

CENTER TOWNSHIP OF HOWARD COUNTY, INDIANA

# STANDARDS AND GUIDELINES

For Township Assistance

Dr. Robert A Lee, Trustee

10/26/2021

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Within these standards and guidelines, quotes directly from the Indiana Code are italicized.

# STANDARDS AND GUIDELINES FOR TOWNSHIP ASSISTANCE

## AVAILABILITY

**1.00.00 - OFFICE HOURS** - The office of Center Township is open for business between the hours of 8:00 a.m. and 4:00p.m. Monday through Thursday, except on Friday afternoon when the office closes at 12:00 noon. The office location is 213 East Jefferson Street, Kokomo, Indiana. The office will also be closed on special holidays and at other times when it is necessary for the township staff to participate in training, educational programs, seminars and/or conferences approved by the Trustee. Under normal circumstances, a twenty-four hour notice will be posted prior to closing the office for holidays and other special occasions.<sup>1</sup>

**1.00.20 - TELEPHONE LISTINGS** - The Township telephone number is 765-452-8259 and shall be listed in the yellow pages under the governmental section, and also in the business section of the local telephone directory. A telephone answering machine receives township calls after regular office hours, holidays, and weekends.<sup>2</sup>

## APPLICATION FOR ASSISTANCE

**1.00.30 - APPLICATION FOR TOWNSHIP ASSISTANCE (TA-1)** - Applications for assistance from the township must be made by completing an "Application for Township Assistance" or TA-1 (approved by the State Board of Accounts). In these Standards and Guidelines the terms "application" or "application for township assistance" will refer to the TA-1 unless otherwise specified.

**1.00.31 - REQUEST FOR TOWNSHIP ASSISTANCE (Form 8509)** - An applicant for Township Assistance will be asked to complete a Form 8509 upon initial and subsequent requests for assistance. If the applicant's TA-1 is active (within 180 days of the initial application) the Form 8509 will be used to report current income and expenditures.

**1.00.32 - DISCLOSURE AND RELEASE OF INFORMATION** - Indiana law requires all adult members of a requesting household to sign a "Disclosure and Release of Information" authorization which permits the township to discuss the household member's situation with other appropriate government entities, organizations, institutions, and/or family members. The instrument can only be used to investigate the household member's circumstances in order to accurately determine eligibility and the level of assistance to be given or denied. Each adult member of the applicant's household must properly execute a "Disclosure and Release of Information" form in the presence of a township investigator before an application for assistance can be processed.<sup>3</sup>

**1.00.33 - APPLICATIONS** - An individual desiring to make an initial application for assistance from the township should come to the township office during regular business hours. At that time an appointment is scheduled, by way of an intake process, and the applicant will be given a list of the documents and/or information needed to complete the application. They will be informed of the services available and the criteria used in determining eligibility. Failure to keep an appointment or to bring the necessary documents may cause an unnecessary delay in processing the request for assistance. Applicants will be required to complete the application (TA-1) themselves. If the applicant has difficulty completing the application because of any of the following: *the applicant (1) has a mental or physical disability, including mental retardation, cerebral palsy, blindness or paralysis; (2) has dyslexia; or (3) cannot read or write the English language;* the township will assist or have someone assist the individual with completing the application.<sup>4</sup> Any applicant needing special aid, readers, or interpreters should notify the township at least 48 hours in advance.

**1.00.34 - PERMANENT RESIDENCY** - All applicants for Township Assistance must be residents of the township as verified by the provisions of S&G 3.30.00 sub-paragraphs (A) through (N). In case of emergency, however, the township may provide temporary assistance to applicants who are temporarily in the township unless the applicant is specifically in the township for township benefits. This will not be interpreted or construed to mean that individuals living in adjoining townships should come to the larger urban township for shelter assistance. The township in which they presently reside or are found to be in distress is still obligated to investigate the circumstances of the distressed person(s) and render whatever assistance is necessary. Consequently, Center Township will refer individuals falling into this category to the appropriate township.

**1.00.35 - CITIZENSHIP AFFIRMATION** - Indiana code requires all adult members of households to sign an affidavit verifying their United States citizenship or qualified alien status.

**1.00.36 - UNDOCUMENTED IMMIGRANTS** - Individuals in the United States without the permission of the Immigration and Naturalization Service are ineligible to receive township assistance on an individual basis. Legal immigrant households harboring an illegal immigrant shall be ineligible for township assistance until such time as they provide the township with documented evidence that they have properly notified the Immigration and Naturalization Service of the illegal immigrant. However, every effort, by township staff, will be made to assist the children of such households.<sup>35,36,37,38,39,40</sup>

**1.00.37 - TEMPORARILY LIVING IN ANOTHER TOWNSHIP** - Individuals temporarily living in another township when their immediate past residency was in Center Township will not be denied benefits on the grounds of residency. Nor, will Center Township provide assistance, other than that which is required by law for transients, or to individuals who are temporarily living in Center Township when their immediate past residency was outside the boundaries of Center Township. Individuals living or spending time in a charitable or benevolent institution; in a transitional shelter, or in a hospital located in Center Township will not be considered a Center Township resident, unless their immediate past residency was within the boundaries of Center Township.<sup>38</sup>

**1.00.40 - COMPLETED APPLICATION** - An application for Township Assistance TA-1 is not considered "completed" until all adult members of the requesting household have (1) signed the application for Township Assistance; and (2) signed any other form, instrument, or document; required by law; or determined necessary for investigative purposes by the trustee and as contained in various sections of these Standards and Guidelines. If an individual adult who is required to sign the Application for Township Assistance (TA-1), or other forms, instruments, or documents determined necessary, is unable to sign in the township trustee's office due to a physical or mental disability, illness, or work schedule, the township will make alternate arrangements to obtain the individual's signature.<sup>5, 6</sup>

**1.00.45 - DURATION OF APPLICATION FOR TOWNSHIP ASSISTANCE FORM TA-1** - This application is considered active for 180 days from the date of the initial application. The township, however, may not extend additional or continuing aid to a household unless the household files an "Application for Additional or Continuing Township Assistance (TA1B)" with the request for assistance affirming how, if at all, the condition of the household has changed from that set forth in the household's most recent application. During the 180-day period, all requests for assistance will be processed on a month by month basis.<sup>7</sup>

**1.00.50 - COOPERATION** - All applicants for Township Assistance and the members of their households will be required to cooperate with an investigation of their personal finances, family responsibilities, and their eligibility to receive other types of governmental assistance. The investigation may include a home visit and/or contact with their relatives who may be able and willing to assist them. The township may require all adult members of the household to sign a "Relative Support" form in order to determine the possibility of a relative providing assistance. The township may require, except in cases of emergencies, that an applicant for Township Assistance make application for and utilize all other forms of public assistance before being granted Township Assistance. The township shall require the household to expend their liquid resources (See S&G 1.40.00 & 1.40.10-14) before being

assisted with expenditure from the Township Assistance fund. All adult members of the household will be required to sign all necessary documents, including the "Application for Township Assistance" (TA-1) and the "Disclosure and Release of Information" form. Individuals pending a determination for Supplemental Security Income (SSI) benefits will be required to sign a "Reimbursement Authorization" for interim assistance reimbursement and a Township Repayment Agreement.<sup>8,9,10,11</sup>

**1.00.51 - PERSONAL EFFORTS AND EXPENDITURE OF FINANCIAL RESOURCES** - The township trustee, as administrator of township assistance, may provide and shall extend Township Assistance only when the personal efforts of the applicant fails to provide one (1) or more basic necessity, as defined in these guidelines. This shall include expending the household's available financial resources for basic necessities in the sequence they come due or considered necessary and reasonable at the time the expenditure is made. The township, before providing assistance or to continue providing township assistance, shall require in writing on the application or on the Form 8509 when the application is current, that the recipient expended a substantial portion of their monthly financial resources(s) on a specific recurring basic necessity. Failure to comply may result in a denial for a period not to exceed sixty (60) days.<sup>12</sup>

**1.00.60 - APPLICATION REVIEW** - The client's application will be reviewed. Then, an investigation and verification will be done as soon as possible by the township staff. Only upon and after the completion of all investigation and verification will a decision be made. Indiana law requires that this effort be completed within 72 hours (holidays and weekends excluded) from the time the "completed" Application for Township Assistance is filed with the township office. Unusual circumstances concerning the household or failure to supply the township with needed documentation may necessitate an additional 72 hour period. This is often referred to as "pending" and is permitted by Indiana Law.<sup>7</sup> Township investigators may, from time to time, when there is sufficient evidence to do so, run a routine background check to determine whether or not an applicant or a member of the applicant's household has outstanding warrants. Local law enforcement authorities may be notified whenever it is determined that an "outstanding warrant" exists.

**1.00.70 - REFERRALS** - All applicants for Township Assistance and members of the applicant's household are required to comply with all referrals from the trustee to other public or private assistance programs within fifteen (15) working days of the referral date. Failure to comply may result in a denial for not more than sixty (60) days.<sup>10</sup>

**1.10.00 - INITIAL ELIGIBILITY** - All applicants for Township Assistance must meet the following minimum criteria in order to be determined eligible for initial township assistance:

A. An applicant must complete an "Application for Township Assistance (TA-1)" and a "Disclosure and Release of Information". Both forms must be signed by all adult members of the household. In addition, all adult members must complete and sign all documents, forms, or instruments required by law or determined necessary for investigative purposes as contained in various sections of these Standards and Guidelines.

B. An applicant for Township Assistance must furnish the township with an acceptable means of identification and Social Security Number for each member of the household. This may include a picture ID showing residency in Center Township of Howard County. (See Table 1 below.) (Also See S&G 3.30.00)

C. An applicant must meet the residency requirements. (See S&G 3.30.00)

D. The household income and/or liquid resources combined e.g., bonds, stocks, savings or checking accounts, or certificates of deposit, cannot exceed the township's income guidelines. (See Table 2 below under INCOME)

- E. The household or a member of the requesting household must have a verifiable need that is basic and cannot be remedied in a timely manner by means other than by an expenditure of township funds, and all members of the household show evidence that they have exhausted their resources for basic necessities.
- F. The applicant and members of the applicant's household cannot be in violation of any other provision of these Standards and Guidelines.

## REQUIRED DOCUMENTATION

Table 1

### **A VALID PICTURE ID** (for each adult member of the household)

GOVERNMENT ISSUED PICTURE ID - If you have been issued a picture ID by a local, state, or federal government agency, you **MUST** present it. These include most commonly:

- A driver's license
- A state-issued identification card
- A passport
- A US Military ID

NON-GOVERNMENTAL VERIFIABLE PICTURE ID - If you have never been issued a picture ID by a local, state, or federal government agency, you may present a verifiable ID issued by another agency.

### **SOCIAL SECURITY CARD** (for each member of the household, including all children)

SOCIAL SECURITY CARD - Any member of the household, including children, who has been issued a Social Security Card, must present it. If a child has not been issued a Social Security Card, the Township will require proof of application for such.

