

ATTACHMENT A

Effective upon the Board of Supervisors (BOS) approval, the care and support of indigent and dependent residents of San Luis Obispo County shall be governed by the standards, policies, and procedures adopted in accordance with provisions of Division 9, Part 5, of the Welfare and Institutions Code.

1. General Provisions

- a. These standards and policies shall be known as the General Assistance Program.
- b. The BOS is authorized to set the General Assistance maximum grant according to the provisions of Welfare and Institutions Code Section 17000.5.
- c. The General Assistance program is a residual assistance program for those persons who are ineligible for aid under any other federal or state program. It is a temporary emergency assistance program when no other resources are available for an indigent or dependent resident of the County.
- d. In addition to providing support to eligible persons not supported by other means, General Assistance is intended to enable and encourage persons aided to find employment or job training if employable, and to reduce or eliminate the conditions that have led to the indigency and dependency.
- e. It is the intent of the County of San Luis Obispo BOS that General Assistance shall be administered, and services provided, promptly and humanely, with due regard for the preservation of family life, and without discrimination on the account of race, color, religion, political affiliation, national origin, marital status, sex, gender identity, sexual orientation, disability or age. Assistance shall be so administered and services so provided as to encourage self-respect and self-reliance.

2. Confidentiality of Records

The confidentiality of General Assistance records is governed by Section 17006 of the Welfare and Institutions Code.

### 3. Administration

- a. The General Assistance program is administered entirely by the County of San Luis Obispo Department of Social Services and its Director in accordance with this Resolution and appropriate Sections of the California Welfare and Institutions Code as herein referenced. Any provisions of the Welfare and Institutions Code that may be inconsistent with the provision of this Resolution shall govern.
- b. All rules, regulations, records, forms, controls and internal procedures for the administration of the General Assistance program shall be determined and established by the County of San Luis Obispo Department of Social Services, in accordance with the standards of aid and care for such persons as adopted herein by the BOS.
- c. The County of San Luis Obispo Department of Social Services Director is authorized to perform the necessary administrative, investigative, supervisory, and other duties and functions of the General Assistance Program as set forth in Sections 17000 - 17409 of the Welfare and Institutions Code.
- d. General Assistance program regulations shall be adopted, modified, or deleted in accordance with this policy as determined by the County of San Luis Obispo Department of Social Services Director.

### 4. Eligibility

- a. Assistance shall only be granted or paid for persons who have exhausted all liquid assets and resources currently available for support, except for those resources exempted, and are below allowable resource property limits. The County of San Luis Obispo Department of Social Services Director shall have authorization to set appropriate resource and property limits.
- b. Any person applying for General Assistance shall take all actions necessary to obtain other available income, including, but not limited to: State and Federal Public Assistance, benefits available to veterans of military service, Social Security Administration/Supplemental Security Income (SSA/SSI), or Unemployment Insurance Benefits (UIB).
- c. No person shall be eligible for General Assistance unless that person is a lawful resident within the County of San Luis Obispo. "Lawful resident"

means that person is (1) a resident of San Luis Obispo County and (2) a citizen of the United States or an alien lawfully admitted to the United States for permanent or indefinite residents under Federal law or regulation. Appropriate documentation of alien status, as determined by the Department shall be provided before eligibility to General Assistance can be established hereunder.

- d. Residence is determined by the combined physical presence and intent to remain within the County. An applicant must establish through reasonable means, as determined by the County of San Luis Obispo Department of Social Services that the applicant has been a resident of the County of San Luis Obispo for at least fifteen (15) days prior to applying for General Assistance. General Assistance shall not be denied, discontinued or delayed solely on the basis of an applicant's lack of a fixed resident address.
- e. Any person applying for General Assistance is responsible for providing all information and verification required to establish eligibility, within his or her physical, mental, and educational capacities and competence. Recertification of eligibility shall be made at the discretion, and upon authority, of the County of San Luis Obispo Department of Social Services Director.
- f. The County of San Luis Obispo Department of Social Services Director has the discretion to authorize payments of transportation costs to return non-residents of the County of San Luis Obispo to their place of legal residence.

## 5. Student Eligibility

- a. Any person enrolled in an institution of higher learning is subject to the following student eligibility rules:
  - 1) If enrolled less than half time, applicant must meet all other income and eligibility guidelines and can participate either as a disabled recipient or employable recipient.
  - 2) If enrolled half time or more and under the age of 26, they must verify their tax dependency status by providing a copy of their Free Application for Federal Student Aid (FAFSA) If they are claimed as a tax dependent, they are not eligible to the General Assistance program.
  - 3) If enrolled half time or more and over the age of 26 or they are not claimed as a tax dependent they must meet all other eligibility

guidelines and can participate either as a disabled recipient or employable recipient.

6. Sponsored Aliens

The legal sponsor of an alien recipient of General Assistance must sign a written agreement to repay any aid provided to that alien during the period of time that the sponsor has agreed, in writing to provide for the alien. The District Attorney or any other civil legal officer may maintain an action against the legal sponsor of the alien to recover, for the County of San Luis Obispo, any aid provided to the alien during the period described above and to secure an order requiring payment of any sums that may become due in the future. For the purposes of enforcing this section, the County of San Luis Obispo may seek and employ all remedies otherwise authorized by law. This paragraph shall not be construed to authorize the County of San Luis Obispo to penalize a recipient of General Assistance or to otherwise deny, curtail or modify the General Assistance provided a recipient.

