

RESOLUTION 2016 - 249

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, REPEALING ST. JOHNS COUNTY RESOLUTION 2011-169 AND APPROVING THE REVISED POLICY MANUAL OF THE ST JOHNS COUNTY SOCIAL SERVICES DIVISION.**

**RECITALS**

**WHEREAS**, pursuant to Section 125.01 (1)(e), Florida Statutes, the County is authorized to provide health welfare programs for County residents to the extent not inconsistent with general or special law; and

**WHEREAS**, the County has established a variety of programs for providing non-mandated services to County residents, including specialty and hospital inpatient medical assistance, general assistance and navigational services; and

**WHEREAS**, in 2011, the County adopted the Social Services Policy currently in use by the County's Health and Human Services Department; and

**WHEREAS**, in keeping with the societal, economic, legislative and budgetary changes within the community, revisions to the policy are needed; and

**WHEREAS**, revision of the Social Services Policy Manual serves a public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:**

**Section 1. Incorporation of Recitals.**

The above recitals are hereby incorporated into the body of this resolution, and are adopted as findings of fact.

**Section 2. Approval and Authority to Execute.**

The Board of County Commissioners hereby approves the attached St. Johns County Health and Human Services Policy Manual of the St Johns County Social Services Division.

**Section 3. St. Johns County Resolution 2011-169 Repealed.**

St. Johns County Resolution 2011-169 is hereby repealed.

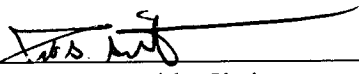
**Section 4. Correction of Errors.**

To the extent that there are typographical, administrative or scrivener's errors that do not change the tone, tenor or concept of this resolution, this resolution may be revised without further action by the Board of County Commissioners.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, State of Florida, and this 16<sup>th</sup> day of August, 2016.


**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

By: \_\_\_\_\_

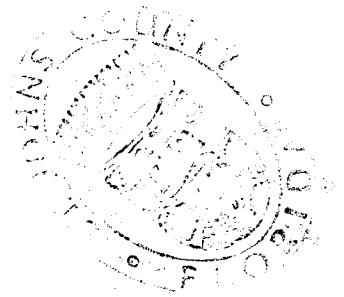
  
Jeb S. Smith, Chair

**ATTEST: Hunter S. Conrad, Clerk**

By: \_\_\_\_\_

  
Deputy Clerk

**RENDITION DATE** 8/18/16





**St. Johns County Board of County Commissioners**

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Health and Human Services | Social Services Division

**St. Johns County Health and Human Services  
Social Services Policy Manual**

## **General Program Information**

### **Introduction**

St. Johns County Social Services Division was created in 1978 to administer the County's assistance program aimed at reducing social and economic dependency, and to provide interim medical and other related services to needy individuals and families who are residents of St. Johns County. Assistance is supplemented with referrals to appropriate local, state, or federal agencies.

On September 10, 1996, the Board of County Commissioners of St. Johns County adopted Resolution 96-153 stating that beginning January 1, 1997, all applicants for and recipients of medical care of non-mandated services will be subject to meet certain income, asset, and employment requirements. On July 16, 2002, the resolution was amended by Resolution 2002-136, changing the income level to meet the Federal Poverty Guidelines, and limiting the number of eligible inpatient hospitalization days the County will pay. The St. Johns County Social Services Division has developed a network of provider agencies to assure that we have quality health care and early intervention in order to reduce per client expenditure.

The Social Services Division earned accreditation in November 2012 from Council on Accreditation (COA) for case management services.

### **Division Overview**

The Social Services Program is under the umbrella of the St. Johns County Health and Human Services Division. Social Services administers the County's Medical Assistance Program budget, is responsible for payment of a percentage of the state-mandated Medicaid Participation and provides resource and referral services. The Social Services Program also provides staff support for the Health and Human Services Advisory Council and the Housing Finance Authority.

In addition, the Social Services Program provides eligibility assistance for programs, including those programs offered by the EMS, County Tax Collector, and County Planning and Zoning Division.

Social Services provide the following programs and services the residents of St. Johns County:

Non-Mandated Services, includes but is not limited to:

- General Assistance
- Hospital Inpatient Assistance
- Specialty Physician Services (Medical)
- Outpatient Services (Lab, Testing, etc.)
- Prescriptions
- Self Sufficiency Related Programs
- Case Management
- SSI/SSDI Outreach, Access and Recovery (SOAR)
- Navigational Services

- Homeless Prevention and Rehousing Programs (based on funding availability)
- Solid Waste Tax Exemption Program (Tax Collector)
- Emergency Management Services (EMS) Transport Charges Discount/Write-off Program
- Humanitarian Waiver (Planning and Zoning)
- Staff Support for the Health and Human Services Advisory Council (HHSAC)
- Staff Support for the Housing Finance Authority (HFA)
- Staff support for the Affordable Housing Advisory Committee (AHAC)

**Mandated Services:**

- Indigent Deaths/Cremations
- Health Care Responsibility Act (HCRA)
- Medicaid Participation

**Non-Mandated Service Guidelines**

The Social Services Division can provide assistance to resident individuals and families who lack the resources to obtain necessary medical or other services. The funding for these services is discretionary and may be discontinued or reduced at any time. Staff will serve as “navigators” to link clients to other resources and services that may provide direct financial support when available and appropriate.

The right to assistance carries with it the definite responsibility for maximum self-support, maximum self-direction, and active participation in plans for rehabilitation and self-sufficiency. Refusal by an applicant to cooperate in providing complete and accurate information during the application process, or to accept and pursue an appropriate referral from the division to another governmental or private agency, may cause the application to be denied. The Social Services Division reserves the right to refuse support to clients who do not comply with their plans for rehabilitation and self-sufficiency.

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## **Chapter 100 Program Descriptions**

### **100.1 – 2016      General Assistance**

St. Johns County Social Services provides assistance with rent, utilities, food, emergency life threatening medicines, and transportation when funds are available. Eligibility for these services is based upon need due to a crisis.

### **100.2 – 2016      Hospital Inpatient Services**

Inpatient facility charges are not covered through the Social Services Division; however, inpatient physician charges are covered under this program if determined eligible.