VERIFICATION OF SOCIAL SECURITY NUMBER - Any member of a household who cannot produce a Social Security Card may temporarily produce verification of their Social Security number until a card can be provided. Such verification includes:

- SSA Statement of Benefits
- SSA Letter of Verification
- W-2 Tax Forms or 1099
- Federal or Indiana Tax Return

### **VERIFICATION OF DATE OF BIRTH** (for each member of the household, including all children)

The date of birth for each member of the household must be confirmed by Government issued documentation, most usually the picture ID. However, if non-government issued picture ID is presented or if the date of birth is not contained within the picture ID presented, a Birth Certificate, or similar is required. In the case of children a Birth Certificate is required.

### **VERIFICATION OF RESIDENCY** (for the entire household)

If the GOVERNMENT ISSUED PICTURE ID presented contains no address (passport or military id) or an address other than an a current address within Center Township of Howard County, Indiana, a complete copy of a current lease for the current address listed on the Application for Township Assistance (TA-1) must be presented, and/or a completed (by the landlord) copy of the SHELTER VERIFICATION AND INVESTIGATION FORM must be presented.

If the GOVERNMENT ISSUED PICTURE ID presented is an Indiana driver's license which contains an address other than an a current address within Center Township of Howard County, Indiana, you will be required by the Township to comply with Indiana Law which requires notification of the change of address within 30 days, and required to obtain a replacement license with the correct current address within 30 days of filing an Application for Township Assistance (TA-1).

If the GOVERNMENT ISSUED PICTURE ID presented is an Indiana State ID which contains an address other than a current address within Center Township of Howard County, Indiana, you will be required by the Township to provide proof of compliance with Indiana Law which requires notification of the change of address within 30 days.

If the GOVERNMENT ISSUED PICTURE ID presented is a Driver's License or State ID from a state other than Indiana, you will be required by the Township to comply with Indiana Law which requires transfer of out-of-state licenses and IDs to Indiana within 60 days of establishing residence.



G. All able-bodied adult members of the household must show evidence of trying to find employment or present medical evidence that they are unable to work. Being enrolled as a student in an institution of higher education does not excuse the obligation to seek employment or to participate in the township's workfare program. Center Township may not be able to assist individuals or households having individuals who are full-time students in an institution of high learning and are not pursuing employment.

**1.10.05 - VERIFICATION/DOCUMENTATION** - The Township is aware of the difficulty in obtaining certain documented information and will not consciously place an undue burden on the applicant to obtain such documentation, when the information is readily available to the township from other sources. It is, however, the ultimate responsibility of the applicant to furnish all necessary documentation.

## **NOTICE OF ACTION FOR AN APPLICATION FOR ASSISTANCE**

**1.10.10 - NOTICE OF ACTION** - The applicant will be given a written notice of the township's decision on Form TA-1A. If assistance is approved, the applicant will be instructed as to steps to be taken to receive assistance. If assistance is pended, the applicant will be instructed as to steps to be taken for the application to be approved (S&G 1.00.60). If assistance is denied, the reasons for the denial will be stated. If denied, the TA-1A will also inform the applicant of their right to appeal the trustee's decision, and where the appeal is to be filed. The TA-1A may be presented to the applicant or sent to their last known address, via the U.S. Postal Service.<sup>6</sup> (S&G 10.00.20)

**1.10.20 - AFFIRMATION OF DENIAL** - The township will not extend aid to or for the benefit of any member of an applicant household if the aid requested would pay for goods or services that were previously requested and denied by the township, nor will the township be obligated to pay the cost of basic necessities incurred, during the period of denial, on behalf of the household in which the individual resides.<sup>13</sup>

**1.10.30 - DENIALS** - Denials, although not limited to the following, may be given to individual applicants for one or more of the following reasons:

A. Knowingly and willingly falsifying their application, misrepresenting the facts, or purposely withholding vital information. If the township finds that an individual has obtained Township Assistance from any township by these actions or means of conduct described in IC 35-43-5-7 (Welfare Fraud), the township shall refuse to extend aid for (sixty) 60 days. The township may make a criminal referral to the county prosecutor's office.<sup>14</sup>

B. Failure to comply with the workfare requirements as outlined by these standards. Denial may be for a period not to exceed (One Hundred and Eighty) 180 days.<sup>15</sup>

C. Voluntarily terminating gainful employment, or being involuntary terminated for just cause, e.g., absenteeism, theft, or willful misconduct. A denial from the Indiana Office of Employment and Training for Unemployment Compensation may also be used as grounds for being denied Township Assistance benefits. The township shall not be obligated provide Township Assistance to or for an applicant for a period not to exceed sixty (60) days commencing on the date his/her employment is terminated, or on the date a determination of a denial by the Indiana Department of Workforce Development.<sup>16</sup>

D. Failure to actively seek and/or accept gainful employment when offered, whether the compensation for work will be payable in money or in house rent, or in commodities consisting of the necessities of life. The Township may periodically provide and require individuals to complete an "Employment Search" form in order to comply with this statutory provision. Denial up to sixty (60) days.<sup>17,18</sup>

E. Failure to accept adequate free or low cost shelter arrangements provided by relatives or others, or moving from adequate free or low cost shelter, without just cause. Denial up to sixty (60) days.<sup>19,16</sup>

F. Violence, threats of violence, improper gestures, willful littering, or abusive language used in or around the township offices or premises, or under the influence of drugs or alcohol. Denial up to sixty (60) days.<sup>19</sup> In addition to denial, violence, threats of violence, harassment or intimidation will result in an expulsion from township premises for no less than 30 days and up to 60 days. If a perceived threat warrants, under Indiana law a restraining order may be filed against the person committing the threat.

G. Failure to complete and maintain monthly report forms as required by governmental programs offering assistance for the basic necessities of living; failure to cooperate or comply with the rules and regulations of an assisting governmental agency; or violating any other rule or regulation of the governmental agency that results in a denial of assistance. Denial up to sixty (60) day.<sup>20,10,16</sup>

H. Excess income or other financial resources as determined by these standards, or failing to apply other tax supported monetary benefits towards the household's basic needs.<sup>21,16</sup> (see Table 2 below under INCOME)

I. Failure to cooperate with, or provide the township with the documentation necessary for determining eligibility or information which is not readily available or cannot be secured in a timely manner by the township.<sup>4</sup>

J. Failure of an applicant within 15 working days of the township referral to make and complete the application process for other governmental programs for which they may qualify or failure to participate or comply, after being referred by the township, in a program offered by any other public or private agency. Denial up to sixty (60) days.<sup>20,10,22</sup>

K. Frequently reporting the loss or theft of money or SNAP funds (food stamps).

L. Making an assignment of or transferring assets, by an applicant or another member of an applicant's household, during the six (6) month period immediately preceding the filing of an affidavit and application for township assistance.

M. Failure to cooperate with or provide needed information/documentation to other tax supported public assistance programs in a timely manner. Denial up to sixty (60) days.<sup>10</sup>

N. Failure to file paternity actions when necessary and appropriate, or failing to take the necessary legal steps to pursue child support.<sup>23</sup>

O. Failure of the applicant or a member of an applicant's household to apply funds received, within one hundred eighty days (180) days immediately preceding the date of their application for Township Assistance from a one-time monetary award of at least \$400 toward the household's monthly basic need expenses. One-time monetary awards may include, but are not necessarily limited to the following: ENERGY ASSISTANCE, RETROACTIVE SOCIAL SECURITY PAYMENTS, WORKMEN'S COMPENSATION, INHERITANCES, PENSIONS, INSURANCE SETTLEMENTS, INCOME TAX RETURNS or any other "one time" cash award which is available to the household and can be used for basic necessities. Before the duration of the denial is determined, the township shall consider the amount of the "cash award", when it was received; and when the bill for which Township Assistance is being requested was incurred.<sup>16</sup>

P. Income or other resources which could and should have been applied to the household's basic necessities will be considered a "wasted resource" if not applied to the household's basic necessities "Wasted Resources" is defined for the purpose of Township Assistance as an amount of money or resources expended, during the thirty (30) day period before the date of the Township Assistance application, for items or services that are not considered basic necessities. Or, income, resources, or tax supported services lost or reduced as a result of a voluntary act by an adult member of the applicant household during the sixty (60) days before the date of application for township assistance, unless the adult can establish a good reason for the act.<sup>16</sup>

Q. Being evicted or forced to vacate present living quarters because of an act that violates the terms of the lease or landlord/tenant agreement, by the applicant or any adult member of the applicant's household; or the applicant invites or allows other adults to use or move into their household.<sup>16</sup>

R. A denial may be issued if it is determined that an individual or household has moved into or has come to the township for the specific purpose of applying for and/or to receive Township Assistance, or has had another social services agency apply "one time only" funds in order to establish an individual or household in the township.

S. The township shall not be obligated to honor a request or to pay for services or the cost of goods incurred by an applicant or a member of the applicant's household who has previously received Township Assistance, or previously applied for Township Assistance and was denied, and who had sufficient income and/or financial resources, at the time, to have paid for either the goods or services.

T. Failure to provide the township with receipts for expended income.

U. Violation of a specific S&G (Specific S&G number to be provided on TA-1A)

**1.20.00 - DENIALS ISSUED BY THE LOCAL OFFICE OF THE FAMILY AND SOCIAL SERVICES ADMINISTRATION** - The township is not obligated to extend aid to an applicant for Township Assistance or any member of an applicant's household if any member of that household has been denied assistance by the local FSSA office for non-compliance with/or violation of 12-14-1-1 through and including 12-14-5.5 of the Indiana Code. If a denial is issued, the duration of the denial shall be for at least thirty (30) days or as long as it may take the applicant to correct and reverse the reason(s) for the denial with the local office of the FSSA.<sup>24</sup> (S&G 10.00.30)

**1.20.10 - TWENTY-FOUR MONTH RULE (TANF ONLY)** - This paragraph only applies to denials dispensed by the Indiana's Family and Social Services Administration for individuals who have expended their twenty-four month lifetime TANF eligibility. The township may not waive the provisions of the S&G 1.20.00 in order to provide Township Assistance to an otherwise eligible household member, unless the person seeking assistance has been gainfully employed for, at least, sixty (60) days immediately prior to the date of their application for Township Assistance and employed at the time the request for Township Assistance is made, or give justifiable reason as to "why" they are unable to be gainfully employed.

**1.20.20 - WELFARE AND/OR TOWNSHIP ASSISTANCE FRAUD** - A person convicted of an offense under IC 35-43-5-7 (Welfare Fraud), the township will not extend aid to or for the benefit of the individual for the following periods: one (1) year if convicted of a misdemeanor; ten years (10) if convicted of a felony. If the township by means of the conduct described in IC 35-43-5-7, determines an attempt to fraud the township has taken place, then the township may refuse to extend aid to or for the benefit of that individual for sixty (60) days.<sup>14</sup> The township will also notify other governmental agencies which provide "basic necessity" service that a fraud or possible fraud has taken place.

