

CHAPTER 8

GENERAL RELIEF ORDINANCE

POLICIES AND PROCEDURES FOR ADMINISTRATION OF GENERAL PUBLIC ASSISTANCE

The Town of Greenbush, Sheboygan County, Wisconsin, hereby adopts the following standard policies and procedures for the administration of general public assistance to eligible dependent persons:

8.01 POLICY:

The Town of Greenbush shall comply with the requirements of Chapter 49 of the Wisconsin Statutes to insure that all eligible dependent persons within the Town are provided general public assistance for themselves or for their school age children, of a kind and quality adequate to support life, health and sanitation expected by citizens of Wisconsin.

8.02 DEFINITIONS:

For the purpose of this policy the following terms are defined as follows:

- (1) APPLICANT means any person who is or may be eligible for general relief from the Village under these standards and Chapter 49 of the Wisconsin Statutes.
- (2) ASSISTANCE or PUBLIC ASSISTANCE. See subsection (1) Relief.
- (3) TOWN means the Town of Greenbush.
- (4) DENIAL means refusal to approve or grant benefits to an applicant and includes the termination or modification of previously approved benefits or reduction of a public assistance recipients' benefit levels.
- (5) COMMITTEE means the committee responsible for making the determination on an appeal from a denial of public assistance.
- (6) COUNTY means Sheboygan County.

- (7) DEPENDENT PERSON or DEPENDENT means a person without the present available money, income, property, credit or other means by which the same can be presently obtained, sufficient to provide necessary commodities and services as specified in subsection (11) below.
- (8) DIRECTOR means the relief director or his designee.
- (9) ELIGIBLE means a person who is dependent as defined in subsection (7).
- (10) EMPLOYMENT means full time or part time work for compensation.
- (11) RELIEF means such services, commodities or money as reasonable and necessary under the circumstances to provide food, housing, clothing, fuel, light, water, medicine, medical, dental and surgical treatment (including hospital care), optometrical services, nursing, transportation and funeral expenses and includes wages for work relief.
- (12) GROUP means all eligible persons listed on an application for assistance, who reside with the primary applicant and are dependent on the primary applicant for financial support.
- (13) SHELTER COST means rent payments and mortgage payments escrow accounts required by the lender, principal payments made on mortgages and land contracts and reasonable charges for utilities.
- (14) WORK RELIEF means any monies paid to dependent persons entitled to relief who have been required by the Town to work on any work relief project.
- (15) WORK RELIEF PROJECT means any undertaking performed in whole or in part by persons receiving work relief.

8.03 GENERAL STANDARDS AND STATUS REQUIREMENTS:

GENERALLY. Relief shall be granted to any eligible dependent person by the proper authorities of the Town in accordance with the standards in this section. Age or transient status or student status of any applicant shall not in itself be a bar to receiving relief from the Town. The relief director may approve

prorated daily payments of assistance until such time as arrangements have been completed for relief under another program administered by the County or the State.

INCOME STANDARDS. Persons whose monthly incomes equal or exceed the maximum allowance provided in Section IV shall be presumed to be non-dependent and ineligible for aid unless the Director determines that special facts and circumstances exist which pose an immediate threat to life, health or safety. All income on hand or readily available, without regard to deductions for debt payments, must be considered in determining financial eligibility for relief under this program, including any public assistance readily available under other relief programs of the State, Federal or County governments.

ASSET STANDARDS. Except as otherwise specifically provided in this subsection, all assets which are readily convertible into cash shall be considered in determining financial eligibility for public assistance.

- (1) HOME OWNERSHIP. Owning the home and furnishing where the applicant lives shall not act as a bar to receipt of assistance.
- (2) INSURANCE. An insurance policy with a cash or loan value of \$300.00 or less shall not act as a bar to receipt of assistance.
- (3) MOTOR VEHICLES. Ownership of an automobile or truck shall not be a bar to receipt of assistance from the Village except that debt payments on motor vehicles shall not be deducted from income in determining financial eligibility. No payments shall be made for purchases of automobiles or other motor vehicles. No assistance shall be granted for use of unregistered vehicles or for use of a vehicle by persons not holding a valid vehicle operator's license. Assistance for use of automobiles, motorcycles or trucks will be granted when that use is necessary to provide transportation for the following reasons: medical treatment, employment and purchase of basic needs. Liability insurance is recommended. Assistance for the use of privately owned vehicles will only be provided in those cases where mass transit is unavailable or in cases of exceptional hardship.
- (4) Failure to apply or to take necessary steps to apply

nonexempt assets to the support of applicant and applicant's dependents shall be cause for the denial or termination of assistance.