### **100.3 – 2016      Specialty Physician Services/Medical**

When appropriate, this program covers Specialty Physicians' services needed in life-threatening and/or critical care situations, whereas neglect of care would possibly lead to other serious issues or complications. Clients in need of chronic/ongoing medical care or treatment must have Social Services Manager approval.

St. Johns County Social Services attempts to provide all necessary service to ensure the health of clients. However, there may be some medical or dental service desired by a client (or client's doctor) that cannot be covered. In such cases, staff will attempt to refer clients to other agencies for assistance. Based on funding availability a cap is established by the Social Service Manager and Health and Human Services Director at the start of each fiscal year.

### **100.4 – 2016      Outpatient Services**

This program pays for outpatient care such as x-rays, MRI's, CT scans, physical therapy, laboratory services, and home health care services.

### **100.5 – 2016      Prescriptions**

The County contracts with a local provider to provide medications to clients. This program covers prescriptions issued by physicians. The State of Florida Medicaid formulary has been established and is used as a guide when prescribing medications for clients. Generic drugs are to be used when available. Controlled pain medications are only approved after surgery or a procedure for 10 to 14 days; exceptions are permissible for terminally ill patients.

Long term medication may be available through programs offered by pharmaceutical companies. Assistance may be provided with obtaining these medications prescribed by Primary Care physicians. Staff will provide information and applications (Prescription Assistance Programs), if applicable.

The program also provides assistance to eligible clients who have a prescription for medical supplies and/or equipment rental. This includes, but is not limited to, oxygen, CPAP machines, wheelchairs, walkers, etc.



**100.6 – 2016 Indigent Deaths/Cremations**

Pursuant to Florida Statutes, Chapter 406, the St. Johns County Board of County Commissioners is responsible for the disposition of indigent or unclaimed persons who expire in St. Johns County. St. Johns County Social Services will pay for the cremation of indigent or unclaimed persons who die in St. Johns County. Local funeral homes are provided vouchers for such services on a rotating basis.

**100.7 – 2016 Health Care Responsibility Act (HCRA)**

County residents who receive services in out-of-county hospitals, either through emergency admissions or for services not provided in St. Johns County, are covered under the Health Care Responsibility Act (HCRA), a state-mandated program if determined eligible.

**100.8 – 2016 Case Management**

St. Johns County Social Services Division's goal is to reduce social and economic dependency by providing a bridge of interim medical and other available services to qualified individuals and families who are residents of St. Johns County.

Social Services staff will case manage clients by providing follow-up on clients served to ensure their continued progression toward self-sufficiency. Social Services staff will case manage clients monthly and document in a case management system and in the Homeless Management Information System (HMIS) when applicable. Should a client become non-compliant during the required case management time period, clients will be documented in the case management system and HMIS as non-compliant and may jeopardize future assistance. Every reasonable attempt will be made to maintain contact with clients to promote successful case management.

Case management will be based on the following schedule:

- General Assistance – 3 months from date of assistance (longer if necessary)
- Grants – as specified by respective contracts
- Medical Assistance – ongoing case management required for duration of program
- ELI (Extremely Low Income) Housing – ongoing case management required for duration of program for special needs housing

Social Services staff will support its mission of client self-sufficiency by appropriate navigation and referrals to other agencies, and by ongoing case management.

**100.9 – 2016 SSI/SSDI Outreach, Access and Recovery (SOAR)**

The SOAR program focuses on assisting persons who are mentally ill, homeless, or at imminent risk of homelessness through the application and disability determination process for Social Security Disability Insurance (SSDI) benefits and Supplemental Security Income (SSI) benefits.

Social Services designated Case Specialists will screen, interview, and assist qualified homeless residents of St. Johns County, with the processing of Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits. Case Specialists may provide assistance to other St. Johns County residents in the application process; however, priority will be given to the SOAR cases. This process may

take up to 8 weeks but the desired outcome is to expedite benefits to deserving clients who may not otherwise receive benefits on their own.

**100.10 – 2016 Navigational Services**

Social Services Division will serve as a navigator to connect people with resources within the community, including referrals to other agencies. Referrals, written or electronic, will be made to appropriate providers and/or organizations. If local agencies lack the ability to assist, staff may also contact other resources outside the St. Johns County area.

**100.11 – 2016 Medicaid Participation**

Counties are required under Florida Statutes, Chapter 203, to participate in the cost of Medicaid Hospital and Nursing Home services provided to county residents.

Florida Statute, Chapter 203-048, designates the Division of Revenue as the responsible entity to collect the county share of costs for Medicaid recipients. Although the State is responsible for the full portion of the State share of the matching funds required by the Medicaid Program, the State is required to charge the counties an annual contribution based on the current formula provided by the State. The County's contribution may fluctuate annually and can be paid monthly.

**100.12 – 2016 Solid Waste Tax Exemption Program**

Social Services Division provides interviewing, screening, and eligibility determination to applicants requesting assistance based on financial hardship. Upon approval, the applicant would be exempt from the County's solid waste collection assessment and from the solid waste recycle assessment. This exemption is established by County resolution, which is based on the Federal Poverty Level which is subject to change.

**100.13 – 2016 Humanitarian Waiver Program**

The Board of County Commissioners of St. Johns County has authority to waive the filing fees for zoning exceptions, variances, and appeals for exceptions and variances in cases involving exceptional and demonstrable financial hardship of the property owner, or in certain cases precipitated by a natural disaster, fire, flood, vandalism or other sudden physical cause.

Social Services Division provides interviewing, screening, and eligibility determination to applicants requesting a Humanitarian Waiver. A referral will be provided by the Growth Management Department to initiate the process. The County Administrator, or designee, shall investigate the facts of any application for a Humanitarian Waiver, and is the authority to grant such waivers on a case by case basis under the provisions of this Ordinance (97-33). This exemption is established by County resolution, which is based on the Federal Poverty Level that is subject to change.

**100.14 – 2016 Emergency Management Services (EMS) Transport Discount/Write-off Program**

Social Services Division screens and determines eligibility for indigent status for St. Johns County Fire and Rescue write-off program. Clients meeting eligibility requirements with an income level up to 150%

of the Federal Poverty Level are eligible for 100% write-off of the bill; clients with an income level between 150% - 200% of the Federal Poverty Level will be eligible for 50% write-off of the bill. Any client with an income level over 200% of the Federal Poverty Level will not be eligible for the write-off of the bill. There is also possible additional assistance through a charity program for county senior/disabled Medicare recipients (without a secondary payer) who meet the federal poverty guidelines.