**1.20.30 - EMPLOYMENT** - If an applicant for Township Assistance is in good health, or if any member of the

household are so, the trustee shall insist that those able to labor shall seek employment, and the trustee shall refuse to furnish any aid until he/she is satisfied that the person(s) claiming help are endeavoring to find work for themselves. Each able-bodied adult member of the household will, at a minimum, be required to maintain an updated employment file with the Indiana Department of Employment and Training Services, as well as provide other reasonable documentation that they are endeavoring to find employment. The township may also require any adult member of an applicant household to complete an "Employment Search" form prior to receiving continued Township Assistance. These forms may be required on daily, weekly, or monthly basis.<sup>17, 18, 25</sup>

**1.20.40 - MEDICAL EXAMINATION** - If an applicant or a member of the applicant's household claims an inability to work due to health reasons, the township trustee may require and provide for a medical examination necessary for the township trustee to determine whether the applicant or the household member is able to perform work.<sup>26</sup>

**1.20.50 - CONTINUED ASSISTANCE** - At the time of the initial application for assistance, the applicant will be informed/instructed that all future assistance must be requested on a month by month basis. The township will not consider delinquent shelter payments or delinquent utility payments once an applicant has been properly informed to make their future requests on a month to month basis. Notification will be done by the issuance of a TA-1A at the time of the initial application.

## INCOME AND EXPENDITURES

Table 2      CENTER TOWNSHIP INCOME GUIDELINES 2021	
HOUSEHOLD SIZE	
1	\$1610 / month
2	\$2178 / month
3	\$2745 / month
4	\$3313 / month
5	\$3880 / month
6	\$4448 / month
7	\$5015 / month
8	\$5583 / month
For each additional household member	add \$378.33 / month
These guidelines may only be waived when extraordinary or unusual circumstances exist and only upon approval by the Trustee.	

**1.20.70 - INCOME** - Income is defined as the total monetary amount currently available and/or that which is projected to be available to any and all members of the household from any and all sources. Income guidelines to be used for determining the eligibility of a given household may be found on Table 2 above, and must include any and all monetary benefits received by any and all members of the household, during the thirty (30) day period preceding the request for Township Assistance. If the reported income or resources are to be considered a "Wasted Resource", then the previous sixty (60) days will apply rather than the rule of a thirty (30) day period preceding the request for assistance.<sup>27,28,16</sup>

**1.20.80 - RECEIPTS** - The applicant must provide the township with proper receipts for all expended income. Receipts for expenditures not considered basic necessities may not be recognized. Income expended for basic necessities must meet the test of being due for immediate payment, or being a basic necessity that can be considered reasonable and necessary at the time the expenditure was made. Receipts must closely balance with reported income. Hand written receipts provided by friends or relatives are considered unacceptable. Receipts for court related expenses, such as: Attorney fees; Probationary fees, Drug and Alcohol program fees, Fines, Court

costs, Bail, User fees for In Home Detention program, restitution, collect calls to or from the jail, or any other expenditure directly or indirectly associated with the applicant or a member of the applicant's household, because of their involvement with the courts, will not be recognized as a legitimate expense.<sup>16</sup>

**1.30.00 - CHILD SUPPORT PAYMENTS** - Child support payments may be recognized as a legitimate expense provided the support payments are processed through a county clerk's office and the figure to be recognized does not exceed the amount originally ordered by the court. Payments made to cover child support delinquency will not be considered, nor will Child Support payments be deducted from the Gross Income amount in order to reduce the total used to determine income eligibility.

**1.30.20 - ONE TIME AWARDS/SETTLEMENTS** - Applicant households are required, when requesting Township Assistance, to report any "one time" monetary benefits, award(s) or settlements of at least \$400 received by the applicant or any member of the applicant's household within 180 days immediately preceding the date of their application. (S&G 1.10.30-"O")<sup>16</sup>

**1.30.30 - COUNTABLE INCOME** - Except as otherwise provided by law, countable income shall include, but not necessarily be limited to the following either paid to the individual members of the household or accrued and legally available for withdrawal by an individual member of the household:<sup>21</sup>

- A. Gross wages before mandatory deductions.
- B. Social Security benefits, including Supplemental Security Income (SSI).
- C. Temporary Assistance to Needy Families
- D. Unemployment Compensation.
- E. Worker's Compensation (except compensation that is restricted for the payment of medical expenses.)
- F. Vacation Pay.
- G. Sick Benefits.
- H. Strike Benefits.
- I. Private or Public pensions.
- J. Taxable income from self-employment
- K. The value of bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household if monetary compensation of the provisions of basic necessities would have been reasonably available from that individual.
- L. Child Support
- M. Gifts of cash, goods, or services.
- N. Educational grants and loans to the extent that they are intended to cover basic living needs.
- O. The monetary value of subsidized housing, utility assistance, or any other basic necessity provided by

another governmental or quasi-governmental agency.

P. Other sources of revenue or services that the township trustee may reasonably determine to be countable income.

**1.30.40 - SPECIAL CONDITIONS & TEMPORARY AID** - Exceptional financial obligations, emergencies, and/or extraordinary expenses or circumstances, as may be determined, documented, and approved by the Trustee, may give justification to TEMPORARILY waive certain provisions of these guidelines and grant emergency/temporary aid on One Time Basis. This provision should not be construed as a determination of "eligibility" for future Township Assistance.<sup>28</sup>

**1.30.50 - EMERGENCY**- Emergency is defined by statute as *"an unpredictable circumstance or a series of unpredictable circumstances that: (1) place the health or safety of a household or a member of a household in jeopardy; and (2) cannot be remedied in a timely manner by means other than township assistance."*<sup>29</sup>

**1.30.60 - EXPENDITURES** - Only receipts for the "basic necessities" (see S&G 2.00.00) will be recognized as an acceptable expenditure, provided the expenditure meets the test of being a basic necessity due for immediate payment, or a basic necessity that can be considered reasonable and necessary at the time the expenditure was made. Expenditures undocumented, by written receipts, will be counted as unexpended income. Expenditures for items not considered "basic necessities" will not be recognized as a legitimate expense, but shall be considered a "wasted resource".<sup>30,16</sup> (S&G 1.20.70)

**1.40.00 - ASSETS** - Households requesting assistance must also report all assets belonging to any member of the household. Assets which may affect eligibility are those which are available to the household, but not considered necessary for the health, safety, or decent living standards of the household; that are owned wholly or in part by the applicant or a member of the applicant's household; that the applicant or the household member has the legal right to sell or liquidate; and assets which include all real property other than property that is used for the production of income or that which is the primary residence of the applicant household. Countable assets which may affect an applicant's eligibility for Township Assistance may include, as an example, some of the following:<sup>31</sup>

- A. Motorcycles or similar modes of transportation not being used as the households primary means of transportation.
- B. Boats, boat motors, or boat trailers.
- C. VCR's, CAM Recorders, Video Games, and/or other similar electronic devices.
- D. Guns and/or hunting equipment.
- E. Camping trailers and/or Recreational Vehicles.
- F. Non-essential telephone accessories or services.
- G. Jewelry, such as Gold chains, rings, etc...
- H. Premium Cable TV channels or a TV dish.
- I. Any other item of value which the trustee may determine as a non-essential asset, and available for liquidation.

**1.40.10 - LIQUIDATION** - All liquid assets, such as; bank accounts, bonds, certificates of deposit, and etc., must be liquidated immediately. Recreational equipment (boats, motors, and camping trailers), motorcycles, and so forth, must also be liquidated in order to receive continued assistance from the township. All members of the household will be expected to liquidate any of the assets listed in 1.40.00 (A through I), or other unnecessary items of a similar nature, as soon as possible, but no longer than sixty (60) days from the date their initial application is filed. However, non-essential assets purchased by any member of a household after having applied for Township Assistance, must be liquidated immediately before any assistance can be authorized. This would also include the applicant and/or members of the applicant's household entering into a rental or lease agreement for non-essential household items. The township highly recommends, or in some cases, will insist the termination of any and all credit cards in the name of any adult member of an applicant's household. The following factors may be taken into consideration by the trustee when it is necessary to require an applicant to liquidate assets:<sup>31</sup>

**1.40.11- MARKETABILITY OF THE ASSET** - The true monetary value of the item to be liquidated may not be realized because of existing market conditions, e.g., sale of a boat or motorcycle during cold winter months. However, if the duration of Township Assistance is expected to last longer than sixty (60) days and market conditions are unfavorable then the township may place a lien against the personal property asset(s) in question for assistance rendered after the sixty (60) day period.<sup>61</sup>

**1.40.12- EXPECTED DURATION** - The length of time that the applicant/household may be reasonably expected to remain on Township Assistance. Example: Temporary employment or the major "bread winner" is on strike, and the expected duration, which the household may need assistance appears to be of a short duration. (Approximately sixty [60] days)

**1.40.13- LEASED/RENTAL ITEMS** - A determination will be made as to whether or not the item(s) rented or leased is necessary for basic living. Or, if needed, could the same item be purchased or secured more economically. Example: An individual may rent a cooking stove and/or refrigerator from a "Rent to Own" facility. These are, of course considered basic needs, but the cost of renting will probably be greater than the direct purchase of a used item. The household may be required to terminate the lease agreement in order to receive continued Township Assistance.

**1.40.14 - EXEMPTIONS** - Assets which are exempt from liquidation will include one house or mobile home (the primary residence of the household) in which the equity does not jeopardize the household from qualifying for other state or federal assistance programs. However, the township may place a lien against the real estate property and retrieve from the equity in the house the value of the Township Assistance provided the household, if the applicant and the applicant's household's expected duration of needing Township Assistance exceeds a reasonable time frame (four [4] consecutive months) as determined by this sub-section, and the cost of continuing to provide Township Assistance does not constitute the most economical and practical method of providing shelter assistance. (S&G 3.00.00)

## **BASIC NECESSITIES**

**2.00.00 - BASIC NECESSITIES** - For the purpose of Township Assistance, basic necessities are defined as and include those services or items essential to meet the minimum standards of health, safety, and decency, such as:<sup>30</sup>

- A. Medical care described in S&G 4.50.00
- B. Clothing and footwear
- C. Food

D. Shelter

E. Transportation to seek employment, to accept employment, or to travel to and from a place of employment on a reasonable basis.

F. Household essentials

G. Essential utility services as outlined in these Standards and Guidelines

H. Other services or items the township trustee determines are necessities.

NOTE - Neither a telephone, cable or an automobile are considered, by statute, a basic necessity, and payment(s) for either may not be an acceptable expenditure from the applicant's limited income.

## BASIC NECESSITIES - FOOD

Table 3

CENTER TOWNSHIP FOOD ALLOTMENTS

HOUSEHOLD SIZE	MAXIMUM PER MONTH	MAXIMUM PER WEEK
1	\$204	\$47
2	\$374	\$87
3	\$535	\$124
4	\$680	\$158
5	\$807	\$188
6	\$969	\$225
7	\$1071	\$249
8	\$1224	\$285
Each additional	Add \$153	Add \$35

These figures are to be considered allowable maximums. The dollar amounts, depending upon circumstances of the requesting household, could be less.

