

Brown Township, Hendricks County



# **Emergency Assistance Eligibility Standards for Public Assistance 2024**

Angela Delp, Brown Township Trustee  
Christin Bullerdick, Brown Township Investigator

Brown Township Advisory Board:  
Jim Murphy  
Shari O'Riley  
Kevin Rogers

7455 E. Co. Rd. 1000 N.  
Brownsburg, IN 46112  
Office: 317-852-0899

Table of Contents  
Chapter 1- Definitions of Terms

Pg. 3 Chapter I Definitions  
Pg. 6 Chapter II Policies, Operations and Forms  
Pg. 7 Chapter III Application Process  
Pg. 17 Chapter IV Services and Benefits  
Pg. 31 Emergency Assistance Guideline Tables  
Pg. 34 Township Board Resolution  
Pg. 35 Indiana Code Statute References

## CHAPTER 1 - DEFINITIONS

**SECTION 1-1-DEFINITIONS OF TERMS** - These are definitions of words and terms in the emergency assistance statutes and in these standards.

**ADULT** - anyone living in the household who has reached the age of eighteen (18) years.

**APPLICANT** - any person making a request or application for public assistance from the Township Trustee, either directly or through written authorization of his/her representatives. An incompetent or incapacitated individual becomes the *applicant* when someone acting responsibly for him/her makes his/her need known to the Trustee's Office. In all cases, the applicant or his/her representative will provide information to the Township Trustee subject to the penalties of perjury.

**APPLICATION PROCESS** - the formal application requirements prescribed by the Township Trustee's Office.

**ASSISTANCE** - voucher payments, purchase orders of services of any other kind whatsoever paid or furnished by the Office of the Township Trustee to or for the benefit of any recipient of Emergency Assistance.

**BASIC NECESSITIES** - those services or items essential to meet the minimum standards of health, safety and decency.

**COUNTABLE ASSET** - noncash property that is not necessary for the health, safety or decent living standards of a household.

**COUNTABLE INCOME** - a monetary amount either paid to an applicant or a member of an applicant's household, including non-monetary or in-kind benefits received from any source, except resources specifically exempt by law.

**ELIGIBILITY** - the statutory right to receive benefits or services from the Office of the Township Trustee.

**EMANCIPATED CHILD** - an entire surrender of the right to the care, custody, control and earnings of such child as well as a renunciation of parental duties. For the purposes of these Standards, the term shall entail total emancipation only.

**EMERGENCY** - an unpredictable circumstance or a series of unpredictable circumstances that:

1. Place the health or safety of a household or member of a household in jeopardy; or
2. Cannot be remedied in a timely manner by means other than Township assistance.

**EQUITABLY** - fairly and equally with all concerned

EXTRAORDINARY CIRCUMSTANCES - an emergency situation resulting from elements beyond the ordinary or usual order.

FULL TIME EMPLOYMENT- gainful employment of more than thirty-five (35) hours per week.

GREEN CARD- Lawful Permanent Residence (LAR) status granted by U.S. Citizenship and Immigration Services (USCIS) within the Department of Homeland Security.

HOUSEHOLD- means any of the following:

1. An individual living alone.
2. A family related by blood.
3. A group of individuals living together at one (1) residence as a domestic unit with mutual economic dependency.

INTERIM PERIOD - the period beginning when the Trustee obtains from an applicant of household member an agreement of authorization and ending when the applicant of household member receives the judgment, compensation or monetary benefit or leaves the household.

INCOME - all sources of monetary gain or benefit available at the time of application and the monetary gain or benefit projected to be made available to any and all members of the household from any source, including non-monetary or in-kind benefits received from any source, except food stamps or other resources specifically exempted by law.

INDIGENT- a person whose income and resources are insufficient to meet basic needs of health, safety, and decency.

JUST CAUSE FIRING per IC 22-4-15-1 and IC 22-4-15-6-6.1

1. Separation initiated by an employer for falsification of an employment application to obtain employment through subterfuge.
2. Knowing violations of reasonable and uniformly enforced rules of an employer.
3. Unsatisfactory attendance.
4. Damaging employer's property through willful negligence.
5. Refusing to obey instructions.
6. Reporting to work under the influence of alcohol or drugs or consuming alcohol or drugs on employer's premises during work hours.
7. Endangering safety of self or co-workers.
8. Incarceration in jail following conviction of a misdemeanor or felony.
9. Breach of duty in connection with work.

10. Gross misconduct in connection with work.

MEDICAL ASSISTANCE or MEDICAL ATTENDANCE - includes any medical services, surgical services, medical supplies, medicines, special diets, hospital care, nursing care, pharmaceutical drugs and supplies and any other goods or services of a medical nature.

NON-MONETARY - not pertaining to money.

RECIPIENT- any household who has received or is receiving assistance from the Township Trustee for themselves or others under the provisions of the applicable emergency assistance statutes.

RELATIVE- per IC 12-20-6-10, includes only the parent, stepparent, child, stepchild, sibling, stepsibling, grandparent, step-grandparent, grandchild or step-grandchild.

RESIDENT - an individual who:

1. Is located in the Township.
2. Intends to make the Township the individual's sole place of residence.

SEASONAL EMPLOYMENT- any established or customary employed period of the year characterized or associated with some phrase or work activity characteristically limited by season. A reasonable assurance that the individual will be employed again doing the same service after the established or customary off season must exist. Examples would be school bus drivers and construction workers.

SHELTER - a house, mobile home, apartment, group of rooms or single room that is occupied or is intended for occupancy as a separate living quarters where the occupant or intended occupant;

1. Does not live and eat with any other individuals in the building; and
2. Has direct access to the occupant's living quarters from the outside of the building or through a common hall.

TANF - Temporary Assistance for Needy Families.

TEMPORARY - lasting for a limited time.

VENDOR - any business, merchant, store, eligible food market, or any institution or person which accepts the Township Trustee voucher in exchange for goods or services provided to a recipient.

VERIFY or VERIFICATION - to make certain that the information provided to the Township Trustee is truthful and correct.

VOUCHER- a purchase order.