**100.15 – 2016 Staff Support for the Health and Human Services Advisory Council (HHSAC), Housing Finance Authority (HFA) and Affordable Housing Advisory Committee (AHAC)**

The Board of County Commissioners established three Advisory Committees and tasked the Social Services Division of Health and Human Services to provide staff for these three committees. Staff duties and support include advertising meetings, recording and transcribing meetings, data collection, and other duties as assigned.

## **Chapter 200 Administrative Policy**

### **200.1 – 2016 Confidentiality (All Programs)**

To the extent permitted by law, all individuals have the right to a confidential relationship with the Division and its authorized community partners. Staff will comply with all state and federal laws regarding confidentiality with respect to information received in connection with the Social Services Programs.

### **200.2 – 2016 Confidential Information (All Programs)**

Staff will restrict the use or disclosure of confidential information to personnel directly connected with the administration of all the Social Services Programs who:

1. Establish eligibility;
2. Determine the amount of emergency and housing related assistance; and
3. Provide services

Confidential information may only be released to third parties if such release is permitted by applicable state or federal law or if the applicant has given written consent for the information to be released. Staff will consult the Social Services Manager if there is a question as to the confidentiality of information or whether information can be released to a third party.

### **200.3 – 2016 Inspection of Information by Applicant/Recipient**

An applicant for social services, a recipient of social services, or the applicant/recipient's authorized representative has the right to inspect any information relating to the applicant/recipient's receipt of services. Staff will ensure the appropriate information and material is available for inspection or release at a prearranged time during normal business hours upon request by the applicant/recipient or the applicant/recipient's authorized representative.

Staff will remove confidential information prior to case record examination and maintain staff presence at all times when the applicant/recipient or authorized representative is inspecting or photocopying the record. With the exception of medical reports identified as confidential, staff will provide copies of case information the applicant/recipient needs to qualify for another program's benefits.

Staff shall consult with the Social Services Manager to determine what information, if any, is required to be kept confidential from the applicant/recipient.

### **200.4 – 2016 Issuance of Subpoena**

If the Division receives a subpoena for case information or for a Division representative to testify concerning a recipient, staff will notify the Social Services Manager who will in turn contact the Office of

the County Attorney for guidance. Staff will follow directives provided by the Office of the County Attorney.

**200.5 – 2016          Personal Interest Cases**

Personal interest cases include, but are not limited to the following: potential clients that are friends, neighbors, social acquaintances, co-workers, known members of the same community organization or church, ex-spouses, relatives by blood or marriage, or family members of the Social Services staff.

Any personal interest case must be brought to the attention of the Social Services Manager or his/her designee for assignment. If an employee accesses, takes action on, or views a personal interest case without authorization by the Social Services Manager, the employee may be subject to disciplinary action. Staff must not access, view, or take action on any case, eligibility record, or any other related materials for personal use.

Staff must not take any action, gather or provide any information from any case as a favor or because of personal influence, for any individual who has the same relationship as individuals in personal interest cases.

Staff members have an obligation to report to the Social Services Manager if they receive an assignment for a personal interest, staff should also report any concerns of fellow staff violating this policy.

**200.6 – 2016          Discrimination**

Staff will not discriminate against any individual for reasons of age, race, sex, color, disability, national origin, religious creed, marital status, or political beliefs in any aspect of program administration. For complete information on this policy refer to the Division's nondiscrimination operating procedures.

**200.7 – 2016          Report of Abuse**

Florida Statutes 39 and 415 require the mandated reporting of suspected abuse, neglect, or exploitation of any child, aged person, or disabled adult. Social Services staff members are mandated to report suspected abuse or neglect of children or vulnerable adults to the central abuse hotline at 1-800-962-2873, and immediately notify the Social Service Manager.

**200.8 – 2016          Verification**

Social Services staff members are responsible for verifying the accuracy of information received in connection with a Social Services applicant or recipient through a source other than the individual, including documents and electronic sources. This includes, but is not limited to, all telephonic or personal contacts and documented evidence used as verification in the case record. If a collateral contact is the source of verification, staff will record the eligibility factors verified in detail: the name of the person contacted, the address and phone number, the date of the contact, and complete information obtained from the contact.

### **200.9 – 2016 Prohibition on Photocopying Certain Documents**

It is a crime to photograph or otherwise reproduce a U.S. Treasury Note or other negotiable document, even though there is no intent to deceive the public. Negotiable documents include, but are not limited to, the following:

1. Currency;
2. Postal money order;
3. Checks or drafts for money drawn by or upon authorized offices of the United States, including Social Security checks, Veterans checks, Supplemental Security Income checks, Civil Service checks and IRS refund checks;
4. Obligations or securities of the United States Government (ex: certificates, bonds and reserve notes); U.S. Treasury Notes

There is also a prohibition against photocopying or otherwise reproducing Certificates of Naturalization for United States citizenship.

If an individual provides Social Services staff with an original or copy of a document, staff should record the necessary information such as the document number, date, amount, payee or name. After recording, return the document to the individual and destroy facsimiles and other copies not needed by the individual.

### **200.10 – 2016 Appeals**

The Division must provide an appeal to any individual who disagrees with any decision, action, or proposed action affecting the individual's participation.

Staff will inform all individuals in writing at the time of application or any other action, of the right to an appeal and the method for requesting an appeal. Individuals will be reminded verbally of the right to request an appeal any time the individual expresses a disagreement with any action taken. Staff will not limit or interfere with an individual's right to request an appeal.

A request for an appeal is any clear expression, oral or written, by an applicant/recipient or authorized representative that he/she disagrees with the actions, decisions, or requirements imposed by the Division, and that the individual wishes to request reconsideration to a higher authority. An individual must authorize in writing any third party's right to file an appeal request on his/her behalf. The Social Services Manager must review the request for the appeal, first with the Social Services staff and then provide a Division conference with the individual. If the reconsideration is denied at that level, the appeal request will be forwarded within three business days to the Health and Human Services Director. Staff will request clarification from the individual any time there is uncertainty about what action is being appealed.