**2.20.00 - FOOD ORDER ALLOTMENTS** - Food allotments provided to an eligible household are determined by the household size and other criteria as established by these standards. Food orders can only be purchased directly from a combined grocery and meat market. The food supplement allotment each household may receive is contained in Table 3 above. The township may administer food allotments on a monthly, weekly, or daily basis, depending on the circumstances of the requesting household. The township may, instead of providing direct township food assistance, refer an eligible household to a local tax supported food pantry.<sup>32</sup>

**2.20.10 - FOOD ORDER LIMITATIONS** - It shall be unlawful for the township to expend township assistance funds for food for an applicant or a household that is eligible to participate in the federal SNAP (formerly Food Stamp) program. The township may purchase food for an eligible SNAP applicant or household only under one or more of the following conditions:<sup>33</sup> (SNAP - Supplemental Nutrition Assistance Program)

A. During the interim when an applicant or a household is awaiting a determination of eligibility from the FSSA office and ending not later than five (5) days after the day the applicant or household becomes eligible to participate in the SNAP program.

B. Upon the loss of the food supply through unavoidable spoilage, fire or other acts of nature.



C. Upon a written statement from a physician indicating that one or more members of the household needs a special diet, the cost of which is greater than can be purchased with the household's SNAP allotment. An expenditure of township funds, for compliance with this section, should not occur until after SNAP funds have been or are nearly expended.

D. When the trustee determines that a household including a one-member household is in need of supplementary food assistance, provided however, that the household has participated in the SNAP program to the fullest extent allowable and that such supplementary food assistance is given solely upon the circumstances in each individual case; such as an increase in the household size.

E. Households reporting the theft of SNAP must first file a "theft report" with the local police department before any assistance will be given. Habitually reporting the theft or loss of SNAP funds and/or tax supported cash awards will result in a denial.

**2.20.20 - NON-COMPLIANCE WITH SNAP RULES** - Individuals denied SNAP for non-compliance with or violation of rules governing the administration of SNAP, or exceeding time limits for SNAP eligibility shall not be eligible for food assistance from the township, nor will receipts for food expenditures under these circumstances be recognized as a legitimate expense.

## **BASIC NECESSITIES - NON-FOOD & LAUNDRY**

Table 4      CENTER TOWNSHIP LAUNDRY SERVICES AND NON-FOOD ORDERS		
HOUSEHOLD SIZE	NON-FOOD ORDER PER MONTH	LAUNDRY PER MONTH
1	\$40	\$25
2	\$42	\$27
3	\$44	\$29
4	\$47	\$30
5	\$50	\$32
6	\$52	\$33
7	\$54	\$35 maximum
8	\$56	\$35 maximum
9	\$58	\$35 maximum

The amounts listed above are monetary guidelines established by the township and may be pre-rated on a daily, weekly, or monthly basis depending upon the particular need and/or the circumstances of the requesting household. Unless unusual or extraordinary circumstances exist, as determined by the trustee, the amounts listed above will not be exceeded. The township may offer, in lieu of the schedule above, non-food items from the township's non-food pantry supplies.

**2.30.00 - NON-FOOD ITEMS (SOAP ORDERS)** - Necessary household supplies which are commonly referred to as "paper and/or soap" orders will be administered according to the table (See table 4 above), or from the supplies furnished by the township. In most cases, only generic products or store brand items will be allowed for purchase. Other household necessities may be furnished by the township when a need is determined, or a referral may be made to an agency providing similar goods or services. This may include basic and necessary household furnishing such as: cooking utensils, blankets, cooking stove, and/or refrigerator ...etc. The township, under certain conditions, may authorize financing for laundry services. The township will request that the applicant be specific when requesting "Paper/Soap" orders as to what is needed. The township may then include these specific items on the township purchase order. Special consideration may be given to individual households with preferential needs. e.g., diapers and/or feminine supplies.<sup>30</sup>

## **BASIC NECESSITIES - SHELTER**

**3.00.00 - SHELTER ASSISTANCE** - The township shall provide aid in whatever form is necessary to provide shelter or prevent the loss of shelter so long as such aid constitutes the most economical and practical method of relieving the applicant. An applicant for township assistance will not be denied shelter assistance because it may appear, at the time of their request, that they may not have the ability to pay for their future shelter cost. The test of being the most economical and practical means of relieving the applicant must still apply.

**3.00.10 - MORTGAGE PAYMENTS** - Clients will not be denied shelter assistance merely because they are buying their home. However, the township will take into consideration the length of time the individual has owned the property (See 1.40.14 "Exemptions") and the amount of equity the individual applicant has in the property. The mortgage amount paid on behalf of a client may not exceed the shelter allowance standards as contained in Table 5 below and must meet the test of being the most economical and practical method of relieving the applicant. The township will not authorize the payment of a mortgage payment for more than four (4) consecutive months.<sup>30</sup>

**3.10.00 - SECOND & THIRD MORTGAGES** - An applicant's responsibility to pay a second or third mortgage which used the real property home as collateral will not be considered as a valid mortgage/shelter obligation, and may not meet the test of being the most economical and practical method of relieving the applicant. Also, the obligation may exceed the amount normally allowed for shelter assistance as per the shelter allowance standards contained in Table 5 below.

**3.10.01 - UPGRADING SHELTER ARRANGEMENTS** - The township is under no obligation to provide continued Township Assistance to an applicant or a member of the applicant's household, if after an individual or a member of an individual applicant's household receives shelter assistance from the township, they proceed to up-grade their shelter arrangement to a more expensive facility, without justifiable reasons or the expressed permission and/or knowledge of the township.

**3.10.10 - CORRELATION OF SHELTER AND UTILITIES** - In order to approve assistance for shelter, utilities for the shelter must be turned on and unless provided by the landlord as a part of the lease agreement must be registered in the name of an adult member of the household. Exception for legitimate reason can be made by the trustee.

**3.20.00 - SHELTER DEFINED** - For the purpose of administering shelter assistance, the definition of a shelter unit is a house, mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters, or if vacant, intended for occupancy as separate living quarters. "Separate Living Quarters" are those in which the occupants do not live and eat with any other person(s) in the building or through a common hall. If a housing unit is vacant, the criteria of separateness and direct access apply to the intended occupants. Exception to the definition of "Shelter" may include temporary group homes and/or shelters.<sup>34</sup>

**3.20.10 - SHELTER DOCUMENTATION** - Whenever applicant requests assistance from the township, a written information statement from the applicant's landlord is required. A "Shelter Verification" form will be sent to the landlord by the township. This statement will include the full name of the landlord (or the landlord's agent if applicable); their mailing address; their telephone number, as well as other data necessary to determine eligibility of the household. This information will also indicate whether the landlord will (or will not) accept payment from the trustee's office for shelter. The form must be signed by the landlord. If a lease agreement is required, then the lease must be in the name of an adult member of the applicant's household and a copy of the lease furnished to the township. The township will not be obligated for the full payment of a lease when two or more persons are signatory to the agreement and only one individual (that is party to the lease) is requesting shelter assistance from the township and the second party is not currently a member of the requesting household. Township Assistance will not be granted until the "Shelter Verification" form is completed and returned to the township.

**3.20.15 SHELTER DEPOSITS** - While the township cannot expend township assistance funds for a security deposit, under certain circumstances, if the landlord is willing in lieu of a security deposit to enter into an agreement with the trustee, the township can encumber funds up to the equivalent of one month's rent provided the following conditions are agreed to:

1. Both the trustee and the landlord must agree in writing to the condition of the shelter.
2. The agreement will be valid for no more than 180 days, but may be renewed upon agreement of both the landlord and the trustee.
3. The encumbered funds may only be used to pay the cost of:
  - a. verified damages, normal wear excluded, caused by the tenant township assistance recipient during the duration of the agreement; and
  - b. any unpaid rental payments for which the tenant township assistance recipient is responsible.

**3.20.20 - FALSIFYING SHELTER APPLICATION WITH LANDLORD** - The Township shall not be obligated to assist an individual or a member of an applicant's household with the cost of shelter, if the shelter in question was secured by providing the organization (landlord) with inaccurate or false information.

**3.30.00 - RESIDENCY/SHELTER VERIFICATION** - It is necessary for the township to make some determination as to the applicant's living arrangements and whether they are physically living within the township, and whether or not they intend to make Center Township of Howard County their permanent place of residence. Therefore, in order to verify an applicant's residency and intent to live permanently in the township, the township shall consider the conduct of the applicant both active and passive, as it may reveal their intent to reside within a given household and within the township. Such consideration shall include, but is not necessarily limited to the following:<sup>35</sup>

- A. Mailing Address
- B. Telephone Listing
- C. Driver's Licenses
- D. Voter Registration Card
- E. Utility Billing
- F. Motor Vehicle Registration
- G. Addresses given to former employers and others
- H. U.S. Postal Service change of address notices
- I. The return of the completed (by the landlord) SHELTER VERIFICATION AND INVESTIGATION FORM.
- J. Where the applicant came from and how they supported themselves.
- K. What means of transportation brought them (applicant household) to this township and how was it paid.
- L. Whether they were invited or promised assistance by anyone, such as: relatives, friends, or other social service agencies.
- M. Any other item, documentation, or verification requested from the applicant.
- N. Undocumented alien or un-emancipated youth will not be eligible for assistance.

**3.40.00 - SHELTER LIMITATIONS** - Shelter assistance will not be paid to relatives (as landlords) on behalf of an applicant when the applicant is living in the same household; to relatives (as landlords) in separate housing if the

housing is unencumbered by mortgage; or the property has not been previously rented by the relative to a different tenant at reasonable market rates for at least six (6) months. Nor will the township recognize expenditures (receipts) paid to relatives when living in the same household. If township funds are expended for shelter as per S&G 3.40.30, to an applicant's relative, then the trustee may file a lien against the real property. For the purpose of this section the term "relative" includes only the parent, step-parent, child, step-child, sibling, step-sibling, grandparent, step-grandparent, grandchild, or step-grandchild of an applicant.<sup>9</sup>

**3.40.10 - OTHER SHELTER(S)** - The Township shall not be obligated to pay the cost of shelter assistance to or for an applicant when an applicant's relative purchases a house or mobile home for the intended purpose of having the applicant live in the unit. This paragraph applies to real estate purchases or other property transactions made within ninety (90) days prior to making application for Township Assistance, anytime immediately following the filing of an application, or during the period an applicant remains otherwise eligible for township assistance. The township shall not be obligated to pay, directly or indirectly, the cost of mortgage payments when the property in question is part of a potential property settlement or legal controversy in a pending court proceeding. (For example, a divorce or probate.)

**3.40.20 - FIRST TIME RESIDENTS** - The township is not required to provide shelter or other forms of township assistance to an otherwise eligible individual if - (1) the individual's most recent residence was provided by the individual's parent, guardian, or foster parent, AND (2) the individual, without just cause, leaves that residence for the shelter for which the individual seeks assistance, or the individual is an un-emancipated youth. If an individual as described in this section becomes a member of another township household, then the entire household may be denied assistance.<sup>41</sup>

**3.40.30 - SHELTER ENCUMBERED RELATIVE-** In situations where an applicant is renting from a relative with an encumbered mortgage for the housing being used, the township may pay only the maximum allowed on the shelter schedule as contained in Table 5 below or the amount of the mortgage payment, less principal, whichever is the lesser. Receipts signed by relatives for rental payments from an income source other than "Township Assistance" will not be recognized for more than the actual mortgage payment.

