



Township Assistance

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When am I required to provide Township Assistance?



- “A township trustee...may provide and shall extend township assistance only when the personal effort of the township assistance applicant **fails to provide one (1) or more basic necessities.**”
- Cannot extend aid to an individual if they have been convicted of a misdemeanor (1 year after conviction) or a felony (10 years after conviction).
- Trustees shall process all applications for TA according to uniform written standards and without consideration of the race, creed, nationality, or gender.

Profiteering/Fraud



- A person who receives any item of value from anyone for assisting them commits TA Profiteering.
 - **Class C Misdemeanor**
- A person who unfairly profits from TA commits Fraud:
 - **Level 6 Felony**
 - Includes:
 - Receiving payments for goods or services when goods or services were not provided,
 - Charging the Trustee more for the goods or services than they would members of the public.
- **Anyone who commits TA Fraud is ineligible to participate in TA for 30 years**

Basic Necessities



- Includes those services or items essential to meeting minimum standards of health, safety, and decency, including:
 1. Medical care (IC 20-16-2)
 2. Clothing and footwear
 3. Food
 4. Shelter
 5. Transportation to seek/accept employment
 6. Household essentials
 7. Essential Utility Services
 8. Other services the Trustee determines are necessities

In what form can I provide Township Assistance?



- Medical Assistance
- Utility Services Payment
 - Prepaid electric service.
- Food Relief
 - Can't provide TA if eligible for SNAP.
- Funeral and Burial/Cremation Expenses
- Insulin

What else can I pay for from the Township Assistance Fund?



- Salaries/Wages for:

- Clerical Staff

- Supervisors

- Investigators

- If you have supervisors/investigators, please review IC 12-20-4-4 through 11.

- Assistants

- Office Expenses

Township Assistance (TA) Standards



IC 12-20-5.5-1

- Required to provide assistance according to standards.
- Proposed by the Trustee, adopted by the Township Board, and filed with the board of county commissioners.
- **Reviewed and updated annually** – reflect changes in cost of basic necessities.
- Published in a single written document.
- Posted prominently in all offices where township assistance is processed.

What should be in the TA Standards? (IC 12-20-5.5-2)



1. Criteria to determine eligibility,
2. Minimum requirements for Trustee accessibility,
3. Following information:
 - Office locations, hours, days available
 - Initial and continuing eligibility criteria
 - Workfare requirements
 - Essential/nonessential assets
 - Available resources
 - Income exemptions
 - Application process
 - Countable income and assets
 - Wasted resources

Accessibility Requirements



IC 12-20-5.5-3

- Required to **publish a telephone number.**
- **If TA office not in home**, then location must have a **sign that includes Trustee's name, availability of assistance, and telephone number.**

IC 12-20-5.5-4

- For Townships that have assisted more than 50 households in the prior two years and have a population at least 10,000 must provide the following:
 - Scheduled office hours with staff qualified to process assistance.
 - Minimum of 14 office hours per week, with not more than one weekday between days office is open.
 - Provide after hours access via answering machine, answering service, etc...
 - Must respond within 24 hours after receiving inquiry, excluding Saturday, Sunday and holidays.
 - Post office hours and telephone at each Township office.

Other Public Assistance



- Trustee must obtain information about public assistance programs and services administered by:

- Division of family resources (FSSA)
- County officers
- Social Security Administration
- Federal Food Stamp (SNAP) program
- Other federal/state governmental entities

Other Public Assistance (Continued)



- If someone is granted **emergency assistance**, and the Trustee determines they may be eligible for other public assistance, the applicant must file for that other public assistance with 15 days.
 - If they don't, they can't be granted TA for 60 days.
- If an applicant has a relative living in the Township who is able to assist, the Trustee should ask the relative to help the applicant before giving aid a second time.
 - Relative includes: Parent, Child, Sibling, Step or Grand of those.
- Trustee **can't use TA funds to pay the cost of shelter if they live with the relative, or if the landlord is a relative if the housing is unencumbered by a mortgage or the shelter has not been a rental for the previous 6 months.**

Consent to Disclosure of Personal Information



- Each applicant and adult member of the household must consent to a disclosure and release of information before TA can be provided.
- If information is declared confidential by state or federal statute, then you can't obtain it!
- The **county office** of the Division of Family Resources must provide information to the Trustee about:
 - Other types of public assistance being provided.
 - Amounts of other public assistance.
 - Information about resources, assets, income, etc...
- Upon request, **employer** of applicant must provide Trustee with information about applicant's income.