The Division must receive the individual's request for reconsideration/appeal of an action or decision within 15 calendar days of the date the client was notified of the action, except when the Division fails

to send required notification, takes no action on a specific request, or denies a request without informing the individual of the right to appeal. Notification will be mailed or sent electronically to the individual. A reconsideration/appeal request made outside the 15 calendar day limit may only be rejected or dismissed by the Social Services Manager.

Upon receiving a request for reconsideration/appeal, staff will allow the individual to examine the case record, including documents and records to be used at the reconsideration/appeal, at a reasonable time before the meeting and at any point during the meeting. Upon request by the individual, staff will provide copies of the relevant portions of the case record.

Exception: Staff will not release or provide examination of information protected from release, such as status of pending criminal prosecutions. To avoid affecting the decision, the Division must not permit the introduction of this confidential information or any documents of records that cannot be contested or challenged at the meeting/appeal.

An individual who submits a request for reconsideration/appeal shall submit evidence with the request proving that the individual was entitled to the services that were denied. If the individual meets this burden of proof, the Social Services Manager shall grant the request for reconsideration/appeal unless the Division proves that the individual was not entitled to the requested services even when the evidence presented in the request is considered. The party with the burden of proof must establish his position to the satisfaction of the Social Services Manager by a preponderance of evidence.

The client will be notified in writing, either by mail or electronically, within 5 business days of the result of the appeal. The Health and Human Services Director has the authority to overturn any decision of the Social Services Manager with respect to an appeal.

#### **200.11 – 2016 Client Grievances**

If a client wishes to file a grievance, Social Services staff will notify the Social Services Manager. The Social Services Manager will address the grievance and make a reasonable attempt to resolve the grievance. If an agreeable solution cannot be reached, the Social Services Manager will engage the Health and Human Services Director for further inquiry. The client also has the ability to file a grievance on the St. Johns County website at [www.sjcf.us](http://www.sjcf.us) under the P.R.I.D.E. program online service.

## **Chapter 300**

### **Application Processing**

#### **300.1 – 2016      Application for Assistance (All Programs)**

Individuals may apply for assistance in person, by mail, or facsimile application; however, a face-to-face interview is required. An acceptable application must have the applicant's name, address, and signature on the form. Upon request from the applicant, staff can provide assistance in completing the application.

Staff will encourage the individual or the individual's authorized representative, to exercise the right to file an application the same day the individual or authorized representative contacts the office and expresses interest in obtaining assistance. Only the applicant or authorized representative can sign the application. Unless signed in the presence of the Social Services staff, an application signed with a mark must have two witnesses' signatures. If the Social Services staff signs as the witness, no other witness is required.

#### **300.2 – 2016      Date of Application (All Programs)**

The date of application is the date the Division receives a signed application. When an applicant submits a paper application or verification, the scan/fax date is the date of receipt and the application date. If an application is received after normal business hours, establish the first business day following receipt as the application date.

#### **300.3 – 2016      Eligibility Interview (All Programs)**

Staff will conduct an eligibility interview by asking a series of qualifying questions concerning the household circumstances provided on the application. Staff will reconcile any discrepancies and request the individual to provide any missing information to the application.

If an individual refuses to cooperate with the application process, the application will be denied. Refusal is when the individual is able to cooperate, but clearly demonstrates that he/she will not take required actions. Once denied or terminated for refusal to cooperate, the individual may reapply but will not be determined eligible until he/she cooperates.

#### **300.4 – 2016      Face-To-Face Interview (All Programs)**

Staff will conduct a face-to-face interview with a responsible household member or authorized representative. If either of these individuals is unable to come to the office due to mental or physical disability, advanced age, hospitalization, illness, transportation, or other hardship, an exception may be made to include, but is not limited to:

1. Waive the face-to-face interview in favor of a telephone interview on a case by case basis and record the reason in the case record; or
2. Conduct the interview at an alternate public location upon approval by the Social Services Manager.
3. When an applicant cannot be interviewed on the day of application, an appointment may be scheduled.



**Note:** Social Services Manager must provide an authorization for any requests or appointments that occur outside of the office location and normal business hours.

**300.5 – 2016 Authorized Representatives (All Programs)**

A representative may be designated by an applicant or recipient to act responsibly on his/her behalf in assisting with the application and redetermination of eligibility and other ongoing communication with the Division.

An authorized representative assumes responsibility for the accuracy of the information provided and is subject to the same penalties and possible prosecution as responsible household members.

**300.6 – 2016 Rights and Responsibilities (All Programs)**

Each individual has the right to file an application, have an interview if requested, and have a determination of eligibility. Staff will inform applicants of their rights and responsibilities of the application process.

The applicant has the primary responsibility to obtain and provide information required to determine eligibility for assistance. If the applicant is unable to obtain information, the Social Services staff will assist the individual by providing addresses, writing to other agencies, obtaining medical records, and any other information if deemed necessary.

Staff will inform households of the responsibility to report changes within 10 calendar days of the date the change becomes known. This provision applies any time after receipt of the application to maintain file accuracy.

## Chapter 400 Eligibility Determination Process

### **400.1 – 2016 Eligibility Reviews**

An eligibility determination establishes eligibility on all factors, resolves discrepancies, and ensures correct determination of assistance for which an individual/household is applying.

### **400.2 – 2016 Who May be Interviewed**

The same interview policy applies for applications and eligibility reviews. (300.01-2016; 300.03-2016)

### **400.3 – 2016 Face-To-Face Interview**

The same interview policy applies for applications and eligibility reviews. (300.04-2016)

### **400.4 – 2016 Changes**

A change (expected or unexpected) may affect eligibility and must be reported within 10 business days of notification of the change.

### **400.5 – 2016 Social Services Programs**

The Social Services Program has technical factors, which must be considered to determine eligibility in addition to income and asset criteria.

The Social Services staff must determine if each individual meets the requirements for the type of assistance requested. If the individual does not meet the applicable requirements, the individual is technically ineligible.

#### **Technical Factors**

The technical factors that may be considered are:

1. U.S. Citizenship
2. Noncitizen status
3. Social Security number
4. Residency
5. Age
6. Identity
7. Cooperation with Case Management Program Requirement, if applicable

### **400.6 – 2016 Special Inclusions/Exclusions to Policy**

1. **Criminal Activity:** Assistance will not be provided for an injury that took place in the commission of a crime.
  