#### WASTED RESOURCES

1. The amount of money or resources expended by an applicant or an adult member of an applicant's household seeking Township Assistance during the thirty (30) days before the date of an application of Township Assistance for items or services that are not basic necessities; or
2. Income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application for Township Assistance by an adult member of an applicant's household unless the adult member can establish a good reason for the act.
3. Following the first appointment, if the applicant continues to waste resources, the dollar amount of the wasted resources can be deducted from the assistance requested by the applicant.

### **CHAPTER II - POLICIES, OPERATIONS and FORMS**

#### **SECTION II-1- GENERAL POLICY.**

The office and operations of the Township Trustee, with regard to "Emergency Assistance", will be geared to service as the prime goal. As overseer of the poor the Trustee will attempt to meet the needs of the poor as economically and efficiently as possible.

#### **SECTION II-2-TOWNSHIP ASSISTANCE STATUTES.**

Emergency assistance will be administered by this office in conformity with all relevant emergency assistance statutes whether or not similar provisions are contained in these standards.

#### **SECTION II-3-DISCRIMINATION.**

At all times the Office of the Township Trustee will determine eligibility for assistance without regard to race, source of income, creed, color, sex, handicap status, national origin, marital status, political beliefs, or any other arbitrary condition which operates to defeat the broad statutory purpose of providing assistance to needy families.

#### **SECTION II-4 - TOWNSHIP TRUSTEE.**

The Township Trustee is an elected official and a purely statutory office, with only such power and authority as the statutes may so vest in them. By statute the Township Trustee is made overseer of the poor. This office will perform all duties that may be prescribed by law to see that the poor within the township are properly relieved and taken care of in the manner prescribed by law and as set forth in these Standards.

#### **SECTION II-5 - TOWNSHIP BOARD.**

By statute there exists a duly elected three (3) member Township Board which functions both as a legislative and advisory body with regard to the Township Trustee and the operations of the respective Township.

**SECTION II-6 - COURTESY.**

We expect 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. The office is intent on assisting the poor of this Township and will endeavor to provide necessary assistance within the limits and the law and these Standards and guidelines.

**SECTION II-7 - OFFICE ADDRESS and TELEPHONE NUMBER.**

Brown Township Trustee's Office

7455 E. Rd. 1000 N.

Brownsburg, IN 46112

Telephone: 317-852-0899

Email: [browntownshipin@gmail.com](mailto:browntownshipin@gmail.com)

**SECTION II-8 - BUSINESS HOURS.**

The Township Trustee will maintain such office facilities for emergency assistance as may be deemed necessary and will be open to the public for business between the hours of:

Wednesday, Thursday 10:00-2:00

A client that is more than 10 minutes late for an appointment, appointment can be reset at Trustee's discretion.

After-hour appointments, available upon request and by appointment only.

Closed all county holidays and when deemed necessary by Trustee due to inclement weather. The Trustee reserves the right to modify office hours in conformity to the needs of the Township.

**CHAPTER III - APPLICATION PROCESS**

**SECTION III-1 -APPLICATIONS.**

An individual desiring to make an initial application for assistance from the Township should contact the Township Office. At the 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 an application. They will be informed of the services available, and the criteria used in determining eligibility. Failure to keep an appointment or bring the required documents may cause an unnecessary delay in the client receiving assistance. Individuals, who for legitimate reasons, are unable to visit the Township Office should call in order to make other arrangements. Applicants will also be required to complete the application in

their own hand. If an individual applicant cannot read or has difficulty completing the process, they may have a friend or relative assist them. The application is the property of the Trustee and shall be retained in the Office of the Trustee whether or not relief is granted.

### **SECTION III-2 - COOPERATION.**

During the application process, the client will be required to complete an Application for Township Assistance. The client 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 can include a home visit and/or contact with their relatives who may be able and willing to assist them. **The Township requires, except in cases of emergencies, that an applicant for township assistance make an application for and utilize all other forms of public assistance before being granted township assistance.** All adult members of the household will be required to sign all necessary documents, including the "Application for Assistance Form" and the "Disclosure and Release of Information" form.

### **SECTION III-3 - 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 seventy-two (72) hours (holidays and weekends excluded) from the time the "Application for Assistance" form is completed by the applicant and filed with the Township office. Unusual circumstances concerning the household or failure to supply the Township with needed documentation may necessitate an additional seventy-two (72) hour period. This is often referred to as "pending" and is permitted by Indiana Law. (IC 12-20-6-7) (IC 12-20-6-8)

### **SECTION III-4 - REFERRALS.**

If Township authorizes Township assistance on an "emergency" basis and refers the client to make application for another governmental program the client has fifteen (15) working days from the date township assistance is authorized to make an application with the other governmental sources. Failure to make and complete the required application process may result in the applicant being denied for future township assistance. In addition, the application and members of the applicant's household are required to comply with all referrals from the Trustee to other public assistance programs within fifteen (15) days of the referral date. Failure to comply may result in a denial for not more than sixty (60) days. (IC 12-20-6-3) (IC 12-20-6-5).

### **SECTION III-5- 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 needed is readily available to the Township from other sources. **It is,**



**however, the ultimate responsibility of the applicant to furnish all necessary documentation.**

### **SECTION III-6 - INITIAL ELIGIBILITY.**

All applicants for Township assistance must meet the following minimum criteria in order to be determined eligible for initial Township assistance:

1. 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. (IC 12-20-6-1)
2. An applicant must meet the residency requirements as outlined in Section IV-8 of these Guidelines. (IC 12-20-8-1 through IC 12-20-8-7)
3. The household income and/or liquid resources combined (i.e. bonds, stocks, savings or checking accounts or certificates of deposit), cannot exceed the Income Standards as outlined in Table "A" on page 37. (IC 12-20-5.5)
4. The household or member of the requesting household must have a verifiable need that is basic and cannot be remedied by means other than Township assistance. (IC 12-7-2- 76.5)
5. The applicant and members of the applicant's household cannot be in violation of any other provision of these Standards and Guidelines. (IC 12-20-5.5)

### **SECTION III-7- NOTICE OF ACTION.**

The applicant will be given a written notice of the Township's decision, and if assistance is denied, the reasons for the denial will be stated. The denial notice will be on Form TA-1-A. This will 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 them, at their last known address, via the United States Postal Service. (IC. 12-20-6-8).