EMPLOYMENT STANDARDS.

- (1) EMPLOYABLE APPLICANTS. Employable applicants shall register with Wisconsin Job Service. Persons determined by the Director to be employable but who refuse to seek employment shall not receive public assistance. An employable applicant or recipient who fails or refuses to register and to maintain a valid registration for employment with Wisconsin Job Service, and to actively seek employment shall be presumed to be ineligible for assistance under this standard, except initial relief shall not be denied for failure to register for employment prior to application unless the applicant has been given notice and opportunity to register prior to application. Any change of employment status of Job Service registration shall be immediately reported to the Director, who may terminate benefits if efforts to seek employment are not maintained by an employable recipient.

- (2) WORK RELIEF. Upon approval of the officer responsible the Director may offer work relief to any applicant for employment directly by the Town or by other governmental unit under any program established by the County. Persons accepting work relief shall be compensated for such work relief in accordance with the applicable assistance schedule and budget established by the Director under Section IV and VII but not less than the prevailing Federal minimum wage rate. Part-time work relief shall be prorated as provided in Section VII (3). Any applicant or person receiving assistance from the Town who refuses work relief offered by the Director without a compelling reason, such as physical incapacity verified by a physician's statement, shall be denied or terminated from assistance. The provisions of Wis. Stats., §49.05 shall apply to work relief granted by the Town.

ELIGIBILITY FOR OTHER PROGRAMS. An applicant who is awaiting income sufficient to meet basic needs or whose aid or other condition qualifies him or her for Social Security or other benefits shall be eligible for relief on an interim basis if other eligibility requirements for this program are met; provided

all applicants who, upon initial interview, appear eligible for resources other than general relief shall be referred immediately by the Director to proper resources including, but not necessarily limited to:

- (1) The County Department of Social Services.
- (2) Veteran's Service Offices.
- (3) Wisconsin Department of Vocational Rehabilitation.
- (4) Social Security Administration.
- (5) Unemployment Compensation Division of Wisconsin, Department of Industry, Labor and Human Relations.
- (6) Wisconsin Job Service.

ACTUAL RECEIPT OF OTHER ASSISTANCE. The receipt of public assistance from another agency or program shall not, in itself, act as a bar to receipt of public assistance from the Town provided the applicant demonstrates to the Director or the Board of Review the existence of needs which are not being met by such other public assistance agencies or programs, and that the benefit levels received by the applicant are not adequate to meet the applicant or recipient's needs.

REIMBURSEMENT AGREEMENTS. Applicants shall be allowed to consult with their attorneys or other counsel before signing a reimbursement agreement pursuant to Wis. Stats., §49.08. Aid may be paid pending execution of such agreement. If the applicant fails or refuses to sign such agreement within two weeks, no further aid may be paid until such agreement is signed.

8.04 SCHEDULES OF ASSISTANCE:

(1) The Director shall grant assistance based on consideration of the following schedule, subject to adjustments or proration permitted or required under Section 8.07

Monthly Allowance

<u>Group Size</u>	<u>Maximum Allowance</u>
1	\$ 325.00
2	350.00
3	375.00
4	400.00
5	425.00
6	450.00
7	475.00
8	500.00

9	525.00
10	550.00

For each additional member above 10, add \$25.00 per person per month.

(2) The allowances provided in subsection (1) are maximum allowances, and a lesser allowance may be provided, based on the budget deficit determined pursuant to Section VII.

(3) These schedules shall be reviewed at least annually by the Town Board to adjust for increases or decreases in the cost of living.

(4) Funeral and burial expenses shall not exceed necessary and reasonable charges authorized by the Director on an "as needed" basis.