2. **High Risk Activities/Behaviors:** Assistance will not be provided for an injury due to negligent activities/behaviors of an applicant for which applicant failed to obtain/maintain health insurance coverage/personal injury protection. Such activities/behaviors include, but are not limited to: motorcycle or ATV vehicle riding, skateboarding, "extreme" sport activities, and/or injuries that took place while intoxicated or under the influence of illegal

substances or medications not prescribed to client. Staff will obtain copies of Emergency Room and physician(s) reports in an attempt to verify cause of injury.

3. **Employment Status:** Applicants who are unemployed will be denied assistance unless they are actively seeking employment or unable to work due to illness and/or disability. Documentation must be provided to indicate that they are making a good faith effort to obtain employment or provide documentation of their inability to work.
4. **Pain Management:** Social Services will not provide assistance for chronic pain management or for symptoms of unknown etiology or intractable pain.
5. **Mental Health and Substance Abuse:** Psychiatric services and substance abuse treatment services are not provided.
6. **Diagnostic Services:** Social Services may cover the costs (if necessary) of diagnostic services to determine the nature and severity of clients' medical conditions of eligible applicants.
7. **Critical Care:** Social Services may cover the costs for life-threatening and/or critical care medical conditions of eligible applicants, or a condition that may cause a permanent disability or long term incapacity if not addressed promptly. (Ref. Sec. 100.03 – 2016)
8. **Disability Application:** If a given diagnosis warrants a client's filing for disability, the client will be required to apply for disability. Staff will assist with this process, if necessary. A Medicaid application must be completed at this time. Social Services will not provide further assistance until the client provides proof that these applications have been completed.
9. **Disability Pending:** Social Services will only cover *life-threatening and critical care conditions* of clients who are pending disability determination. (Ref. Sec. 100.03 – 2016)
10. **Disability Approved:** When a client is approved for SSI/SSDI, he/she is no longer eligible for assistance from Social Services and must apply for Medicaid. Upon approval of Medicaid, the social services accounting technician will request reimbursement of physician and hospital services paid prior to approval.
11. **Disability Denied:** If a client is denied SSI/SSDI by the Administrative Law Judge, the client will *not* be eligible for assistance from Social Services (under the disability criteria). Upon receipt of the denial, Social Services will issue a 30 day written notice of termination of eligibility for the medical assistance program.
12. **Pending Litigation:** If a client has pending litigation due to an injury/illness, the Social Services Division will not assist with any medical care related to the litigation without a

letter of protection from the client's attorney. In instances when the client's attorney fails to or refuses to provide a letter of protection for the client's care, the applicant will be denied. In cases of unusual circumstances, the Social Services Manager will review and present for a decision to the Health and Human Services Director to make a final determination.

- 13. Liability Insurance Claims:** Applicants who have been injured and may be covered by liability insurance will be required to pursue such a claim for medical care/treatment for the injury (i.e., homeowner's coverage, automobile coverage, and business liability coverage, etc.).
- 14. Workers' Compensation Claims:** Clients with previous Workers' Compensation claims, or settlements based on the current illness/injury, will not be eligible for Social Services assistance and will be referred back to the Workers' Compensation insurance company to reopen the case. If a settlement has been received for a Workers' Compensation claim, the Social Services Department will not assist with treatment of the condition that was covered under the claim. Documentation of the settlement and condition covered under the claim will be required of an applicant.
- 15. Early Retirement:** Persons who have chosen early retirement prior to Medicare eligibility shall not receive medical assistance unless they are eligible under another category (such as employed, actively seeking employment, or pending disability). Referral will be made to the Healthcare Marketplace.
- 16. College Students:** Students must be employed and must be independent residents of St. Johns County. They must not be listed as a dependent on their parents' income tax return or the parents' income will be used to determine eligibility.
- 17. Non-U.S. Residents:** Applicants must present their Permanent Resident Alien Card (Green Card) to be considered potentially eligible for assistance. Individuals in the U.S. on a VISA are not considered permanent residents.
- 18. Eligibility for Other Programs:** Applicants who are eligible for assistance from another agency will be referred and must apply to that agency. If applicants provide documentation that they have applied and been denied by another agency or program, they will be eligible to apply for Social Services assistance. **Veterans:** Individuals who served in the armed forces will be referred to the Veterans' Administration (VA) regardless of length of military service. If applicants provide documentation that they have applied to the VA, they will be eligible to apply for Social Services assistance. Every 30 days follow up must occur by Case Specialist until disposition.
- 19. Pilot Programs:** Based on identified trends and gaps in the community or legislative changes pilot programs may be initiated. Any pilot program lasting longer than 24 months will require policy/procedures to be amended to include new program.

**400.7 – 2016      Citizenship/Noncitizen Status**

The eligibility for assistance must include an evaluation of the citizenship/noncitizen status for each individual who applies for assistance. Citizenship information of those family members who are not applying for benefits is not required. Non-receiving members are to be asked only if they are citizens or noncitizens, not their U.S. Citizenship and Immigration Services status.

An individual must have Permanent Resident status for at least 5 years from the "Resident Since" date on his/her card to be considered for eligibility.

**400.8 – 2016      Declaration of Citizenship/Noncitizen Status**

Each applicant applying for assistance must declare in writing whether each individual in the household is an U.S. citizen, or a noncitizen in lawful immigration status.

An application declaring the citizenship/noncitizen status must be signed under penalty of perjury for all household members applying for assistance as a condition of eligibility. An adult applicant or authorized representative may sign the application declaring the citizenship/noncitizen status of all members.

**400.9 - 2016 Verification Sources for U.S. Citizens**

United States citizenship must be verified for all individuals who claim to be citizens, including those who are naturalized and those born abroad to U.S. citizens. A United States citizen is defined as any person identified in 8 U.S.C. § 1401 as a national and citizen of the United States at birth or any person naturalized as a United States citizen pursuant to 8 U.S.C. §§ 1421-1459.