### **SECTION III-8- 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. (IC 12-20-6-6.6).

### **SECTION III-9 - DENIALS**

Denials may be given to individual applicants for one or more of the following reasons:

1. The Township Trustee shall determine whether an applicant is a recipient of TANF under IC 12-14-1 through IC 12-14-9. The Township Trustee has no obligation to extend aid to a recipient of assistance under IC 12-14-1 through IC 12-14-9 per IC 12-20-6-6.5.
2. Knowingly and willingly falsifying their affidavit, or by misrepresenting the facts or 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 can also make a criminal referral to the County Prosecutor's Office. (IC 12-20-6-6.5).

3. Failure to comply with the workfare requirements as outlined by these Standards can result in a denial for a period not to exceed one hundred eighty (180) days. (IC 12-20-11-1).
4. Voluntarily terminating gainful employment, or being involuntarily terminated for just cause, i.e. 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 to provide Township assistance relief benefits to or for an applicant for a period of sixty (60) days. (IC 12-7-2-200.5).
5. Failure to actively seek and/or accept gainful employment when offered, whether the compensation for the work will be payable in money or in house rent, or in commodities consisting of the necessities of life. The Township may require applicants to furnish documented evidence that they are actively seeking employment. The Township may periodically provide and require individuals to complete an Employment Search form in order to comply with this statutory provision which can result in a denial up to sixty (60) days. (IC 12-20-10-1) (IC 12-20-10-2).
6. 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, can result in a denial up to sixty (60) days. (IC 12-7-2-200.5) (IC 12-20-16-17(g)).
7. Violence, threats of violence or abusive language used in or around the Township offices or premises, or under the influence of drugs or alcohol may result in a denial.
8. Failure to complete the application process and maintain eligibility as required by other governmental programs offering assistance for the basic necessities of living; failure to cooperate with other government agency programs; or failure to comply with the rules and regulations of an assisting governmental agency may result in a denial up to sixty (60) days. (IC 12-20-6-5) (IC 12-7-2-200.5).
9. Excess income or other financial resources as determined by these Standards or failing to apply other tax supported monetary benefits toward the household's basic needs. (IC 12-7-2-44.7) (IC 12-7-2-200.5).
10. Failure to cooperate with or to provide the Township with the documentation/information which is necessary to determine eligibility, and that which is not readily available or cannot be secured in a timely manner by the Township. (IC 12-20-6-1) (IC 12-20-6-9).
11. Failure for an applicant, within fifteen (15) working days of the Township referral, to make and complete the application process for other governmental programs for which they qualify or failure to participate or comply, after being referred by the Township, in a program offered by any other public or private agency can cause a denial up to sixty (60) days. (IC 12-7-2-200.5) (I.C. 12-20-6-5) (IC 12-20-6-5.5).

12. Frequently reporting the loss or theft of money or food stamps.
13. 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.
14. Failure to cooperate with or provide needed information/documentation to other tax supported public assistance programs can cause a denial up to sixty (60) days. (IC 12-7-2-200.5) (IC 12-20-6-5) (IC 12-20-6-5.5).
15. Failure to file paternity actions when necessary and appropriate, or failing to take the necessary legal action to pursue child support. (IC 12-20-6-5) (IC 12-7-2-200.5).
16. Failure of the applicant or a member of an applicant's household to apply "one time" monetary awards 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 Payment, Worker'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. (IC 12-7-2-200.5).
17. Wasting resources which could and should have been applied to the household's basic necessities. "Wasted Resources" is defined, for the purpose of Township Assistance Administration, as an amount of money or resources expended for items or services that are not considered basic necessities during the thirty (30) day period before the date of application. Or income, resources or tax supported services lost or reduced as a result of voluntary act during the sixty (60) days before the date of application for Township assistance by an adult member of the applicant household, unless the adult can establish a good reason for the act. (IC 12-7-2-200.5). Following the first appointment, if the applicant continues to waste resources, the dollar amount of the wasted resources can be deducted from the assistance that applicant qualifies for.
18. The Township shall not be obligated to pay for services, or the cost of goods incurred by an applicant or member of an applicant's household who had sufficient income or resources to have paid for either the goods or services. (IC 12-20-16-1).
19. Being evicted or forced to vacate present living quarters because of an act which caused verifiable damage, to the rental unit, 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. (IC 12-7-2-200.5).
20. Moving into or coming to the Township temporarily for the specific purpose of applying for and/or receiving Township assistance services.
21. The Trustee will extend Township assistance only when the personal effort of the applicant fails to provide one (1) or more of the basic necessities listed. (IC 12-20-16-1).
22. TANF Sanctions/Denials - The Township is not obligated to extend aid to a relief applicant or any member of a Township assistance applicant's household if any member of that household has been denied assistance or sanctioned by the local office of the Indiana Division of Family and Children for non-compliance of/or

failure to meet the personal responsibility act of two (2) year self-sufficiency or non-compliance or violations of Title 12 Article 14 of the Indiana Code. (IC 12-7-2-200.5) (IC 12-14-2- 5.1).

23. Welfare/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 (10) years if convicted of a felony; and, if the Township finds that an individual has obtained Township assistance from any Township by means of conduct described in IC 35-43-5- 7, the Township may refuse to extend aid to or for the benefit of that individual for a period not to exceed sixty (60) days. (IC 12-20-6-6.5).

### **SECTION III-10-EMPLOYMENT.**

If an applicant for Township assistance is in good health, or if any member of the household is 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 persons 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 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 a "Township Employment Search" form prior to receiving continued Township assistance. (IC 12-20-10-1).

### **SECTION III-11-MEDICAL EXAMINATION.**

If a Township assistance applicant or a member of the applicant's household claims an inability to work due to health, the Township Trustee may require and provide for any medical examination necessary for the Township Trustee to determine whether the applicant or household member is able to perform work. (IC 12-20-10-3.5).