Misuse of Information on Prior Slide



- **CLASS A MISDEMEANOR!!!**

- That information received is NOT public record
- Anyone that discloses or misuses the information commmits a Class A Misdemeanor

Covid-19 TA Issues



- State Examiner Directive 2020-2
 - Will not take exception to:
 - Assisting applicant completing the TA application by telephone or other digital methods.
 - Alternative procedures regarding applicant signature lines.
- Stimulus Checks – Up to the Township to determine via a policy if included in countable income.
- ITA abbreviated TA application - able to be used during public health emergency.

Township Application Requirements



IC 12-20-6

- Must have an application or affidavit on file with the Trustee **within the prior 180 days.**
- If additional assistance is provided, then an affidavit must be filed where the applicant affirms the condition of the individual or household.
- If Trustee knows that the individual may be eligible for other public assistance, then when referred by the Trustee, the individual is required to apply for the other public assistance prior to getting Township Assistance.
 - For example, if you believe the applicant may be eligible for food stamps, then you could refer them to apply for the federal program prior to providing township assistance.

Township Application Requirements Continued



IC 12-20-6

- **Emergency situations require immediate action.** For nonemergency situations, the Trustee has **up to 72 hours** after receiving the application, excluding weekends, **to act.**
 - Actions include: providing assistance, denying assistance, or pending further information.
- Notice of action must be in writing, provided in person or mailed with 72 hours, *and include the option of the applicant to appeal a denial with the county board of commissioners.*
- Requires Trustee to complete an Investigation prior to providing assistance.
- If an applicant or a member of the applicant's household has a relative living within the Township, then the Trustee is **required to request the relative to assist the applicant prior to providing assistance for a second time.**

Township Application Requirements Continued



- Application for TA is not complete until **all adult members of the household have signed**:
 - The TA application, or
 - Any other form or document required by law or determined necessary by Trustee, as contained in the TA guidelines.
- Trustee can assist with filing out the application if:
 - Mental or physical disability
 - Dyslexia
 - Can't read/write English

Investigation



- When an application is received, the Trustee (or investigator) should carefully investigate the circumstances of each applicant and each member of the applicant's household to ascertain the following:
 - Legal Residence
 - Names and Ages
 - Physical condition of residents
 - Present and previous occupation
 - Ability and capacity to perform labor
 - Cause of current condition
 - Whether the household is entitled to immediate future income
 - Whether there are relatives able and willing to assist the applicant

Residence



- A resident is an individual who:
 - Has located in the township or county; and
 - Intends to make the township or county their sole place of residence.
- **Trustee can deny assistance if they determine that the individual does not intend to make the township or county their sole residence.**
- If Trustee is **unable to ascertain** and establish the place of legal residence, the Trustee must provide assistance.

Non-Residents



- If a non-resident individual is a:
 - Child,
 - Parent of a child requiring the parents' care,
 - Sick, aged, injured, crippled, or physically or mentally unable to work or travel.
- **Trustee shall furnish TA to the individual until they can be returned to their place of residence.**
- If their place of residence can be determined (and that is outside of the Township), the Trustee may return them to their place of legal residence.

Payment of TA Claims



IC 12-20-20

- Assistance claims must be itemized, audited, and certified by the Trustee.
- Payments directly to vendors must be made within 45 days.

IC 12-20-24

- If money is not available for the payment of township assistance, the township board **must appeal to the DLGF to borrow money.**
- If the township board does not appeal to borrow money or if an appeal fails, the county board of commissioners may borrow money or otherwise provide the money.
- Debt must be paid back within 5 years.
- Additional appropriations must be requested, and a tax rate must be levied.