**400.10 – 2016      Lawful Permanent Resident**

A lawful permanent resident (LPR) is a noncitizen who lawfully immigrates to the U.S. and has permission to live and work in the U.S. LPRs may be eligible for assistance based on citizenship if they entered the U.S.:

1. Prior to 8/22/96 and have remained continuously present,
2. On or after 8/22/96 under a prior asylee, refugee, Amerasian, deportation withheld, or Cuban/Haitian Entrant status, or
3. On or after 8/22/96 and have lived in the U.S. as a qualified noncitizen for at least five years.

Proof of this status includes:

1. Resident alien card, (I-551) (commonly referred to as a "green card").
2. Re-entry permit (I-327), or
3. Foreign passport with a stamp stating "temporary evidence of lawful permanent resident status"

**400.11 – 2016      Social Security Number**

The eligibility determination must include obtaining a Social Security number (SSN) for each individual or verify that the individual has applied for an SSN as a condition of eligibility.

A verbal statement providing the SSN is not sufficient. A client may provide a legal document or other agency document to verify in the interim until the application (SS-5) can be submitted.

If the SSN is unknown or has never been obtained, the individual must:

1. Apply for an SSN through the welfare enumeration system at the Social Services Office. Original evidence of age, identification, and citizen or noncitizen status must be sent by the Social Services staff to the local Social Security Administration (SSA) office with the completed application (SS-5).
2. Apply for an SSN through the local SSA office (The SSA filing receipt for application must be presented to the Social Services staff as evidence that the individual has applied.); or
3. Apply for an SSN through the Florida enumeration at birth process.

After 90 days, if an individual who has applied for an SSN has not received an SSN, there must be a determination to evaluate if another application (SS-5) should be submitted.

Division staff must contact the individual the second month after the month of application for an SSN and each month thereafter until the number is received.

If an individual has not received an SSN by the next complete eligibility review, staff must resubmit an application (SS-5), but no sooner than three months from the previous SSN application.

#### **400.12 – 2016      When SSN is not Provided/Refusal to Apply**

If an individual fails to provide or apply for an SSN on his own behalf, that individual is technically ineligible and is denied. If SS card cannot be provided at time of application, the Social Services Manager can approve an alternative documentation on a case by case basis.

#### **400.13 – 2016      Residency**

In order to receive assistance, all individuals must be eligible on the factor of residency and must be a St. Johns County resident. Homeless individuals and residents of public or private nonprofit shelters for the homeless are considered residents. An otherwise eligible individual must not be required to reside in a permanent dwelling or have a fixed mailing address.

Residency exists when the intent of the individual is to remain in the county. Residency is not dependent upon the duration of the stay. Residency does not exist when the stay is for a temporary purpose such as a vacation and there is intent to return to a residence in another county or state.

*An individual must reside in St. Johns County, Florida with the intent to remain (individuals' statement as to their intent to remain is acceptable).*

Applicants living in transitional residences without ever having been a resident in St. Johns County are not eligible for Social Services assistance. Transitional residences include: correction facilities, rehabilitation facilities, domestic violence shelters, nursing homes, hospitals, halfway houses, veteran's domiciles, treatment facilities, and any other non-permanent residential facility. To be eligible, applicants must be released from a transitional facility and reside in St. Johns County.

**400.14 – 2016 Identity**

The identity of each U.S. citizen applying for or assistance through Social Services must be documented.

The following documents are acceptable as proof of identity:

1. State driver's license with photo or other identifying information;
2. State ID card with photo or other identifying information;
3. School ID card with photo (for children under 16, includes nursery, daycare records, or school records, including school conference records and no photo is required);
4. Clinic, doctor, or hospital record for children under 16 (except for voided Puerto Rican birth certificates after September 30, 2010);
5. U.S. military card or draft record;
6. A military dependent's ID card;
7. Federal, state, or local government ID card with photo;
8. A certificate of Indian blood;
9. Native American tribal document;
10. Three or more of the following documents are required:
  - a. Marriage license,
  - b. Divorce decree,
  - c. High school diploma,
  - d. Employer ID card, or
  - e. Any other document from a similar source.
11. Food Stamp, Child Support Enforcement, Division of Corrections, child protection and Department of Juvenile Justice data records; or
12. U.S. Coast Guard merchant mariner card

Staff will not accept a Social Security card, birth certificate or voter's registration card for identity verification. Additional documentation is required. The Social Services Manager will be consulted in any unusual circumstances in which standard program requirements do not exactly fit the case situation.

**400.15 – 2016 Eligibility Determination Process Disclaimer**

All eligibility requirements are subject to change according to Federal, State, or Local guidelines. The Social Services Manager and/or Health and Human Services Director decisions are considered final.

## **Chapter 500**

### **Program Services Requirements and Procedures**

#### **500.1 – 2016      Residency**

Applicants for all types of service provided through St. Johns County must be physically residing in the County and provide verification of residency. Persons are considered County residents when they establish and maintain a living arrangement, outside of an institution, which they or someone responsible for them, consider to be their home. The length of time a person physically resides in the County will not be a determining factor provided they don't maintain a residence in another county or state. Students who are away from home attending school will be considered residents of the county in which their parents live, if they are claimed as dependents by their parents for Income Tax purposes.

Verification of Residence (at least two of the following that lists a current St. Johns County address):

1. Deed, mortgage, monthly mortgage statement, mortgage payment booklet, residential rental/lease agreement, or utility bills showing address, not more than two months old
2. Florida Voter Registration Card
3. Educational institution transcript forms for the current school year
4. Florida Vehicle Registration or Title
5. Florida Boat Registration or Title (if living on a boat)
6. Selective Service Card
7. Current homeowner's insurance policy or bill
8. Current automobile insurance policy or bill
9. W2 or 1099 form
10. A letter from a homeless shelter, transitional service provider, or half-way house verifying that they receive mail for the client. The letter must be accompanied by the Certification of Address Form.
11. A statement from a parent, legal guardian, or other person with whom the applicant lives combined with two other proofs of their residential address (listed above). The letter must be accompanied by the Certification of Address Form.

#### **500.2 – 2016      Income**

Gross income from all sources will be considered in determining income eligibility. Current Federal Poverty Guideline Levels (FPL) will be used and adjusted according to household size based on 150% of the FPL. An exception may be made by the Social Services Manager and/or Health & Human Services Director. The applicant or other family member seeking or using non-mandated County social service programs, must demonstrate that they are employed, actively seeking employment, or unemployable due to mental or physical disabilities.