### **SECTION III-12 -AFFIDAVIT FOR TOWNSHIP ASSISTANCE.**

Form PR#1 is considered an active file for at least one hundred eighty (180) days of initial application. The Township Trustee, however, may not extend additional or continuing aid to an individual or a household unless the individual or household files an Affidavit with the request for assistance affirming how, if at all, the personal condition of the individual or the household has changed from that set forth in the individual's or household's most recent application. (IC 12-20-6-1).

### **SECTION III-13 - DISCLOSURE and RELEASE OF INFORMATION.**

Indiana law requires all applicants for Township assistance and all members of the applicant's household who have reached the age of eighteen (18), to sign a "Disclosure and Release of Information" authorization which permits the Township to discuss your situation with other social service agencies, both public and private, utility companies, the applicant's medical service provider, the applicant's landlord or mortgage holder, relatives etc. This instrument will only be used to investigate the applicant's circumstances in order to

accurately determine eligibility and the level of assistance to be given. Each adult member of the applicant's household must properly execute a "Disclosure and Release of Information" form before Township assistance can be provided. (IC 12-20-7-1).

### **SECTION III-14 - 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 in Schedule "A" page 31 and must include any and all monetary benefits received by any and all members of a household, regardless of age, during the thirty (30) day period preceding the request for Township assistance. The monthly income of an individual defined to be seasonably employed will be determined by dividing the last year of income by twelve (12) months, if the request for assistance is made during the period of the established or customary vacation, holiday or off season to work. Examples of such employment are school bus drivers and construction workers. (IC 12-20-5.5) (IC 12-7-2-44.7).

### **SECTION III-15-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: (IC 12-7-2-44.7)

1. Gross wages before mandatory deductions.
2. Social Security benefits, including Supplemental Security Income.
3. Temporary Assistance for Needy Families (TANF).
4. Unemployment Compensation.
5. Worker's Compensation (except compensation that is restricted for the payment of medical expenses).
6. Vacation pay.
7. Sick Benefits.
8. Strike Benefits.
9. Private or Public Pensions.
10. Taxable income from self-employment.
11. 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 or the provision of basic necessities would have been reasonably available from that household.
12. Child Support.
13. Gifts of cash, goods or services.
14. Educational grants and loans to the extent that they are intended to cover basic living needs.
15. The monetary value of subsidized housing or utility assistance

(provided by another governmental agency).

16. The Township reserves the right to inquire about, review and react to lump sum payments or expectancies received or to be received by the applicant or member of the applicant's household which could have an impact on the applicant's or member of the applicant's household request for service.
17. Income from seasonal employment.

### **SECTION III-16- RECEIPTS - EXPENDITURES.**

The applicant must provide the Township with proper receipts for all expended income.

1. Receipts for expenditures not considered basic necessities will not be accepted to substantiate the need for emergency assistance. (IC 12-7-2-200.5) (IC 12-20-16-1)
2. The Township will require receipts for all expenditures of income/benefits received by any and all members of the household. Handwritten receipts provided by friends, or relatives are considered unacceptable. Receipts from expenditures for court related expenses, such as: attorney fees, probationary fees, Drug and Alcohol program fees, fines, court costs, bail, user fees for an In-Home Detention Program, restitution or any other expenditures 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 legitimate expenses. (IC 12-7-2-200.5)
3. The Trustee considers the payment of the cost of shelter, food, lights, water, fuel for heating and cooking, as priority basic necessities.

### **SECTION III-17 - ONE TIME AWARDS/SETTLEMENTS.**

Applicant households are required, when requesting Township assistance, to report any "one time" monetary benefits, award(s) or settlement(s) received by the applicant or any member of the applicant's household within ninety (90) days immediately preceding their application for Township assistance. (IC 12-20-6-1) (IC 12-7-2-44.7).

### **SECTION III-18- SPECIAL CONDITIONS.**

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 the income guidelines. Extraordinary circumstances are a one-time waiver for an over income applicant/household. A police report must be filed within twenty-four (24) hours of any incident involving theft or other violation of the law.

### **SECTION III-19- EMERGENCY DECLINED.**

An emergency is defined as "An unpredictable circumstance or a series of unpredictable circumstances that place the applicant/household or a member of the applicant's household in jeopardy for either health or safety reasons and which cannot be remedied in a timely manner

by means other than Township assistance." (IC 12-7-2-76.5)

**SECTION III-20 - BASIC NECESSITIES.**

Basic necessities are defined, for the purpose of Township Assistance administration, as those services or items essential to meet the minimum standards of health, safety and decency, such as Food, Shelter, Clothing including footwear, Medical, Transportation to seek and accept employment, Household supplies, Essential utility service and other necessary services or items as the Trustee may determine. (IC 12-7-2-20.5)

**SECTION III-21 -ASSETS.**

Households requesting assistance must also report all assets belonging to any member of the household. Upon request of the Township Trustee, a person holding assets or title to assets of a Township Assistance applicant or member of the applicant's household shall provide the Township Trustee with information concerning the nature and value of those assets for purposes of determining the household's financial eligibility to receive Township Assistance. Assets which may affect eligibility are those which are available to the household, but not considered necessary for the health, safety, or decent living standard of the household. That the assets 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 that "assets" 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, but not necessarily limited to the following: (IC 12-7-2-44.6) (IC 12-20-7-3.5)

1. Motorcycles or similar modes of transportation.
2. Boats, boat motors or boat trailers.
3. Microwaves.
4. Guns and/or Hunting Equipment.
5. Camping Trailers and/or Recreational Vehicles.
6. Non-essential telephone accessories.
7. Jewelry - i.e.. Gold chains, rings, et cetera.
8. Televisions
9. Any other item of value which the Trustee may determine as non-essential.

**SECTION III-22-LIQUIDATION.**

All liquid assets, such as: bank accounts, bonds, certificates of deposit et cetera must be liquidated immediately. Recreational equipment (boats, motors and camping trailers), motorcycles, et cetera, 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 Section III-21 (1 through 10), or other unnecessary items of a similar nature, as soon as possible, but no longer than thirty (30) 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 further 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 may even insist, the termination of any and all credit cards in the name of any adult member of an applicant's household.