8.05 APPLICATIONS FOR PUBLIC ASSISTANCE:

Each applicant shall complete a written application for public assistance on a form or forms supplied by the Town. Such an application shall be signed, sworn to and dated by the applicant. The completed application shall be retained by the Director and shall be available for inspection by the applicant and the staff or designated representative of a public assistance agency filed upon by nonresident notice or directly involved.

8.06 INVESTIGATION:

Upon receiving an application for relief, the Director shall examine the applicant regarding the factual circumstances supporting his or her claim to eligibility and needs and the corresponding amounts and thereafter shall make such other investigation as he deems reasonably necessary under the circumstances.

8.07 BUDGET AND DISTRIBUTION OF AID:

(1) ASSISTANCE BUDGET. The Director shall prepare a budget for each applicant. All income and nonexempt assets on hand or readily available to the applicant shall be subtracted from the budget needs. The amount of the resulting budget deficit, if any, shall be the amount of assistance to which the applicant is entitled.

(2) ASSISTANCE LIMITED TO NEED. In determining the amounts

of the budgetary deficit, no allowance shall be provided for relief unless a demonstrated need exists, and shall be limited to the extent of such demonstrated need.

(3) ASSISTANCE PRORATED. The assistance allowance of any applicant or recipient may be prorated on the basis of any part-time work relief received, or on the basis of any support received from nondependent persons because of a shared living arrangement.

(4) EXCESS AID. Aid in amounts greater than those provided in Section IV shall be granted by the Director only for significant additional needs that are not otherwise being met. The Director shall maintain records for any deviation from the schedule of aids set forth herein and shall make such records available for inspection by the designated representative of a public assistance agency filed upon by non-resident notice or directly involved.

(5) FORM OF GRANT. Assistance may be granted in cash, in kind or by the vendor/voucher system payable directly to the merchant, medical facility, physician, grocery store, furnishing merchant or other vendor.

8.08 HEALTH AND MEDICAL ASSISTANCE:

NONEMERGENCY ASSISTANCE. Nonemergency relief in the nature of medicine, medical, dental and surgical treatment (including hospital care), optometrical services, nursing and funeral expenses shall require prior written authorization from the Director and shall be given in amounts that are reasonable and necessary under the circumstances. In determining whether to approve any particular request for nonemergency health services, the Director shall contact the professional involved, if appropriate, to ascertain directly whether such services are reasonable and necessary.

EMERGENCY ASSISTANCE.

- (1) The provisions of Chapter 49 of the Wisconsin Statutes, with respect to liability for hospitalization and medical care rendered to eligible dependent persons having legal settlement within the municipality without previous authorization, shall apply to granting of emergency assistance by the municipality. The municipality shall not be liable for such care or hospitalization beyond what is reasonably required by

the circumstances of the case and liability shall not attach unless, within 7 days after furnishing of the first care or hospitalization, written notices by attending physicians and the hospital are mailed or delivered to the Director reciting the name and address of the patient, so far as known, and the nature of the illness or injury and the probable duration.

- (2) EMERGENCY AID TO NONRESIDENT DEPENDENTS. The Director shall grant emergency medical, hospital or drug assistance to persons within the Town who are determined by him to be dependent persons and in need of immediate assistance to protect life or health, subject to the provisions of Chapter 49 of the Wisconsin Statutes.

LIMITATIONS. Any health and medical assistance shall, under no circumstances, exceed those limits imposed by Wisconsin Medical Assistance or Medicare, whichever is less, for similar services.

8.09 PRORATION OF ASSISTANCE:

The Director may, in his discretion, provide assistance on a daily, weekly, bimonthly or monthly schedule prorating the benefits set forth in Section IV. Grants made on a weekly basis shall be prorated on the basis of 7/30th of the monthly allowance. Bimonthly grants shall be 50% of the monthly allowance.

8.10 DENIALS OF RELIEF:

BASIS FOR DENIAL. Except when an application is withdrawn, the Director shall not deny public assistance in accordance with these guidelines except for one or more of the following reasons:

- (1) Applicant does not meet the standards of eligibility set forth herein.
- (2) Applicant has refused to submit a written application or to complete any portion of the application form or to sign his or her application.
- (3) Applicant has failed or refused to supply sufficient information from which the Director can form a good faith belief as to the applicant's identity, residence history or eligibility for public assistance.

