Assistance shall sign a Repayment Agreement form, agreeing to repay all General Assistance granted.
- B. Every effort shall be made to pursue repayment of General Assistance when the recipient possesses resources in excess of those needed for independent maintenance.
- C. General Assistance benefits received after SSI application date will be reimbursed through the Interim Assistance Reimbursement process for clients that are approved SSI.

XIV. Overpayments

- A. An overpayment is that amount of aid payment a budget unit has received to which it is not entitled. An overpayment may be all or a portion of an aid payment. This may include aid paid pending an administrative hearing.
- B. The county shall take all reasonable steps necessary including grant adjustment, to promptly correct and collect the full amount of any overpayments that are known to the county. This includes recovery of overpayments due to either applicant/recipient error, or county administrative errors.

XV. Benefit Issuance

- A. General Assistance benefits may be issued by Electronic Benefit Transfer (EBT), county warrant, vendor payment, or any combination thereof.
 - 1. Benefits will be issued by EBT unless an exemption is granted.

XVI. Failure to Cooperate

- A. The period of ineligibility for willful failure to comply with work-related requirements without good cause shall be:

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1. Thirty days (30) if the applicant/recipient has not been denied/discontinued within twenty-four (24) calendar months for failure to cooperate.
 2. Sixty days (60) if the applicant/recipient has been denied/discontinued once within the last twenty-four (24) months for failure to cooperate.
 3. Ninety day (90) if the applicant/recipient has been denied/discontinued twice within the last (24) months for failure to cooperate.
 - a. When aid paid pending is received on a period of ineligibility hearing, and the claim is denied, the sanction period will begin the first of the month after receipt by the county of the written decision from the hearing officer.
- B. An applicant who is serving a General Assistance period of ineligibility from another California County for non-compliance with work program requirements shall be ineligible for General Assistance in Solano County. The period of ineligibility in Solano County shall be the duration of our maximum sanction period of ninety days, or the other county's sanction period, whichever is less.
- C. Work-related program requirements shall include the following:
1. Seeking employment in person from ten (10) different potential employers each month and to document same.
 2. Maintaining active status with a viable job search engine and following up on all job referrals.
 3. Maintaining employment, if employed at time of approval, unless there is good cause for quitting or being terminated.
 4. Accepting any offer of a legitimate job that pays at least the prevailing minimum wage.
- D. A false representation to obtain benefits shall be cause for denial/discontinuance and shall be documented by an investigation by the County's Special Investigations Bureau (SIB). Sanctions shall be applied.

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XVII. Intentional Program Violation (IPV)

- A. Individuals found to have been convicted of an IPV by a municipal, state, or federal court or who voluntarily signs a Disqualification Consent Agreement, shall be ineligible to receive benefits consistent as follows:
1. Six months for the first violation.
 2. Twelve months for the second violation
 3. Permanently for the third violation.

XVIII. Administrative Hearing

A. Guidelines

1. Any applicant/recipient of General Assistance will have a right to request an administrative hearing when county action will result in a denial, discontinuance, withholding, or reduction of a General Assistance grant.
 - a. Notwithstanding any other regulation, there is no right to an administrative hearing when a change in law requires automatic grant adjustments for classes of recipients, unless the reason for the request for the hearing is incorrect grant computation.
 - b. There is no right to an administrative hearing on the application of a disqualification penalty due to an Intentional Program Violation.
2. Any request for a hearing must be made in writing within 90 days of the notice informing the recipient of any adverse action by the department and must address the issue(s) stated on the notice. If necessary, the department shall assist the applicant/recipient in filing their request for an administrative hearing.
3. The Appeals Supervisor approves or denies Aid Paid Pending (APP). APP shall not be approved past the certification period (3 months, 12 months, or as otherwise indicated on the Disability Report).

B. Hearing Decisions

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1. When the Hearing Officer renders a final written decision based only upon the regulations in this Minute Order and the evidence produced at the hearing, the General Assistance Supervisor, General Assistance Lead Worker, and General Assistance worker at the time of the hearing request will be notified.

2. The General Assistance worker or designated General Assistance staff will proceed with the General A case as directed by the Fair Hearing Department.