**SECTION III-23 - EXEMPTIONS.**

Assets which are exempt from liquidation will include one (1) house or mobile home in which the equity does not jeopardize the household from qualifying for other state or federal assistance programs. However, a client may be required to liquidate and retrieve the equity in house if their expected duration of needing Township assistance exceeds a reasonable time frame as determined by the Standards (approximately 60 days). Whenever Township Assistance funds are used directly or indirectly to pay the household's mortgage payments, the Township may place a lien against the property in order to recover the equity value of such payments.

**SECTION III-24 - OTHER MEANS.**

Before permanent relief in any case is given, the overseer shall consider whether distress can be relieved by other means than an expenditure of Township funds. (IC 12-20-17-1)



## **CHAPTER IV - SERVICES and BENEFITS**

### **SECTION IV- 1 - FOOD ORDER ALLOTMENTS.**

Food allotments provided to an eligible household are determined by the household size and other criteria as established by these Standards. The food supplement allotments each household may receive is contained in Table "C" on page 32. The Township may, instead of providing direct Township assistance food assistance, refer an eligible household to a local governmentally or privately funded food pantry. (IC 12-20-16-6)

### **SECTION IV-2 - FOOD ORDER LIMITATIONS.**

It shall be unlawful for the Township to purchase out of the Township Assistance fund food for an applicant or a household that is eligible to participate in the food stamp program. The Township may purchase food for an eligible food stamp applicant or household only under any of the following conditions: (IC 12-20-16-6)

1. During the interim period when an applicant or a household is awaiting determination of eligibility from the food stamp office and ending not later than five (5) days after the day the applicant or household becomes eligible to participate in the food stamp program.
2. Upon loss of the food supply through unavoidable spoilage, fire or other act(s) of nature.
3. Upon 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 allotment for food stamps. An expenditure of Township Assistance funds, for compliance with this section, should not occur until later in the monthly food stamp issuance cycle.
4. 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 food stamp program to the fullest extent allowable and that such supplementary food assistance is given solely upon the circumstances in each individual case.
5. Households reporting the theft of food stamps must first, and within twenty-four (24) hours of the theft, file a "theft report" with the local police department before any assistance will be given. Habitually reporting the theft or loss of food stamps and/or tax supported cash awards will result in a denial.

### **SECTION IV-3 - HOUSEHOLD NECESSITIES, FURNISHINGS and APPLIANCES.**

Household necessities may also include, given the individual need and circumstances of the applicant, basic and essential items of furniture and utensils as well as heating and cooking stoves if these provisions are available for the Trustee to provide.

### **SECTION IV-4 - HOUSEHOLD SUPPLIES.**

The Office of the Township Trustee may provide public aid in the form of purchasing household supplies which shall include, but shall not be limited to, first aid and medical supplies for minor injury and illness, soap, cleaning supplies and toiletries in the amount indicated in Table "D", on page 33 of

these Standards.

**SECTION IV-5-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. On all Rental assistance cases, the client shall be referred to Family Promise of Hendricks County. Trustees shall be informed of Family Promise's decision prior to initiation final action. The amount paid on behalf of a client may not exceed the shelter allowance standards contained in Table "B" on page 31 and must still meet the test of being the "most economical and practical" method of relieving the applicant.

**SECTION IV-6-SHELTER DEFINED.**

For the purpose of administering shelter assistance, the definition of a shelter unit is a house, a 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 and which have direct access from the outside of 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. Exceptions to the definition of "Shelter" may include; temporary group homes and/or shelters. (IC 12-7-2-177).

**SECTION IV-7-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 in the Township, and whether or not they intend to make the Township their permanent place of residency. Therefore, in order to verify an applicant's residency and their intent to live permanently in the Township, the Township shall consider the conduct of the applicant, both active and passive, as may reveal an intent to reside within a given household and within the Township. Such items shall include, but are not necessarily limited to the following:

1. Valid Driver's Licenses.
2. Current State Picture Identification.
3. Voter's Registration.
4. Current Motor Vehicle Registration.
5. Addresses given to former employers.
6. United States Postal Services "change of address" notices.
7. Where the applicant came from and how they supported themselves i.e. job, food stamps, TANF, Township Assistance, Subsidized Housing, et cetera.
8. What means of transportation brought them and their household to this Township and how it was paid.
9. Were they invited or promised assistance by anyone, such as: relatives, friends, or other social service agencies.
10. Any other item, documentation or verification requested from the applicant.
11. Undocumented aliens or youth that have not been emancipated will not be eligible for Township assistance benefits.

#### **SECTION IV-8 - RESIDENCY REQUIREMENTS.**

As a condition of eligibility, the Office of the Township Trustee will furnish assistance to otherwise ineligible individuals and families in the type and amount as may be prescribed by law and these Standards, without regard to their length of residency so long as the family in question:

1. Is located in the Township; and
2. Intends to make the Township the individual's sole place of residency (P.L.2-1992).
3. Aliens must be in the country legally and hold a valid Permanent Resident (Green) Card issued by the United States Immigration Services. (IC 12-20-8-1 through IC 12-20-8- 7).

#### **SECTION IV-9 - PERMANENT RESIDENCY.**

All applicants for Township assistance must be residents of or applying for permanent residence in the Township as verified by the provisions of Section IV-7 sub-paragraphs one (1) through eleven (11) of these Standards. In cases of emergency, however, the Trustee may provide temporary assistance to applicants who are temporarily in the Township unless the applicant is specifically in the Township for Township assistance benefits. This should not be interpreted or construed to mean that individuals living in adjoining Townships should come to the larger, urban Township for shelter assistance. The distressed person(s) and render whatever assistance is necessary. Consequently, the Office of the Township Trustee will refer individuals falling into this category to the appropriate Township.

#### **SECTION IV-10-SHELTER.**

The Trustee may provide shelter relief assistance, including rent and mortgage payments where applicable, up to the maximum amounts allowed including prorated amounts to meet emergency shelter relief or transitional housing assistance after determining that a residence conforms to standards of safe and decent housing which are delineated by this office for uniform enforcement.