**3.40.40 - TAX SUPPORTED SHELTER PROGRAMS** - The Township is under no obligation to enter into a contract or pay temporary shelter cost, on behalf of an otherwise eligible applicant, to a public or private agency which is wholly or partially funded by federal or state funds.<sup>19</sup>

**3.40.50 - SUBSIDIZED SHELTER ASSISTANCE** - The township will not be obligated to subsidize or otherwise provide shelter assistance from the township fund to households living in shelter units under the control and within the power of another governmental or quasi-governmental agency, church or municipality.<sup>42</sup>

**3.40.51 - SUBSIDIZED SHELTER- ASSISTANCE WITH UTILITY ALLOWANCE** - The township will not be obligated to assist individuals with utility assistance once the household is under the Kokomo Housing Authority's program where a budget is formulated and it is determined that sufficient income is available to meet the basic need of shelter and essential utility service. This provision can only be waived when extraordinary circumstances exist, which prevent the applicant from meeting his or her budgeted obligations, such as the loss of employment.

**3.40.60 - SHELTER MOVING** - Clients moving or being evicted, within sixty (60) days immediately preceding their application for Township Assistance, from shelter provided by a relative, or any form, kind, or type of subsidized shelter will be declared ineligible for assistance. The burden of establishing good, just and reasonable cause for having moved or for being evicted shall be upon the applicant.<sup>16</sup>

**3.40.70 - SHELTER INSPECTIONS** - The maximum amount the township will allow for shelter assistance may not exceed the Fair Market Rent Ranges for Howard County allowed by HUD (See Table 5 below). However, the township may visit the proposed shelter prior to making a determination as to the maximum amount the township

may allow on behalf of the applicant. The township's shelter payment level is based upon the average range as the Kokomo Housing Authority's "Rent Ranges" for their voucher program and the following:

- A. Inspecting the proposed shelter in order to determine the RR "grade level" as it relates to minimum requirements for health, safety, and construction.
- B. Determining the maximum number and/or the minimum number of individuals allowed to occupy the proposed shelter.
- C. Determining whether the proposed shelter is "master metered" or individually metered for essential utility service.
- D. The condition and availability (if provided by the landlord) of necessary appliances and/or utility service.
- E. Other criteria as it relates to the HUD formula/process for determining "RR".
- F. All units having proper and adequate number of trash containers for the necessary removal of trash.

**3.40.80 - NON CERTIFIED SHELTER UNITS** - Housing which does not meet the minimum requirements of health, safety, and construction will not be certified as being eligible. Non-certified housing may be paid a lesser amount as determined by the trustee and based upon the inspection report, provided the unit's infractions do not pose an immediate health or safety threat to the occupants. Local city and county ordinances will also be used in determining whether or not a particular housing unit meets minimum requirements for health, safety, and construction. The Township is obligated to report unsafe housing or other obvious violations to the city building inspector when a threat to the health or safety of the occupants is apparent.<sup>41</sup>

CENTER TOWNSHIP FAIR MARKET RENT RANGES				
EFFICIENCY	ONE (1) BEDROOM	TWO (2) BDRM	THREE (3) BDRM	FOUR (4) BDRM
up to \$597	up to \$630	up to \$803	up to \$1,025	up to \$1,121
Add According to the utility service that is provided as a part of the Shelter Payment				
UTILITY	ONE (1) BDRM	TWO (2) BDRM	THREE (3) BDRM	FOUR (4) BDRM
Gas (heat, cooking, water heating, other)	\$48	\$52	\$57	\$63
Electric (heat, cooking, water heating, other)	\$109	\$130	\$149	\$169
Water	\$32	\$35	\$40	\$45
Sewage	\$23	\$29	\$35	\$44
<div> <div>Range, Stove</div> <div>Refrigerator</div> </div> <div> Add \$5.00 regardless of number of bedrooms  Add \$5.00 regardless of number of bedrooms </div>				

**3.40.81 - CENTER TOWNSHIP ESTABLISHED SHELTER** - An applicant will be denied Township Assistance if they vacate or move without just cause or proper notification to the landlord, from a shelter unit that was provided through the earlier efforts and expense of Center Township. The denial will be for a period of sixty (60) days commencing on the date of their next request for Township Assistance after having moved from the unit provided by the township.

**3.41.10 - DEPOSITS FOR NON-CERTIFIED RENTALS** - The Township will not recognize receipts for the payment of a damage or security deposit for a non-certified unit. Further, the township will not recognize receipts for the payment of a security or damage deposit a second time during any twelve (12) month period for the same applicant.

**3.42.00 - OTHER GOVERNMENTAL ASSISTANCE** - The township is under no obligation to assist an individual or household with rent needs when the landlord refuses to accept payment from another governmental program that the household qualifies.

## **BASIC NECESSITIES - UTILITIES**

**4.00.00 - UTILITY SERVICES AND/OR HEATING FUELS** - The trustee may, in cases of necessity, authorize the payment of water, gas, other fuels used for heating or cooking, and electric services; including the payment of delinquent bills, provided the delinquency has lasted not longer than twenty-four (24) month's, for such services when necessary to prevent disconnection or to restore terminated services. There are, however, the following limitations:<sup>43</sup>

A. The township will not pay utility deposits.

B. The utility service must be in the name of an adult member of the requesting household; an emancipated minor who is the head of the household; or a landlord, or a former member of the household if the applicant proves that the applicant is responsible for the payment of the bill. The applicant shall endeavor to have the utility service placed in their name before utility assistance can be continued by the township, unless there is a justifiable reason not to do so.

C. The township will not pay for utility services received as a result of a fraudulent act by any adult member of the household requesting township assistance, nor will the township pay for damages to utility company property caused by members of a requesting household.

D. The township will not consider the payment of delinquent utility bills if the applicant was not a tenant at the service address at the time the bill (cost) was incurred.

E. The township will not consider the payment of "master metered" utility service when more than one household is served by the same meter.

F. The township will not consider payment of estimated or "fixed" utility bills.

G. Individual applicants for township assistance needing utility assistance on a continuing basis shall be informed by the township to request such assistance monthly. Failure to do so may result in a denial for failing to cooperate.

H. During the period in which the state's energy assistance program is in effect, the township will not pay or consider the payment of utility bills until after the state's energy assistance is credited to the applicant's account. However, the township will take into account an applicant's income and their ability to pay on utility bills during moratorium period. Failure to apply income toward basic necessities during the moratorium period for utility services may result in the township issuing a denial.

**4.00.10 - ENERGY PROGRAMS** - Applicants seeking Township Assistance with the payment of energy bills must first utilize all available federal and state programs designed to assist indigent households with the cost of energy, and must furnish the township with written proof that an application for such assistance had been requested from other governmental sources. The township shall inform an applicant for assistance for heating fuel or electric services that assistance may be available from the state. The township will refer the applicant. The certification shall be on an application form prescribed by the Indiana State Board of Accounts. The township will neither certify nor process Energy Assistance applications for non-poor-relief applicants.<sup>43</sup>

## **BASIC NECESSITIES - MEDICAL, PHARMACEUTICALS, INSULIN**

**4.50.00 - MEDICAL SERVICES** - The Township will, in case of necessity, promptly provide medical assistance for qualifying applicants who are not provided for in public institutions, who do not have coverage under a private insurance policy; who are not receiving governmentally subsidized medical benefits, such as Medicaid or Medicare. The township will not pay for services covered under a private insurance policy except when the applicant is unable to financially meet the cost of "co-pay" or a required "deductible." (See S&G 4.50.40) The township shall only pay the cost of the following medical services for applicants who are eligible and qualify for assistance:<sup>48</sup>

A. **Prescription Drugs** - The Township will purchase, on behalf of an eligible applicant, prescription drugs, when prescribed by a physician.<sup>48</sup>

B. **Insulin** -The Township shall pay for the cost of insulin for township residents who are in need of such treatment for diabetes, and who are financially unable to purchase the insulin, upon the application of a duly licensed physician or a certified nurse practitioner. For the purposes of township assistance, only the form prescribed by the State Board of Accounts (State Form 687 [R2 / 1-04] "Application for Insulin and Township Claim") and available from the county Health Officer will be accepted. The application from the physician or a certified nurse practitioner shall affirm in their belief that the person is financially unable to pay for the insulin themselves. Upon receipt of an official application properly completed and signed, in ink, by a physician or certified nurse practitioner, any dealer may provide the insulin and then file the document as a legal claim with the township in order to receive the market price of the insulin being furnished.<sup>49,50</sup> The Township, however, will not be responsible for paying for the Insulin if the township has evidence that the individual has the financial ability to pay for the insulin. After being presented with a legal claim for insulin, the township shall require the individual to complete and file a standard Application for Township Assistance (TA-1) within fifteen days in order to investigate the financial condition of the individual claiming to be indigent. The application shall be completed for the household; however for the purposes of insulin only, Indiana code requires the township to consider only the applicant for determination of qualification for assistance. The township shall immediately notify the individual's physician of those findings. Individuals deemed financially capable of paying for the insulin will be informed by the township by means of a Notice of Action (TA-1) that they are ineligible to receive further township assistance for insulin. The township may also require reimbursement of the township assistance funds rendered through the physician application process. In either case, whether deemed indigent or not, an individual must file a new request for assistance with the township before further assistance will be given.<sup>61</sup>

C. **Office Calls** -It is the responsibility of the applicant to make their own appointments for visits to medical service providers. Clients requesting authorization for a visit to a medical service provider, except in case of emergencies, must first obtain authorization from the township. The cost of visits to a medical specialist cannot be paid by the township, unless the applicant was first referred to a specialist by their attending physician.<sup>51</sup> Before expending township assistance funds, in keeping with the test of the most economical and practical means to meet the need, qualifying applicants may be referred to another agency providing the required medical services.

D. **Emergency Room Treatment** - The Township may pay for necessary emergency room treatment that is of an emergency nature. However, a medical emergency does not exist in situations where the illness/injury could and would have been treated during a routine office call by a family doctor, and/or the applicant could have made contact with the township office before such visits.<sup>51</sup> Emergency office calls, duly prescribed drugs and necessary emergency room medical treatment received in a hospital emergency room may be paid by the township, provided a proper request for the service is made to the township office, by the applicant or a member of the applicant's household, within fifteen (15) days of the time the services are rendered. The medical service provider may make a request for payment by the proper completion and submission of the township's Report on Medical Aid Rendered form TR-4 to the township within the same fifteen (15) day cycle. Failure to notify the township within the prescribed time limits shall result in a denial.