- (4) Recipient/applicant has failed or refused to seek or obtain employment or to register for employment with the Wisconsin Job Service after applicant has been given notice and opportunity to do so. Notice and opportunity to seek or obtain employment shall be deemed to mean the recipient/applicant has been notified of at least 2 suitable job opportunities commensurate with his or her physical ability, training and skills, and has failed or refused to contact the prospective employer or to make application for such job opportunity or to accept the position if offered.
- (5) Recipient/applicant has failed to sign an assignment of claim for third party liability agreement or Reimbursement Agreement as provided in Wis. Stats., §49.08 and §49.65.
- (6) Recipient/applicant's eligibility or need is dependent on the truth of a representation which the Director has reasonable cause to believe to be a false representation.
- (7) Recipient/applicant has refused a bona fide offer of employment or training without good cause, or has accepted and subsequently given inadequate performance through willful neglect.
- (8) Recipient/applicant has refused to or failed to take full advantage of other resources available.
- (9) Recipient/applicant has refused or failed to cooperate with the Director's investigation of the validity of his or her application.
- (10) Recipient/applicant has failed to sign an Assignment of Claim for third party liability agreement as provided in Wis. Stats., §49.65.

DENIALS.

(1) DENIALS TO STATE REASON. Denials shall state the specific reasons for the denial in plain language. Written denials shall be mailed out by first class mail to the address given in the application within 5 working days of the date of application. Denial shall be deemed delivered when so mailed.

(2) WRITTEN DENIALS TO BE FILED. The Director shall maintain a file of all written denials and supporting reasons.

(3) DENIALS TO INCLUDE NOTICE OF APPEAL RIGHTS. Each denial shall include a notice to the applicant of his or her right to appeal such denial as set forth in these standards and policies.

(4) FAILURE TO RESPOND DEEMED DENIAL. Failure of the Director to respond to a written application for assistance within 10 working days shall be deemed denial of the applicant's request. The Director shall nevertheless provide the applicant with the notice of his or her right to appeal such denial as set forth in these standards and policies.

8.11 APPEALS:

Any applicant denied relief by the Director shall have the right of appeal as provided in Chapter 68 of the Wisconsin Statutes.

8.12 ORGANIZATION:

(1) The Director of the program shall be the Town Clerk, unless provided otherwise by resolution of the Town Board.

(2) The Board of Review shall be the Town Board, unless otherwise provided by the Town Board.

(3) The Town Clerk shall be responsible for the maintenance of all required records of the program, and for such other ministerial activities as required by the Town Clerk.

8.13 VOUCHER PAYMENT SCHEDULE:

The following shall be granted to the Vendor:

- a. Food, allowance based on food stamp allowance.
- b. Restaurant meals, \$3.00 daily per person.
- c. Rent, sliding scale, \$100.00 - \$200.00 per month depending on household count and what is included.
- d. Room, \$35.00 per week.
- e. Room and board, negotiable.
- f. Fuel, according to current usage.
- g. Electric, according to current usage.
- h. Water, according to current usage.
- i. Clothing, moderately priced as needed.
- j. Personal and household items, \$4.00 per month

- for one person, \$6.00 per month for one family.
- k. Medicine, as needed on doctor's recommendation.
 - l. Medical, office visits as needed.
 - m. Dental, emergency dental care as needed.
 - n. Surgican treatment, as needed based on doctor's recommendation.
 - o. Hospital care, as needed on doctor's recommendation.
 - p. Nursing, as needed based on doctor's recommendation.
 - q. Transportation, as needed to job or medical needs.
 - r. Funeral expenses, according to Wis. Stats., \$49.30.
 - s. Telephone, not covered.
 - t. School expense, as required.

8.14 WORK RELIEF:

The Town Board, Town of Greenbush, has the option to place recipients requiring General Relief Assistance on a Work Relief Program.

Refusal of employment given by the Town Board shall necessitate discontinuance of General Relief Assistance to said individuals.