1. Shelter payment amounts are based on current documented shelter survey or shelter costs in the Township. See Table "B", page 31 for current shelter payment amounts.
2. The Trustee reserves the right to select, determine or otherwise decide which property owners or landlords will be allowed to provide housing for the applicant or members of the applicant's household. The Trustee will only pay shelter payments to verified property owners.
3. The Trustee is not responsible for relocating a family to another Township. The Trustee will not make shelter payments for a residence available for additional rental income, business or commercial purposes, religious purposes, or any other non-residential purpose. Nor will the Township pay any lease rental due in any one of the following circumstances:
  1. When neither the applicant or member of the applicant's household or a legal qualified dependent living in the household of the applicant is named party to the lease.
  2. When the non-spouse or co-lessee does not meet the requirement for emergency assistance.
  3. A judgment for eviction and/or back rent has been taken against the applicant or member of the applicant's household.
  4. When re-certification of Section 8 or other subsidized housing will or would

- have covered the cost of the requested rental payment without loss of housing to the applicant or member of the applicant's household; or
5. When a request to have the Trustee assist in establishing a residence for persons living in a relative's housing is not any emergency. (An emergency in this instance might be a court eviction notice or proof of domestic violence against the applicant or the applicant's dependent(s)).
  6. Request for non-emergency relocation.
  7. Is subleasing.
  8. When the applicant's lease has a co-signer/guarantor.
4. A Township Trustee may not use Township assistance funds to pay the cost of shelter to a landlord who is a relative of the applicant's or a member of the applicant's household if the applicant:
1. The same household as the relative.
  2. Housing separate from the relative; or
  3. The housing is unencumbered by a mortgage; or
  4. The housing has not been previously rented by the relative to a different tenant at a reasonable market rate for at least six (6) months. (IC 12-20-6-10(c)).
5. In determining the amount of shelter payment, the Trustee will consider the size, condition, facilities and number of residents in the shelter.
6. The Trustee will pay only for the number of bedrooms required for the number of people in the household.
7. The Trustee will not pay a base rent above that charged by the landlord. Utility service allotments may be added to the base rent payment at the discretion of the Trustee.
8. In cases where suitable housing is available at a lesser cost, the Trustee may refer the applicant or member of the applicant's household to such housing. Failure to file for such recommendations will be cause for denial or discontinuance of assistance.
9. The Trustee does not pay security and/or damage deposits or any form of advance rent.
10. If the client qualifies for assistance with rent and the rent balance is in excess of the amount the client qualifies for, the client must bring the balance of the rent down to the amount what the client qualifies before the Trustee can remit payment of the qualified amount to the landlord. (i.e. rent balance \$1,000.00; client qualifies for \$560.00 of assistance towards rent - client must provide documentation that the \$440.00 balance is paid prior to the Township remitting \$560.00). A pledge sheet may be started by the Trustee with an expiration date being the last day of the month in which the application is made.

#### **SECTION IV-11 - FIRST TIME RESIDENT.**

Trustee is not required to provide shelter assistance to an otherwise eligible individual if the:

1. Individual's most recent residence was provided by the individual's parent, guardian, or foster parent; and
2. Individual, without just cause, lease that residence for the shelter for which the individual seeks assistance. (IC 12-20-16-17).
3. If an individual, as described in this section becomes a member of another relief

household, then the entire household may be denied assistance.

For the purpose of this Section the term "relative" includes only the parent, stepparent, child, stepchild, sibling, step sibling, grandparent, step grandparent, grandchild or step grandchild of a Township assistance applicant. (IC 12-20-6-10)

#### **SECTION IV-12 - MORTGAGE/LAND CONTRACT.**

The Trustee is obligated to provide shelter assistance for those who are eligible. This obligation does not, however, mean that the Trustee is obligated to save a residence which is being purchased by the applicant or member of the applicant's household, either on mortgage or land contract.

Nevertheless, the Trustee recognizes that for those people buying a home who are in need of shelter assistance, that assistance might be best accomplished by allowing the applicant to remain in his/her home. Should a Trustee provide housing assistance in this instance he/she may impose a lien on the recipient's residence in an amount equal to the amount of housing assistance provided.

1. In determining whether or not to make monthly mortgage and/or land contract payments, the Trustee will take into consideration the following factors:
  - a. The date the residence was purchased by the applicant or member of the applicant's household.
  - b. The purchase amount.
  - c. The total amount owed on the residence.
  - d. The amount of monthly payments.
  - e. The amount of delinquent payments, if any, owed by the applicant or member of the applicant's household to either the seller or the mortgagor;
  - f. The age and condition of the residence.
  - g. The size of the residence.
  - h. The applicant and members of the applicant's household age, health and social circumstances.
  - i. The number of persons living in the residence.
  - j. The probable duration of the need of the applicant and members of the applicant's household.
  - k. The cost of relocation of the applicant and applicant's household.
  - l. The cost of maintaining the utilities at the residence.
  - m. The availability of cheaper housing which meets the needs of the applicant and members of the applicant's household.
  - n. Whether or not the mortgage and/or land contract can be renegotiated and/or some type of other payment relief secured from the lender or contract seller on behalf of the applicant and members of the applicant's household.
  - o. Whether or not it is necessary for the mortgage and/or land contract monthly payment to be paid at the time of application in order for the applicant or member of the applicant's household to, in fact, remain in the residence.
2. In the event that the Trustee after considering the factors set out above determines not to provide assistance in the form of mortgage and/or land contract payments, the Township shall seek and attempt to secure with the assistance of the applicant/recipient other shelter within thirty (30) days.
3. The Trustee will not pay any of the following: second mortgages, late charges, sick and accident

- charges, mortgage or contract payments in arrears, taxes, or insurance.
4. The applicant or member of the applicant's household is responsible for signing and returning all necessary payments and vouchers to effect payment. Additionally, further shelter assistance may be denied if an applicant or member of the applicant's household relocates without first notifying the Trustee and allowing the Trustee to determine whether or not the prospective landlord and housing comply with this Section as well as whether or not the proposed move is being made to promote or insure further the health, safety and welfare of the applicant/recipient.
  5. Finally, in compliance with the provisions that responsible relatives assist an applicant able to do so, the Trustee will issue no vouchers for shelter assistance to a landlord on behalf of the applicant or member of the applicant's household where it has been determined that the landlord is an immediate relative such as father, mother, brother, sister, daughter, son, aunt, uncle, grandmother, grandfather or current in-laws.
  6. The applicant or member of the applicant's household is responsible for procuring and signing all necessary papers and vouchers to effect payment for shelter assistance and failure to do so shall result in the denial and/or termination of assistance.