7. Deprivation

- a. In order to receive General Assistance, a person shall be indigent and not supported by relatives or eligible to support from any source other than General Assistance. The legal responsibility and liability of relatives for support and maintenance of an applicant or recipient shall be determined in accordance with Welfare and Institutions Code Section 17300.
- b. An applicant or recipient who is unable to work shall provide a doctor's statement of disability attesting to the physical or mental condition of the applicant or recipient including the extent and duration of unemployability. Applicants who are expected to remain disabled on a long- term basis shall be required to apply for Social Security disability benefits and comply with the Social Security disability application process.
- c. An applicant or recipient determined to be employable and who is not employed shall be available for and actively seeking employment. In order to be eligible to receive ongoing benefits, the GA recipient must comply with and provide proof of completing minimum weekly hours in activities agreed upon with the County of San Luis Obispo Department of Social Services that are designed to assist the recipient to become employed.

## 8. Sanctions

- a. Pursuant to Welfare and Institutions Code Section 17001.5, aid may be discontinued for a period of not more than 180 days with respect to any recipient who is able-bodied and mentally competent, and has received General Assistance benefits for three (3) months if the recipient:
  - 1) Fails or refuses, without good cause, to participate in a qualified job training program, participation of which is a condition of receipt of such benefits, and/or
  - 2) After completion of a job training program, fails, or refuses, without good cause to accept an offer of appropriate employment, and/or
  - 3) Persistently fails or refuses, without good cause, to cooperate with efforts to:
    - a) Enroll the recipient in a job training program, or
    - b) After completion of a job training program, locate and secure appropriate employment for the recipient.
- b. For purposes of the above paragraph, lack of good cause may be demonstrated by a showing of any of the following:
  - 1) The willful failure or refusal of the recipient to participate in a job training program, accept appropriate employment or cooperate in enrolling in a training program or locating employment, or
  - 2) Failure of the recipient to engage in any of the activities described in clause 8.a. above.
- c. Notwithstanding the above paragraphs, General Assistance may be discontinued, or sanctions applied to recipients for failure or refusal without good cause to follow program requirements.
- d. A recipient may "cure" the sanction by complying with all applicable program requirements. Reapplication for General Assistance may be made when the sanction period has expired, or when the sanction is "cured" by the recipient. If a recipient is unable to cure a sanction because they are no longer apparently eligible to the program for which they are sanctioned, the

sanction shall be deferred by the General Assistance program. This provision does not apply to discontinuance for reasons related to ineligibility based on residency, income, and/or resources.

9. Property

In determining eligibility for General Assistance, all real and personal property owned by the applicant or recipient shall be considered available and used to determine General Assistance aid payments. The County of San Luis Obispo Department of Social Services Director is granted authority to determine allowable property limits, allowable property exemptions and discretion to adjust either or both.

10. Income

All income from any source shall be considered available and used to determine General Assistance aid payments. A General Assistance applicant or recipient's income must be below the maximum grant for their household size in order to be eligible to receive a payment. Income received by the household is deducted from the maximum grant amount on a dollar for dollar basis to determine the aid payment amount.

11. Standard and Payment of Assistance

The Standard and Payment of Assistance, including the value of in-kind aid, shall be calculated as set forth in the California Welfare and Institutions Code Section 17000.5.

- a. The current maximum grant amount is \$355 for a household size one, \$459 for a household size of 2, \$544 for a household size of 3 and \$698 for a household size of 4.
- b. Recipients, not disabled, are eligible for up to 12 weeks of benefits out of every 12 consecutive months. The 12-month time frame is calculated from the date of application.
- c. General Assistance aid payment may be issued through vendor payments, disbursing orders, protective payments or money payments as determined by the Department. Aid shall be paid at such time, and to whom the Department designates as Payee.

12. Notices of Action

- a. In all cases of a decrease or discontinuance of General Assistance, except denial of initial application, a Notice of Action (NOA) shall be mailed, or otherwise delivered at least 10 calendar days prior to the effective date of the proposed action.
- b. The NOA shall be in simple language and specific as to the basis for the proposed action, include reference to the applicable regulation or policy and indicate the right of appeal to the recipient.
- c. A recipient may request aid-paid pending the hearing process if the request is made prior to the effective date of the proposed action. Aid paid pending shall not be approved for discontinuances related to exhaustion of program time limits. Aid shall be continued in the original amount the recipient would have been paid prior to discontinuance or reduction. Recipients who file an appeal and receive aid paid pending must continue to comply with all GA eligibility and program requirements.
- d. The notice of hearing shall be served within five (5) business days after the Evidentiary Hearing request is filed and the County shall conduct the Hearing within 10 working days after the notice is served. The recipient has 30 days from the receipt of the NOA to request a hearing.
- e. An applicant whose aid is denied may appeal the denial by submitting a written request for a hearing within 30 calendar days of the date the NOA is mailed or otherwise delivered.
- f. Guidelines for the Evidentiary Hearings shall be established by the Department.

13. Mortuary Services, Burial and Cremation

- a. The County in which a death occurs shall be responsible for the burial of indigents. A County payment for mortuary costs and disposal of remains shall be approved if the deceased person's responsible relatives lack resources to pay for the burial. Responsible relatives are defined as spouse, adult children, parent or parents, and adult siblings and half-siblings of the deceased.
- b. The Director has discretion to provide for payment for the burial of an indigent San Luis Obispo County resident who dies in another County.

- c. Disposition of remains shall be by the most cost effective means available with consideration of any special circumstances surrounding the decedent or the decedent's family. The Director is authorized to approve, amend and implement policies and procedures to provide the delivery of services for the County's Indigent Burial program.