E. **Dental Care and Treatment** -The payment of dental care and/or treatment shall be limited to those cost which are medically necessary to eliminate pain and/or infection or to repair cavities in the most economical and practical way. Township may pay the cost of denture replacements and/or repairs not covered by other tax supported programs. However, the township will not pay for the initial cost of dentures.<sup>48</sup>

F. **Eyeglasses** - The Township may pay the cost of eye exams, eyeglasses, eyeglass repair, or eyeglass replacement for eligible applicants provided the applicant had exhausted all other tax supported programs providing a similar service.<sup>48</sup>

G. **Testing** -Laboratory work and X-Rays as prescribed by a licensed attending physician, including pre-operative testing.

H. **Physical Therapy** - The Township may pay the cost of physical therapy as prescribed by a licensed attending physician, for a period not to exceed thirty (30) days.

I. **Over-the-Counter Drugs** - The township may pay the cost of over-the-counter drugs as prescribed by a medical practitioner other than a veterinarian (licensed: physician, dentist, optometrist, podiatrist, physician assistant, or advanced practice nurse.)

J. **Prosthetics** - Repair or replacement of a prosthetic device not otherwise covered under another tax supported program.

**4.50.10 - MEDICAL PAYMENT SCHEDULE** - In accordance with the provisions of IC 12-20-16-2, the township shall use the Indiana Office of Medicaid Policy and Planning schedule (provided the schedule is known and made available to the township) for determining the amount to be paid by the township for medical services. If co-pays are required by the Medicare/Medicaid schedule, they will need to be met by the applicant. The township is under no obligation to provide for medical services and/or prescription drugs that are excluded for payment by either the Indiana Medicaid or Federal Medicare program.<sup>52</sup>

**4.50.20 - MEDICAL SERVICE PROVIDERS** - The Township may establish a list of approved medical service providers for residents of Center Township qualified for assistance. Any medical provider who can provide medical services within the scope of the provider's license and is willing to provide the medical services for the charges established by S&G 4.50.10 of these guidelines is entitled to be included on the list.<sup>53</sup>



**4.50.30 - REIMBURSEMENT FOR MEDICAL SERVICES** - Unless prohibited by law, the township will seek reimbursement for the payment of medical services from Township funds and provided the individual for which the services were rendered is eligible for medical services under another governmental medical plan.<sup>53</sup>

**4.50.40 - MEDICAL ASSISTANCE EXCLUSIONS** - By law, *the township trustee may not provide to an individual medical assistance under the township assistance program if the individual could qualify for medical assistance for the same service under:*

- (1) IC 12-16;*
- (2) Medicaid;*
- (3) other governmental medical programs; or*
- (4) private health insurance that would cover the individual at the time the assistance was provided.*

*However, if the individual's insurance does not pay for the medical assistance due to a policy deductible or other policy limitation, the township trustee shall pay for medical assistance that the trustee would provide if the individual did not have insurance.*

*However, a township trustee may provide interim medical services during the period that the individual has an application pending for medical assistance under Medicaid (IC 12-15) or another governmental medical program if the individual is reasonably complying with all requirements of the application process.<sup>48</sup>*

## **BURIAL, FUNERAL, CREMATION**

**5.00.00 - BURIAL AND FUNERALS OR CREMATIONS** - The township is required by law to provide for funeral and burial or cremation under the following circumstances:

*( 1) If an individual dies in a township without leaving:*

- (A) money;*
- (B) real or personal property;*
- (C) other assets that may be liquidated; or*
- (D) other means necessary to defray funeral expenses;*

*(2) The individual is not a resident of another township in Indiana; the township trustee, as administrator of "township assistance", shall provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual. If the township trustee determines that the deceased individual is a resident of another township in Indiana, the township trustee shall notify the trustee of that township.<sup>44</sup>*

Should the deceased individual be a resident of certain state institutions, the Indiana code governing those individuals shall pre-empt these specific township guidelines.

While not a basic necessity of life, the township will consider a request for assistance with immediate burial, or direct cremation expense by either a family member, the county coroner, the funeral director having possession of the body, or any other individual having a legal interest. The township will not consider requests for assistance with costs for funeral or memorial services, headstones or other grave markers, visitations or viewings, embalment, obituary listings, or other non-essential costs. The person making application is responsible for verifying eligibility and a signed application for township assistance (TA-1) is required. Applicants should contact the trustee prior to making any arrangements. A death certificate may also be required.

The trustee is not obligated to use local cemeteries or funeral homes.

If the application for assistance is approved, the trustee shall provide a person to superintend (take charge) and authorize the final arrangements and disposition of the deceased individual, whether funeral, cremation and/or burial. If it is determined that the deceased individual is a resident of another township in Indiana, the township

shall notify the trustee of that township, who shall then provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual. Contributions or payment of benefits from any other source will be deducted from the township's allowable maximum. The total cost of the final arrangements and disposition for any deceased indigent person, including burial plot, may not exceed three-thousand-one-hundred dollars (\$3,100.00).<sup>44</sup>

**5.00.10 - IMMEDIATE FAMILY** - "Immediate family" is defined, for the purposes of this section, as the deceased person's surviving spouse, adult children, adult step-children, step-parents, adult siblings, grand-parents, or adult grand-children.

**5.00.15 - RIGHT TO MAKE FINAL ARRANGEMENTS** - Indiana Code 29-2-19-17 defines the order of the right to control the disposition of a decedent's body, and the township will observe that order in determining who may make a request for township assistance with the final arrangements on behalf of a deceased township resident.

**5.00.16 - AFFIRMATION OF AND ASSIGNMENT OF RIGHT TO MAKE FINAL ARRANGEMENTS** - The township shall require a person(s) making request for township assistance with final arrangements to sign a declaration of their legal right to make final arrangements for the decedent, a waiver of that right in favor of the township, and an agreement to hold harmless and indemnify the township for any arrangements, payments on behalf of, and/or disposition of the body of the decedent.

**5.00.17 - CONTESTED SUCCESSION** - The Township will not consider any request for assistance with final arrangements while the order of succession is contested.

**5.00.20 - SUPERINTEND** - The legal definition of "superintend" is to take charge, to supervise, to manage, or to direct. By this definition, the person the township provides to superintend shall be responsible for "taking charge" and "supervising" both the selection of the funeral home and cemetery for the deceased individual, and/or the possibility of cremation. In most cases, this will be a member of the township administrative staff. If there are no surviving family members, the person appointed to superintend will make the formal request for burial assistance by completing the standard form TA-1 Application for Township Assistance on behalf of the deceased.

**5.00.30- TRANSPORTATION BURIAL EXPENSES** - The township will not pay for the cost of transporting the remains of an indigent person back to Center Township unless it can be determined that the deceased was, in fact, a resident of Center Township at the time of death and the transportation costs can be accomplished within the maximum allowable under S&G 5.00.50.

**5.00.40 - SUFFICIENT FUNDS FOR BURIAL AND FUNERAL OR CREMATION** - The township will neither provide a person to "superintend" or become a participant in the burial, funeral or cremation of a deceased individual, if it is determined that

1. the deceased person has sufficient funds or resources; real or personal property that will assist in defraying the cost of the service
2. members of the immediate family have the ability to secure financing or have the necessary resources to assist in defraying the cost of the burial, funeral, or cremation
3. the deceased individual qualifies for burial assistance from Family and Social Services Administration under the provisions of IC 12-14-6 or IC 12-14-17
4. the deceased individual qualifies for burial assistance from another agency or governmental unit

**5.00.50 - TOWNSHIP MAXIMUM EXPENSE FOR BURIAL AND FUNERAL OR CREMATION** - The cost breakdown for burial or funeral or cremation expenses for an adult person is as follows:

Cemetery expenses not to exceed \$1,100

Mortuary expenses for immediate burial not to exceed \$2,000

Mortuary expenses for direct cremation not to exceed \$1,000

**5.00.60 - FAMILY MEMBER'S CONTRIBUTION** - Every effort will be made to encourage members of the immediate family to financially contribute to the cost of the burial and funeral or cremation of the deceased. Contributions from family members will be deducted from the township's maximum.<sup>45,62</sup> If the deceased person has no family, or has died intestate, the township will file a claim against any assets of the estate to recover township assistance

funds expended on behalf of the deceased toward funeral, burial or cremation. Pursuant to sections 5.00.40 and 5.00.70 of these S&G's in order to facilitate arrangements the township may require the family of the deceased to sign a standard "REPAYMENT AGREEMENT" against any benefits which may require the final disposition of the deceased in order to be processed.

**5.00.70 - OTHER CONTRIBUTIONS** - By Indiana code, the township will *deduct from the maximum amount the following:*

*(1) Any monetary benefits that the deceased individual is entitled to receive from a state or federal program.*

*(2) Any money that another person provides on behalf of the deceased individual.<sup>44</sup>*

Any effort to collect money or any money collected on behalf of the deceased individual or the family of the same must be disclosed in the application for township assistance (TA-1). This includes individual efforts for collection, or institutional efforts, e.g. churches, fraternal organizations, not-for-profit organizations, etc. including "GoFundMe" or other fundraising organizations.

**5.10.00 - FUNERAL, BURIAL, OR CREMATION OF NON-ADULTS** - Indiana law does not provide guidance in the processing of funerals, burials, or cremations of non-adults within the statutes governing Township Assistance. Therefore, the township will process each request for non-adult funerals, burials, or cremations on a case by case basis taking into consideration, but not limited to the following:

A. the age and size of the deceased,

B. the family's (including both parents) ability to secure financing or having the necessary resources to assist in defraying the cost. The resources of the entire household and immediate family will be considered.

C. whether or not the deceased is eligible or should have been eligible for burial services under a program offered by Indiana's Family and Social Services Administration through the local office of Family and Children, and

D. both parents (the mother and father) sign the Township Assistance application (TA-1) for the requested service(s).

E. whether or not the deceased is eligible or should have been eligible for disposition by a health care facility under IC 16-21-11 or IC 16-34-3.

If the Township determines that circumstances are such that the requesting household is eligible for funeral, burial, or cremation services, then the amount the township will pay for non-adult funeral, burial, or cremation services shall be determined by the trustee. The trustee shall appoint a person to superintend the funeral, burial, or cremation of the deceased individual which shall include selection of the cemetery and/or the funeral home. Under no circumstances will the township pay for the funeral, burial, or cremation services after the services have been provided.

**5.20.00 - FUNERAL HOMES** - Before a funeral home can be considered for selection, a current copy of their price list, as disclosed to the Federal Trade Commission, must be on file with the township. Funeral homes should not proceed with arrangements without prior authorization from the person appointed to superintend. The township will also require a death certificate and an itemized (invoice) statement from the funeral home before payment can be authorized.

## TRANSPORTATION

**5.30.00 - TRANSPORTATION** - Center Township may provide transportation to individual applicants to seek and accept employment within or outside Center Township when there is reasonable evidence that employment is available. Reasonableness is taking into consideration the unique and specific circumstances of the applicant and/or the members of the applicant's household.