#### **SECTION IV-13 -OTHER SHELTER.**

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 an application for Township assistance, anytime immediately following the filing of a Township assistance 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 in a pending court proceeding such as, for example, a divorce or inheritance.

#### **SECTION IV-14 - EMERGENCY SHELTER.**

As used in this Section, "shelter" means a facility that provides temporary emergency assistance.

1. A Township Trustee is not required to provide shelter to an individual who at the time assistance is requested is:
  - a. Under the influence of drugs or alcohol; or
  - b. Incapable of self-care.
2. The Township Trustee may at no cost of the Township refer an individual described in this subsection to an appropriate agency or facility located in the County or in an adjoining County that has a program or charter specifically addressing the problems of substance abuse, mental illness or self-care. (IC 12-20-17-2).

#### **SECTION IV-15- SHELTER ENCUMBERED.**

In situations where an applicant is renting from a relative with an encumbered mortgage for the housing being used, the Township will pay only the maximum allowed, or the amount of the mortgage payment, less taxes and insurance, 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.

**SECTION IV-16-TAX SUPPORTED SHELTER PROGRAMS.**

The Township is not under any obligation to enter into a contract or pay shelter cost on behalf of an otherwise eligible applicant, to a public or private agency which is wholly or partially funded by federal and state funds. (IC 12-20-17-2).

**SECTION IV-17 - SHELTER MOVING.**

Clients moving 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 Township assistance. The burden of establishing good, just and reasonable cause for having moved shall be upon the applicant. (IC 12-7-2-200.5).

**SECTION IV-18 - SHELTER INSPECTION.**

The amount the Township will allow for shelter assistance is contained in Table "B". Shelter payment amounts are based on current documented survey of shelter cost in the Township and/or a formula/process as used and determined by the United States Department of Housing Urban Development. This may include inspecting the proposed shelter in order to determine the FMR "grade level" as it relates to minimum requirements for health, safety and construction; determining the maximum number and the minimum number of individuals allowed to occupy the proposed shelter; whether the proposed shelter is master metered or individually metered for essential utility services; the condition and availability (if provided by the landlord) of necessary appliances; and other criteria as it relates to the HUD formula/process for "Fair Market Rents". Housing which does not meet the minimum requirements of health, safety and construction will not be certified as being eligible for Fair Market Rents. Non- certified housing may be paid a lesser amount as determined by the Trustee and based upon the inspection report. 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 which present a threat to the health and safety of the occupants to the proper authorities. (IC 12-20-16-17).

**SECTION IV-23- UTILITIES (IC 12-20-16-3).**

1. The Township Trustee may, in cases of necessities, authorize the payment from Township assistance money for essential utility services, including the following:
  - a. Water services.
  - b. Gas services.
  - c. Electric services.
  - d. Fuel oil services used for heating or cooking.
  - e. Coal, wood, or liquid propane used for heat.
2. In addition, the Township Trustee may authorize the payment of delinquent bills for the services listed in subdivisions one (1) through five (5) necessary to prevent the termination of the services or to restore terminated service.
3. Before payment will be considered, the applicant/recipient must have first attempted to make reasonable arrangements with the appropriate utility company and in the event the arrangements have been made, the Trustee will only pay that part of the agreed-upon payments, which are beyond the ability of the applicant/recipient to pay.

4. The Township Trustee is not required to pay for any utility services:
  - a. That is not property charged to an adult member of a household or an emancipated minor who is head of the household; or
  - b. Received as a result of a fraudulent act by an adult member of a household requesting Township assistance.
  - c. The Trustee does not pay; taxes/sewer taxes, transfer amounts from another Township, service charges, deposits, fuel charges, repairs, business or commercial enterprises or bills for residences which are not in compliance with housing codes for safe and decent housing or bill for residences which are not in compliance with Code as defined by the Hendricks County Health Department, or cost resulting from leaks or faulty installations.
5. With reference to assistance with utility bills, it shall be presumed that the spending of income or resources for non-essentials within thirty (30) days of the date the bill becomes due for which the applicant is seeking assistance was done in contemplation of or for the purpose of seeking and obtaining Trustee assistance on the bills.
6. This subsection applies only during the part of each year when applications for assistance are accepted by the Lieutenant Governor under IC 4-4-33. A Township Trustee may not provide assistance to make any part of a payment for heating fuel or electric services for more than thirty (30) days unless the individual files an application with the Township Trustee that includes the following:
  1. Evidence of application for assistance for heating fuel or electric services from the Lieutenant Governor under IC 4-4-33.
  2. The amount of assistance received or the reason for denial of assistance. The Township Trustee shall inform an applicant for assistance for heating fuel or electric services that assistance for heating fuel or electric services may be available from the Lieutenant Governor under IC 4-4-33.
7. The Township will either refer the applicant to the State's Energy Assistance Program, or the Township may certify the Township assistance applicant as eligible using criteria established for this purpose by the State. 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-township assistance applicants. (IC 12-20-16-3)
8. However, if the applicant household is eligible under criteria established by the Lieutenant Governor of disability, aging and rehabilitation services for energy assistance under IC 4-4-33, the Trustee may certify the applicant as eligible for that assistance by completing an application form prescribed by the State Board of Accounts and forwarding the eligibility certificate to the Division of disability, aging and rehabilitation services within the period established for the acceptance of applicants. If the Trustee follows this certification procedure, no other application is required for assistance under IC 4-4-33.
9. The Trustee may pay utility bills from a prior address only when the prior address was within the same Township.
10. The Trustee will pay only those bills limited to the applicant's own dwelling.
11. If the client qualifies for assistance with utilities and the utility balance is in excess of the



amount the client qualifies for, the client must bring the balance of the utility down to the amount that the client qualifies before the Trustee can remit payment of the qualified amount to the utility company. (i.e. Duke balance \$500.00; client qualifies for \$180.00 of assistance towards utilities - client must provide documentation that the \$320.00 balance is paid prior to the Township remitting \$180.00). A pledge sheet may be started by the Trustee with an expiration date being the last day of the month in which application is made.