Income sources will include:

1. Earnings from employment (check stubs or Verification of Income form completed by employer)
2. Pensions (Social Security, any type of retirement benefit, annuity, etc.)
3. Workers' Compensation (monthly payments and/or cash settlements)



4. Unemployment Compensation
5. Any type of welfare benefit (i.e., TANF, etc.)
6. Assistance from family or friends with copies of verification of assistance paid on the applicant's behalf
7. Child Support
8. Alimony
9. Self-employment earnings (odd jobs, etc.) with verification of amount paid by customer
10. Cash from any other sources available to client to be considered at discretion of Social Services Manger

Income will be counted for the month prior to the date of application. Income may be requested for up to 4 months prior to the application, if the income received for the month prior to application is not representative of the household's current income situation, and if it is in the applicant's best interest to do so.

#### **500.3 – 2016 Household Composition**

To determine a family unit's gross household income, staff will first need to determine who is in the applicant's family unit. A family unit is defined as one or more persons residing together in the same household, whose needs, income, and assets are included in the household budget, excluding roomers and boarders. Household composition includes but is not limited to: the applicant, legal spouse, domestic partner, dependent children, stepchildren, adopted children, domestic partner's children, blood relatives under the age of 21, unrelated minor children for whom the individual has legal guardianship or custody, legal guardian or natural parents of minor children, minor siblings.

The only deductions allowable according to the type of program assistance requested are:

- A. Medical expenses paid by someone in the family unit
- B. Verified child support payments

\*Note: Extended family members may be included in the household on a case by case basis with the Social Services Manager approval. This includes, but is not limited to, adult children, adult parent, stepparent, and grandparent.

#### **500.4 – 2016 Assets**

Assets, liquid or non-liquid, are assets or items of value that are owned (single or jointly) by an individual who has access to the cash value upon disposition.

Liquid assets are cash assets or assets that are payable in cash on demand. Non-liquid assets are assets that cannot be readily converted to cash.

Assets of each member of the family unit must be determined. A determination of whether each asset should be included or excluded needs to be made.

#### **500.4.1 – 2016 Asset Limits**

The asset limit is the maximum amount of liquid and/or non-liquid assets that a family unit can retain and remain eligible for assistance.

The total countable assets of the family unit cannot exceed \$2,500.00 for a single person household and \$3,500.00 for a couple. Note asset limit will be reviewed by the Social Service Manager and Health and Human Services Director at the start of each fiscal year.

**Note:** Any questions regarding assets will be staffed with the Social Services Manager for determination.

1. *Assets include but are not limited to:*

- a. *Liquid Resources*
- b. *Checking accounts*
- c. *Savings accounts*
- d. *Savings certificates\**
- e. *Bonds\**
- f. *Stocks\**
- g. *IRA's, CD's, etc.\**

*\*On a case by case basis consideration will be given when a negative impact of withdraw or asset liquidation could occur by the Social Services Manager*

2. Non-liquid Resources include but are not limited to:

- a. Non-homestead property
- b. Land
- c. Business equipment (unless self-employed), minus indebtedness. Indebtedness is the amount due to satisfy contract terms against an item to establish ownership. This includes interest over the full term of the contract, but does not include commissions, fees or penalties involved in selling the asset.

#### **500.4.2 – 2016 Verification of Assets**

Verification of all assets, except cash, is required on all members of the family unit. The individual's statement of the amount of cash is acceptable. All other assets must be verified.

Assets will be counted for the month prior to the date of application. Assets may be requested for up to 4 months prior to the application if assets for the month prior to application are not representative of the household's current asset situation and if it is in the applicant's best interest to do so.

#### **500.4.3 – 2016 Asset Availability**

Assets are considered as being available when actually available or when the applicant has the legal ability to make such funds available. Assets that are not available, due to legal restrictions or factors beyond the applicant's control, are considered to be unavailable and will not be counted in determining eligibility, provided such restrictions were not created by the applicant.

Any individual who has the legal ability to dispose of an asset is considered the owner of the asset. The type of ownership (single or joint) of an asset determines to whom the asset is available and the value that is counted to the individual.

Determination of the availability of assets that appear unavailable due to factors beyond the applicant's control must be reviewed by the Social Services Manager. If necessary, the case should be forwarded to the Health and Human Services Director or designee for final determination.

Determination that converting a non-liquid asset would prevent the applicant from future earnings or would prevent the applicant from obtaining immediate and necessary care, must be made by the Social Services Manager.

#### **500.4.4 – 2016 Assets Unavailable Due to Circumstances Beyond Control**

Assets unavailable due to circumstances beyond the individual's control are not considered in the determination of eligibility. The individual must present convincing evidence to prove the asset is unavailable to him due to circumstances beyond his control. The Social Services staff will make an independent assessment of the availability based on the evidence presented. Additional guidance can be requested from the Health and Human Services Director or the County Attorney's Office.

#### **500.4.5 – 2016 Transfer of Assets**

An applicant must not make an assignment, sale, gift, or transfer of assets with the intent of meeting or maintaining eligibility for assistance.

When it is determined that an asset was transferred with the sole intent of meeting or maintaining eligibility, assistance must be denied, and an ineligibility period will be determined by dividing the value of the asset by 150% of the Federal Poverty Level for the family unit. The determination of ineligibility must be based on the intent of the transfer rather than the value received.

1. Applicant must be asked whether an asset affecting eligibility has been transferred or sold within the 90-day period preceding the date of application or the date(s) for which assistance is being requested. If an applicant has transferred or sold an asset, the Social Services staff must request and record detailed information concerning the transaction.
2. When it appears that an asset was sold or transferred in order to meet or maintain eligibility, the case must be referred to the Social Services Manager for review and determination. If necessary, the case may be referred to the Health and Human Services Director or designee for final determination.
3. The applicant's statement is usually sufficient to determine the intent of the transfer. When the intent is unclear, the case should be staffed.
4. The Division has the burden of proof in cases involving this policy. It is therefore essential that the records include detailed information concerning the type of asset transferred, date, to whom, and reason for transfer.

5. Applicants have the right to dispose of assets below the asset limit or those not affecting eligibility. However, the net value received from such disposition must be assessed to determine if the value affects eligibility.