**5.30.10 - TRANSPORTATION / DEPORTATION OF NONRESIDENTS** – It is unlawful to furnish any non-resident of the township with transportation until after the legal residence of the person applying has been ascertained beyond a reasonable doubt. Any transportation furnished to such person(s) shall be in the direction of their legal residence, unless it is shown, beyond a reasonable doubt, that the person in distress has some valid claim for support or some other means of support in some other place toward which the person asks to be sent. The township may, under this section, require an applicant to perform workfare prior to receiving transportation assistance.<sup>46</sup>

**5.30.20 - AUTOMOBILES** - An automobile is not, by statute, recognized as a basic necessity. Therefore, automobile payments and other related automobile expenses may not be considered a legitimate expense. The trustee may determine whether or not a receipt for an automobile payment will be recognized as an acceptable expense and may take into consideration such things as the amount of the payment and whether or not the auto is used for transportation to and from a place of employment. Any and all expenses relating to an automobile should be reasonable and within the means of the individual household to pay.

**5.30.30 - TRANSPORTATION / DEPORTATION RE-APPLICATION** - Any indigent person who has been sent to a place of settlement, by court order, or is transported there at public expense (township assistance), and who again makes an application for assistance in any township or a county other than that of his/her legal settlement may be denied Township Assistance for a period not to exceed 180 days. The denial period begins the day Township Assistance is again requested.<sup>47</sup>

## WORKFARE

**6.00.00 - WORKFARE (RECIPIENT DEFINED)** - The term "recipient" as it relates to workfare means "a single person receiving township assistance or when township assistance is received by a household with two (2) or more persons, the members of the household most suited and able to perform available work". The workfare obligation pertains to the household specifically and will not be equally divided among the adult members of a recipient household, unless and except as provided an SSI applicant under the provisions of 6.00.80 of these Standards and Guidelines. Suitable to perform available work shall be determined by the trustee, and may provide for medical examinations necessary to make such a determination.<sup>54</sup>

**6.00.10 – WORKFARE REQUIREMENTS** – The township shall require a recipient to do any work needed to be done within the township or an adjoining township or for any governmental unit (including the state) having jurisdiction in those townships, or for a not-for-profit social service agency.<sup>55</sup>

**6.00.20 - WORKFARE CRITERIA** - The Township will provide an individual obligated to workfare with a "time card" and an initial starting time and date. Minimum criteria for satisfactory participation in the workfare program shall be, commencing on the initially assigned date and time, one shift per day or five shifts per week, unless otherwise scheduled or excused by the township trustee. Unexcused absences for scheduled workfare assignment may result in the discontinuance of township assistance. Any workfare obligations incurred in another township will be carried forward to the gaining township, unless the applicant failed to comply with the former township's guidelines for workfare participation. If an applicant failed to comply, they shall be denied.<sup>55</sup>

**6.00.30 - WORKFARE PARTICIPATION** - The recipient(s) is required to maintain the minimum criteria that are necessary for the fulfillment of his/her workfare responsibility until such time as his/her obligation with the township is satisfied. Recipients will not be permitted to voluntarily work in advance of receiving assistance in order to accrue workfare credit. It is the sole responsibility of the recipient(s) to meet the criteria of workfare participation. In satisfying this obligation, only the recipient or members of the recipient's household will be allowed to perform the required work.

**6.00.31 - REQUESTING ASSISTANCE BEFORE SATISFYING WORKFARE OBLIGATION** - An individual obligated to workfare will not be allowed to commence performing workfare prior to requesting assistance from the township. All workfare must be satisfied, prior to requesting assistance a second time. Anyone requesting assistance without the completion of their workfare obligation may be denied.

**6.00.40 - WORKFARE COMPENSATION** - The recipient shall be required to do an amount of work which equals the value of assistance already received by him or his household divided by the hourly rate for Federal Minimum Wage. This translates into hours the recipient will owe in total workfare hours.<sup>55</sup>

**6.00.50 - WORKFARE EXCEPTIONS** - Recipients may be excused from workfare for one or more of the following reasons:<sup>55</sup>

A. The individual(s) obligated is not physically able to perform work and has provided the township with medical evidence that they are unable to perform the work.

B. The individual(s) obligated is a minor or is over 65 years of age.

C. All obligated members of the household have full-time employment (at least 30 hours per week) at the time the household received township assistance, or they managed to secure full-time employment before commencing their workfare obligation.

D. The individual(s) obligated is needed to care for a person as a result of the person's age or physical condition and has furnished the township with medical evidence that the person to be cared for is in need of their assistance.

E. There is no work available as determined by the trustee.

F. The individual(s) obligated is, at the direction of the township, attending educational courses or self-help classes.

**6.00.60 - WORKFARE RESTRICTIONS** - A recipient(s) shall not be assigned to work which would result in the indirect or direct displacement of governmental employees or in the reduction of hours worked by those employees, nor will an obligated individual(s) be assigned to work at a location where a labor dispute is ineffect.<sup>56</sup>

**6.00.61 - WORKFARE COOPERATION** - The Township may from time to time agree to a cooperative arrangement with other governmental agencies for work assignment and work credit of and for mutual clients. There are times when the Indiana FSSA local office or the Howard County Court system share mutual clients with Center Township. In some cases two or more governmental agencies may assign a specific number of hours an individual must either look for work, train for work, complete community service orders, or workfare. In such case, to avoid confusion, a cooperative arrangement may be in order. These will be addressed on a case by case basis, and only with the approval of the Trustee.

**6.00.70 - OTHER WORKFARE CREDIT** - Individuals obligated to the township workfare program may, at the discretion of the township, receive "workfare" credit hours while attending an approved self-help or educational program under the following conditions:<sup>57</sup>

- A. The individual must be referred to the program by the township.
- B. The individual must attend and participate in all scheduled meetings and/or classes, unless otherwise excused for justifiable reasons.
- C. An individual must present proper documentation of attendance and grades to the township in order to receive continued workfare credit.
- D. Individuals obligated to and referred by other governmental agencies cannot, without township approval, receive township workfare credit along with credit from another agency for attendance in an approved program.
- E. In order to receive township workfare credit, individuals participating in a self-help or educational program must continue to participate even when his or her total obligation to the workfare program is completed.

**6.00.80 - SUPPLEMENTAL SECURITY INCOME** - Individuals awaiting a determination from the social Security Administration for SSI benefits will not be required to perform workfare during the initial stages of the SSI application process. If and when the initial application for SSI benefits has been denied by SSA, the applicant may, at this point, be obligated to perform workfare. Other members of an SSI applicant's household able to perform workfare will be required to participate and work his/her proportionate share of the workfare obligation. EXAMPLE: Under current regulations "A member of a multi-member household (three (3) adult members) awaiting an SSI determination shall be excused from performing workfare while the SSI determination is pending. Other adult members of the household will, however, be required to comply with the workfare obligation, but will only be required to work the remaining proportionate share. The Township will obligate this particular household to workfare for the amount of the assistance rendered less that which is to be charged to the SSI recipient specifically. This holds true only if the entire household shared in the assistance, such as: shelter, utilities, or food. If, however, township assistance was rendered specifically for the SSI applicant, workfare will not be required, but the amount of this assistance may be recovered through the Interim Assistance Reimbursement program. Individuals currently receiving SSI monthly benefits are not automatically excused from workfare. In order to be excused, the individual SSI recipient must still meet one of the exempting reasons contained in S&G 6.00.50.<sup>58</sup> this particular section is driven by an agreement between the state of Indiana and the Social Security Administration and shall continue in effect as long as current regulations remain the same. They are, however, subject to change.

## **REPAYMENTS, RESTRICTIONS**

**7.00.00 REPAYMENTS** - The repayment of assistance, or a promise to repay assistance, will not constitute a condition of eligibility for township assistance, except as provided in sub-paragraph S&G 7.00.10 & 7.00.20.

**7.00.10 - THIRD PARTY BENEFITS** - If it is anticipated that an applicant for township assistance has the potential of receiving a judgment, compensation, or monetary benefits from a third party including excess funds from an SSI retro payment, the trustee may require the applicant to enter into a subrogation agreement or sign an authorization for the repayment of any township assistance provided by the township during this interim period. Failure of an applicant to sign the necessary authorization for reimbursement to the township shall result in a denial of township benefits. An applicant who fails to comply with a subrogation agreement shall be denied the next time they request township assistance. The duration of the denial shall be for a period not to exceed 180 days or until the applicant complies with the original agreement.<sup>59</sup>

**7.00.20 - VENDOR RESTRICTIONS** - An individual cannot be considered as a vendor for payment from township funds if that individual or a member of the individual's household has been a township client with an active TA-1 on file, has an outstanding obligation for workfare, or an unsatisfied repayment agreement with the township for township assistance rendered to that individual or a member of the individual's household. The township may set aside the repayment agreement restriction once the repayment to the township is satisfied.

## COUNTY HOME

**8.00.00 - COUNTY HOME ADMISSIONS** - The Township may process applications for admission to the county home in accordance with the proper provisions of the Indiana Code. Once an application is processed and properly investigated, a recommendation by the township will be made to the Board of County Commissioners as to whether or not the applicant should be considered for admission. If the applicant fails to be recommended for admission by the township, then the applicant (or their agent) will be advised of their right to pursue the petition on their own.

## PAYEE

**9.00.00 - REPORTING (PAYEE)** - The township may from time to time report and recommend to other governmental agencies (TANF or the Social Security Administration especially) the misuse of funds by a recipient. The township may officially recommend when reporting misuse, that the recipient's cash "award" be placed in the hands of a "protective or designated payee". The township may refuse to extend aid to an individual or household member until such time as the applicant initiates and executes the proper instruments for obtaining a payee to handle their finances.

**9.00.10 - CENTER TOWNSHIP PAYEE PROGRAM** - Center Township may offer a "Payee Program" for individuals having difficulty managing their monthly income or monetary benefits. The township will only consider the management of funds from a source that is fixed and available on a regular monthly basis; such as: Pensions, Supplemental Security Income (SSI), Social Security, and/or Temporary Assistance to Needy Families (TANF).

## LEGAL CLARIFICATIONS

**10.00.00 - REPORTING ABUSE AND NEGLECT** - The Township shall report all suspected cases of abuse or neglect of children or adults to the proper authorities. Un-emancipated youth requesting township assistance will automatically be reported to the Howard County Child Protection Service.

**10.00.05 - EQUAL OPPORTUNITY POLICY** - The intent of the Center Township's "Equal Opportunity Policy" is to affirm the position of this office regarding non-discrimination in all matters relating to the administration of township assistance. Center Township believes that all persons are entitled to an equal opportunity to apply for and receive township services and does not discriminate against applicants for assistance because of ethnicity (race), religious belief (creed), national origin, age, gender, or disability.

**10.00.10 - COURTESY** - In compliance with the Equal Opportunity Policy, the township expects everyone who comes into the office to be treated in a courteous and dignified manner. We likewise expect the staff of the township to be treated in a similar manner. (See S&G 1.10.30 "F") The office is intent on assisting the needs of the township's residents and will endeavor to provide necessary assistance within the limits of the law and these standards and guidelines.