Appeal Process



- To County Board of County Commissioners (BCC).
 - Within 15 days of written notice from Trustee of denial.
- BCC may:
 - Conduct hearing; or
 - Appoint a hearing officer
- BCC must develop uniform written procedures, including provisions for:
 - Applicant review of TA file
 - Order for proceeding
 - Procedure for subpoena
 - Issuance of a decision
- Decision can be appealed by either party to circuit / superior court in the county.

Township Assistance Statistical Report (TA-7)



IC 12-20-28-3

- Requires SBOA to collect an annual statistical report of township assistance.
- Statute lists the specific information that must be collected.
- SBOA has included the list of information in a section on the TA-7 within the Annual Financial Report (AFR) in Gateway.
- Requires a copy of the report to be provided to the County Auditor.

Burials – Common Questions

IC 12-20-16-12



When do I have to pay burial expenses?

- When a resident of the Township passes away without money, personal property, assets to be liquidated, or other means to pay for burial expenses.

How much can I pay for burial expenses?

- A trustee shall determine the cost for the items and services required by law for the funeral and burial of an individual, including a burial plot, and for the cremation of an individual, and **include in the township's township assistance standards the maximum funeral and burial or cremation amount** to be paid from township assistance funds.
- The cost of the funeral **may not be more than the cost of the least expensive funeral**, including any necessary merchandise and embalming, available from the funeral director under the funeral director's price list disclosed to the Federal Trade Commission.

Recovery From Estate



- Trustee may file a claim for the value of the TA given the recipient before death against the estate of a recipient who:
 - Dies, leaving an estate; and
 - Is not survived by:
 - A spouse
 - An adult dependent with a disability
 - A dependent child less than 18 years of age

Wasted Resources IC 12-20-5.5-2



- IC 12-20-5.5-2 details the requirements of the **TA Standards** and includes information for “Wasted Resources”.
- Definition of Wasted Resources IC 12-7-2-200.5:
 - “(1) the amount of money or resources expended by an applicant or an adult member of an applicant's household seeking township assistance during the thirty (30) days before the date of application for township assistance for **items or services that are not basic necessities.**”

Employment As a Condition



- If applicant, or a member of the applicant's household is in good health, the Trustee **shall require the individuals who are able to work to seek employment.**
 - Trustee shall refuse to give TA until the Trustee is satisfied they are endeavoring to find work.
- Trustee shall make all possible efforts to secure employment for an able-bodied applicant in the Township they reside.
- If an applicant says they are unable to work because of health, the Trustee may require a medical examination.

Workfare Requirements



- Trustee shall obligate any adult member of a recipient household to do any work needed to be done within the county or an adjoining Township for any nonprofit agency or governmental unit, unless:
 - Physically unable
 - Minor
 - Over 65
 - Already have full time employment
 - Needed to care for an individual because of their condition
 - No work available

Workfare Requirements Continued



- Recipient shall perform an amount of work that equals the value of assistance received.
- Recipient shall receive credit for the work performed at a **rate not less than federal minimum wage**.
- Trustee may, with the approval of the Board, do the following:
 - Conduct the following for TA recipients:
 - Rehabilitation programs
 - Training programs
 - Retraining programs
 - Work programs

Township Assistance “Certification”



- Chapter 3 – Township Manual

- “The payee line should be signed by the recipient of Township funds in all instances where Township Assistance is provided directly to the eligible person. The Trustee should make every effort available to obtain the payee’s signature from a recipient of Township funds.”

- Form 6 – Township Check

- “I certify this to be the exact sum received and that it is for the purpose herein stated; that no part of said sum has been retained by, returned to, or has been directly or indirectly agreed to be returned to, the Trustee or any other person.”

Conflict of Interest



- Must file a conflict of interest if:
 - A public servant has a pecuniary interest in or derives a profit from a contract of purchase connected with an action by the governmental entity.
- **Example:** If a Trustee owns rental houses and the applicant lives in a property they own → receiving TA funds would require you to file a conflict of interest.



Questions?