A lump sum payment will be divided by 150% of the Federal Poverty Guidelines Level determined by the family size. This will determine the number of months the client will be ineligible for assistance through Social Services.

**Example:**

Mr. Smith, a single man, receives a lump sum payment from Workers' Compensation in the amount of \$14,000 on February 1. The current Federal Poverty Level for one in the household is \$ 1,637 per month. Divide \$14,000 by \$1,637 equals 9 months from the date of receipt of the settlement. Therefore, he will be considered to have an income at 150% of the Federal Poverty Level (\$1, 637) from February until October of the following year.

**500.4.6 – 2016 Conversion of Assets**

Proceeds from the sale or conversion of an asset are considered assets rather than income, even when cash is received. Documentation/verification of the new asset must be obtained and the proceeds or converted asset must be evaluated to determine whether the new asset affects eligibility.

**Examples:**

- Applicant cashed a certificate of deposit. The cash is considered an asset.
- Applicant sold an automobile. The cash is considered an asset.
- Applicant cashed a \$300 certificate of deposit and used the cash as a down payment on an automobile. The automobile is not considered an asset; the County has always excluded cars as assets when someone is employed, disabled (by SSDI/SSI) or actively seeking employment.

**Examples:**

- In the case of a married couple with two cars, if only one person is working and the other is actively seeking work, both vehicles are excluded; however, if one is working and the other is not and is not actively seeking work, the second car of lesser value would be considered an asset.
- However, if both are employed, neither vehicle would be considered an asset.

**500.5 – 2016 Ownership**

An applicant, whose name is listed as the sole owner of an asset, will be considered to have exclusive use or access to the asset. Applicants, who claim they do not have sole access or that they are administering the asset for another person, will be required to provide documentation to that effect. This will require a review and approval by the Social Services Manager.

Unusual situations should be referred to the Social Services Manager for review and recommendation.

#### **500.6 – 2016 Joint Ownership**

Joint ownership exists when the legal right to dispose of an asset is shared by more than one individual. When an individual is a joint account holder who has unrestricted access to the funds in the account, you must presume all of the funds in the account are owned by the individual. This presumption is made regardless of the source of the funds.

If the individual alleges that the funds in the account belong to someone else, you must allow the individual to submit evidence to challenge this presumption. If the challenge is successful, do not count the funds in the account as an asset to the individual for any month. (If the individual never owned the funds, they were never his.) If the challenge to the presumption of ownership is not successful, the funds must be considered as an asset to the individual. This policy applies to checking accounts, savings accounts, certificates of deposit, and other jointly owned financial accounts.

The treatment of funds in joint bank accounts depends on how the account is set up. Accounts set up as John or Jane Doe are considered entirely available to either individual, unless one of the individuals states that the funds belong entirely to the other joint account holder, and the individual can prove that the account is a convenience account.

#### **500.7 – 2016 Assets Which Affect Eligibility**

The following is a list of assets which affect eligibility and must be documented/verified prior to authorizing assistance.

**Bank Accounts:** Accounts which are held in a financial institution and are usually paid upon demand; the asset value is the balance in the account on the most recent statement date.

- Documentation or verification: information which lists all owners and account balances.
- Sources of Information: bank statements, contact with financial institution, letter from account holder.

**Business Equipment:** Income producing property may include vehicles, tools, livestock, equipment, machinery, and similar goods; usually owned in quantities beyond the customary needs of normal living. This may include income-producing property owned by a recipient who is employed or currently unemployed but can reasonably be expected to return to work. In this case the assets are excluded. However, if there is no expectation that the recipient will return to work, at least in that particular field, then the personal property shall be considered an asset.

- Documentation or verification: Information which lists the ownership of property and the type, make, model, and age of machinery or equipment.
- Sources of Information: County Tax Assessor, reputable business dealer.

**Cash:** This includes money in possession of an applicant or to which the applicant has access.

**Collections:** This includes gun, coin, stamp, antique, or other collections that are of value.

- Documentation or verification: written statement from a reputable dealer that outlines the type of collection and its current cash value.
- Sources of Information: local club or organization, dealer or business.

**Individual Investments:** This includes stocks, bonds, certificates of deposit, mutual funds, deferred compensation plans, IRA's, etc.

- Documentation or verification: Information from a financial institution or investment company that is sufficient to establish ownership.
- Sources of information: Information on the current market or cash value may be secured from the bank, Investment Company, newspaper, etc. The source and date of the quotation must be recorded.
- On a case by case basis consideration will be given when a negative impact of withdraw or asset liquidation could occur by the Social Services Manager

**Real Estate:** This includes any land, house, mobile home, condominium, or houseboat that is not the homestead. The value is the assessed taxable value minus any indebtedness against the property.

- Documentation or verification: Information which includes the name of the owner, legal description, amount of indebtedness, name of lien holder, and assessed value.
- Sources of information: Deed, liens, county records, or contact with lien holder.

#### **500.8 – 2016 Assets which do not affect Eligibility**

The following are those assets which do not affect eligibility; documentation or verification is only required if information appears questionable.

**Homestead:** The house, mobile home, condominium, or boat, which the applicant owns and in which he/she resides, is recognized as homestead property. The composition of homestead property is determined by the County Property Appraiser.

When the applicant permanently leaves the homestead and establishes a residence elsewhere, the homestead becomes an asset regardless of how it is considered for tax purposes. If the home is temporarily unoccupied due to the applicant's illness, casualty, loss, or natural disaster and the applicant clearly intends to return, the home continues to be considered as homestead.

- Documentation or verification: information containing the owner's name and the legal description. The applicant must state whether the property is occupied, and if not give a reason.
- Sources of information: tax statements, deeds, county property records, fire division records, police records, etc.

**Grants:** Grants to any undergraduate student for educational purposes that are made or insured under any program, or any grant which is made for educational purposes and the sponsor of such grant prevents the use of such funds for maintenance purposes. All resources remaining from student grants should be provided over period of time the grant is over.

**500.9 – 2016 Eligibility Determination Process Disclaimer**

All eligibility determination processes and income/asset thresholds are subject to change according to Federal, State, or Local guidelines. The Social Services Manager and/or Health and Human Services Director decisions are considered final.