**10.00.11 - INTIMIDATION / HARASSMENT** - The township will absolutely not tolerate violence, threats of violence, intimidation, or harassment (IC 35-45-2) against any township employee or against any client or other person who is a guest on township property. Besides resulting in a denial of assistance, such behavior will result in an expulsion from township property for at least 30 days, and up to 60 days. Additionally, if such behavior is deemed a "credible threat of violence" (IC 34-26-6) under Indiana law, a restraining order may be filed against the person committing the threat.

**10.00.15 - TOWNSHIP STAFF** - Because the township is mandated by law to accomplish more than township assistance, not all township personnel will be able to address questions related to township assistance. Questions not answered by these Standards and Guidelines, or during the interview process of the application should be addressed to township assistance staff (investigators, interviewers, etc.) or the Trustee.

**10.00.20 - APPEAL RIGHTS AND PROCEDURES -**

**HOWARD COUNTY BOARD OF COMMISSIONERS PROCEDURE FOR TOWNSHIP ASSISTANCE APPEAL HEARINGS.**

1. Applicant for Township Assistance who is denied such assistance by the Township Trustee shall file his/her appeal of the Trustee's denial in writing with the Howard County Auditor's Office, no later than 15 calendar days from the Trustee's TA-1-A, Notice of Township Assistance Action.
2. The applicant will be notified, at the time his/her appeal is filed, that free legal counsel is available and where it can be obtained. During the hearing, an applicant may only be represented by a licensed attorney or themselves.
3. The Auditor's Office will schedule a hearing to be conducted on the last business day before the next scheduled Board of Commissioners meeting, but in no event later than 10 working days after the appeal has been properly filed. The time for such Hearing will be 12:00 noon unless otherwise agreed to by the Hearing Officer.
4. The Board of Commissioners shall appoint one of its members as the Hearing Officer. In the event none of the members is able to serve as Hearing Officer, a county employee who is familiar with the Township Assistance Appeals process shall be appointed as the Hearing Officer, with no additional compensation.
5. The Hearing Officer shall preside at the Appeal Hearing. The order of presentation at the Hearing shall be 1) the applicant, who will be allowed to state his/her position and provide any evidence to support his/her position and 2) the Township Trustee, who will be allowed to state his/her reason for denial and provide evidence to support his/her position. The Hearing Officer and the Board will be governed by the Township's Standards and Guidelines, adopted by the Board.
6. The Hearing Office shall hear both sides and, if no additional information is needed, announce the recommendation to be made at the next Board of Commissioners' meeting.
7. The Board may utilize its subpoena power when it is believed to be necessary to assure a fair and impartial hearing. Those failing to respond to a properly executed subpoena issued by the Board will be subject to contempt penalties.
8. The applicant shall be notified at the time an appeal is filed that he/she had the right to review his/her household case file with the Trustee, excluding documents that are considered confidential by either state or federal law and that which involve another adult member of the same household. The applicant shall, upon his/her request, be furnished with any documents or evidence used by the Trustee to make the determination under appeal.



**10.00.30 – PROVISIONS OF INDIANA CODE 12-14, PUBLIC LAW #46** - As part of the Indiana's effort to reform "welfare", Senate Enrolled Act #478 was enacted in 1995. Its main thrust was to address problems and alleged abuse in the Aid to Families with Dependent Children program which later became known as Temporary Assistance to Needy Families. This, as considered by many, was an honorable attempt to eliminate abuses and fraud within the Indiana system of "welfare," and reduce both cost and dependency.

The following commentary attempts to touch on the township's role and obligation under the provisions of SB #478 and IC 12-20-6-0.5.

#### EFFECTIVE JANUARY OF 1996

The township trustee shall determine whether an applicant for township assistance or a member of the applicant's household has been denied assistance under any of the following (a. through k.) statutory provisions.

Although the Indiana Code still makes reference to Aid to Families with Dependent Children, it should be noted that the name has changed at the federal level and is hereinafter known as "Temporary Assistance to Needy Families" (TANF).

**(a). CONVICTION OF WELFARE FRAUD OR SUBSTANCE ABUSE**

IC 12-14-1-1(c) - A person convicted of an offense under IC 35-43-5-7 (Welfare Fraud) or IC 35-48-4 (Drugs) is not eligible to receive assistance under TANF.

**(b). UNDER AGE PARENT**

IC 12-14-1-1.5(b) - Except as provided in subsection (d) of the statute, a dependent child who is less than eighteen (18) years of age may be refused assistance if they are not residing with a parent, a legal guardian, or an adult relative other than a parent or legal guardian of the dependent child.

**(c). LIFE TIME BENEFITS OF TWENTY-FOUR MONTHS**

IC 12-14-2-5.1 (a) - Subject to the provisions of "Employment Credit" of this statute, each parent or essential person is subject to a lifetime limit of twenty-four months for TANF benefits.

**(d). CHILDREN BORN 10 MONTHS AFTER PARENT DETERMINED ELIGIBLE**

IC 12-14-2-5.3 (b) - Except as provided in certain sections of this statute, an additional payment may not be made for a dependent child who is born more than ten (10) months after the date the family qualifies for assistance under the law.

**(e). MANDATORY SCHOOL ATTENDANCE & EMPLOYMENT OPPORTUNITIES**

IC 12-14-2-18 - A recipient or dependent child who fails to meet the requirements of the Mandatory School Attendance section is subject to being denied TANF assistance.

A TANF recipient who refuses to participate in an employment opportunity or a job training opportunity offered to the recipient under the Employment Opportunities for TANF recipients program is subject to being denied assistance.

**(f). VOLUNTARILY TERMINATING EMPLOYMENT**

IC 12-14-2-20 - A person who applies for TANF assistance under the provisions of this article and voluntarily leaves the person's most recent employer, within six (6) months before applying for TANF; or at any time after becoming a recipient of TANF under this provision; or voluntarily reduces the number of hours the person works in order to qualify for or retain eligibility for assistance is ineligible to receive assistance under IC 12-14 for six (6) months after leaving the person's employer or reducing the person's hours.

(g). PERSONAL RESPONSIBILITY AGREEMENT

IC 12-14-2-21 - A TANF recipient or the parent or essential person of a TANF recipient if the recipient is less than eighteen (18) years of age must sign a personal responsibility agreement. All assistance under this article shall be withheld or denied to a person who does not fulfill the requirements of the agreement. In addition to the provisions of (a) through (j) of this document, the agreement contains the following:

1. Accept responsibility for ensuring that each child of the person receives all appropriate vaccinations against disease at an appropriate age.
2. Accept the responsibility for raising their children in a safe and secure home.
3. Agrees not to abuse illegal drugs or other substances that would interfere with the person's ability to attain self-sufficiency.

(h). PATERNITY ESTABLISHMENT

IC 12-14-2-24 - A dependent child and a parent or an essential person are not eligible for TANF assistance unless the mother of the dependent child initiates a court proceeding to establish paternity, executes a paternity affidavit; or request that Title IV-D agency or its agent file a paternity action on their behalf.

(i). REGISTERING FOR WORK WITH LOCAL EMPLOYMENT OFFICE

IC 12-14-2-26 - To be eligible for TANF assistance a parent or an essential person must register with the local employment and training office.

(j). ILLEGAL ALIENS

IC 12-14-2.5-3 - A person who is in the United States without permission of the immigration and Naturalization Service is not entitled to receive any TANF assistance under this statute.

(k). PUBLIC SERVICE

IC 12-14-5.5-5 - A person required to engage in public service under this statute who refuses to engage in public service is not entitled to receive assistance under the TANF program.

**10.10.00 - HOLOCAUST SURVIVOR SETTLEMENT EXCLUSION** - By Indiana statute any settlement paid to an eligible Holocaust survivor may not be considered by the township in the application of income standards.<sup>60</sup>

**10.20.00 - CONCLUSION** - All decisions regarding eligibility will be based on these Standards and Guidelines. These Standards and Guidelines will be available at the township office and on the township's website - [www.centertownship1.com](http://www.centertownship1.com). Additional copies will be furnished to the Howard County Recorder. Any member of the public will be permitted to inspect and at their own expense copy these standards. The standards will be periodically revised to reflect changes in both statutory and case law, and changes in income and market standards.

1. IC 12-20-5.5-4
2. IC 12-20-5.5-3
3. IC 12-20-7-1
4. IC 12-20-6.1
5. IC 12-20-6-7
6. IC 12-20-6-8
7. IC 12-20-6-1
8. IC 12-20-6-9
9. IC 12-20-6-10
10. IC 12-20-6-5.5
11. IC 12-20-27-1.5
12. IC 12-20-16-1
13. IC 12-20-6-6.6
14. IC 12-20-6-6.5
15. IC 12-20-11-1
16. IC 12-7-2-200.5
17. IC 12-20-10-1
18. IC 12-20-10-2
19. IC 12-20-17-2
20. IC 12-20-6-5
21. IC 12-7-2-44.7
22. IC 12-20-12-1
23. IC 12-14-2-24
24. IC 12-20-6-0.5
25. IC 12-20-10-3
26. IC 12-20-10-3.5
27. IC 12-20-5.5
28. IC 12-20-17-1
29. IC 12-7-2-76.5
30. IC 12-7-2-20.5
31. IC 12-7-2-44.6
32. IC 12-20-16-5
33. IC 12-20-16-6
34. IC 12-7-2-177
35. IC 12-20-8-1
36. IC 12-20-8-2
37. IC 12-20-8-3
38. IC 12-20-8-5
39. IC 12-20-8-7
40. IC 12-14-2.5-3
41. IC 12-20-16-17
42. IC 36-1-7-1 through 3
43. IC 12-20-16-3
44. IC 12-20-16-12
45. IC 31-16-17-1
46. IC 12-20-16-11
47. IC 12-20-9-6
48. IC 12-20-16-2
49. IC 12-20-16-2(c)13
50. IC 12-20-16-14
51. IC 12-20-19-2
52. IC 12-20-16-2(d)2
53. IC 12-20-16-2(e)
54. IC 12-20-10-3.
55. IC 12-20-11-1
56. IC 12-20-11-1(g)
57. IC 12-20-11-3
58. IC 12-20-11-5
59. IC 12-20-27-1.5
60. IC 12-20-5.5-6 (b)
61. IC 16-41-19
62. Van Buskirk vs. Wayne Township circa 1970
63. Pickett v Pickett No#368 A 32. Appellate Court of Indiana. Oct 29, 1969

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These Standards and Guidelines for Township Assistance adopted and approved for the Center Township of Howard County, Indiana by the Township Board of Howard County, Indiana on this date Oct. 26, 2021 to be effective October 27, 2021

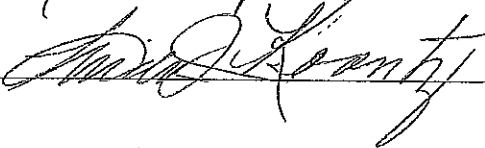
Mr. Steve Geiselman, President



Mrs. Natalie Guest Born, Secretary



Ms. Linda Koontz, Member



Rev. Dr. Robert A. Lee, Trustee



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