12. If the client's utilities are disconnected, the client must provide documentation that the reconnection fee, deposit, and any other fees are paid prior to the Trustee assisting with utility assistance.

#### **SECTION IV-24 - BURIAL (IC 12-20-16-12).**

This section does not apply if the county coroner assumes jurisdiction of an unclaimed body under IC 36-2-14-16. Or if

1. 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; and
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 creation 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, who shall then provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual. A Trustee shall determine the cost for the items and services required by law for the funeral and burial of an individual, including a burial plot, and for the cremation of an individual, and include in the Township's Township Assistance Standards the maximum funeral and burial or cremation amount to be paid. The current amounts payable by the Trustee are listed in Table "E" on page 38 of these Standards. The Trustee may deduct from the maximum amount the following: any monetary benefits that the deceased individual is entitled to receive from a State or federal program, any money that another person provides on behalf of the deceased individual.

A Township Trustee who provides funeral and burial expense or cremation benefits to a deceased individual is entitled to a first priority claim, to the extent of the cost of the funeral and burial or cremation benefits paid by the Township Trustee, against any money or other personal property held by the coroner under IC 36-2-14-11.

The Township Trustee may not cremate a deceased individual if the deceased individual or a surviving family member of the deceased individual has objected in writing to cremation. Applicants are responsible to make arrangements for payment with the Trustee prior to funeral or burial services for the deceased. The Trustee does not supplement the cost of services beyond those required by state law; nor supplement other means of payment for services. The Trustee will not pay for the cost of transporting the remains of any deceased indigent person back to the Township or to any place outside the Township. The next of kin of the deceased or the funeral director may apply for burial assistance.

The person making the application will be responsible for verifying eligibility. A signed affidavit will be required. A death certificate may also be required. The person applying for burial assistance must first seek all other means for burial assistance before applying. Each Township will consider each burial on a case by case basis. For the purpose of the consideration of Township responsibility, a hospital shall not be considered as a place of residence, but a nursing home or similar residential facility may be considered as a place of residence. Each Township shall continue to independently conduct Township burials with the vendors of their Townships.

#### **SECTION IV-25- NON-RESIDENT ASSISTANCE.**

If an application for assistance is made to the Trustee, the Trustee shall carefully investigate the circumstance of the applicant and each member of the applicant's family to determine the cause of the applicant's condition and shall ascertain whether the applicant has relatives able and willing to assist the applicant. IC 12-20-6-9.

1. The Trustee may furnish a non-resident of a Township with transportation at the cost of the Township when the Township Trustee determines beyond a reasonable doubt the legal residence of the individual applying for assistance. Transportation provided to a non-resident of a Township must be in the direction of the non-resident's legal residence unless it is shown, beyond a reasonable doubt, that the individual in distress has some valid claim for support or some means of support in some other place to which the individual asks to be sent. (IC 12-20-16-11).
2. An individual may be denied Township Assistance for not more than one hundred and eighty (180) days whenever the individual or member of the individual's household:
  - a. Has been sent by a Township where the individual does not reside to a location outside the Township at the individual's request or by court order; and transported to a location outside the Township at public expenses; and
  - b. Knowingly reapplies for assistance in the Township from which the individual or member of the individual's household was sent. IC 12-20-9-6.
3. The Trustee shall attempt to find work for able-bodied non-residents who make an application for Emergency assistance with the Trustee. Physically or mentally disabled non-residents found to be in emergency need may be assisted by the Trustee until they can be returned to their place of legal residence if that place can be determined. (IC 12- 20-9-2).
4. Medical assistance must be sought through IC 12-16, hospital care for the indigent.

#### **SECTION IV-26-TEMPORARY RELIEF.**

Whenever an overseer shall ascertain by investigation that any poor person or persons or family require assistance, he/she shall furnish to them such temporary aid as may be necessary for the relief of immediate and pressing suffering; before any further final or permanent relief in any case is given, the overseer shall consider whether distress can be relieved by other means than an expenditure of Township funds. It shall be the duty of the overseer of the poor, on complaint made to him/her that any person within his/her Township is living sick therein or in distress, without friends or money, so that he/she is likely to suffer to examine into the case of said person and grant such temporary relief as may be required. (IC 12-20-17-1).

**SECTION IV-27 - MEDICAL ASSISTANCE. I.C. 12-20-16-2.**

A Township Trustee may not provide an individual medical assistance under the Township assistance program if the individual could qualify for medical assistance for the same service under IC 12-16.

**SECTION IV-28 - WORKFARE (RECIPIENT DEFINED).**

The term "recipient" 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 to perform available work. Suitability to perform available work shall be determined by the Trustee and may provide for medical examinations necessary to make such a determination. (IC 12-20-10-3.5) (IC 12-20-11-1).

**SECTION IV-29 - 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 nonprofit agency. (IC 12-20-11-1).

**SECTION IV-30 - WORKFARE CRITERIA.**

The minimum criteria for satisfactory participation in the workfare program shall be one (1) shift per day for a total of five (5) shifts per week, unless otherwise scheduled or excused by the Township. Unexcused absences for scheduled workfare assignments may result in the reduction or discontinued Township assistance. Scheduling consideration will be given to recipients obligated to the Township for workfare and also obligated to perform work under the Indiana Manpower and Comprehensive Training Program. 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 fails to comply, then they shall be denied. (IC 12-20-11-1) (IC 12-20-11-4).

**SECTION IV-31 - WORKFARE PARTICIPATION.**

The recipient(s) is required to maintain the minimum criteria that is 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 Township 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.

**SECTION IV-32 - WORKFARE COMPENSATION.**

Work performed is considered as satisfaction of a condition for Township assistance and is not considered as services performed for remuneration. The recipient shall be required to do an amount of work which equals the value of assistance already received by him/her or the household. The value of the work performed is calculated at the Federal Minimum Wage rate. (IC 12-20-11-5) (IC 12-20-11-1).

#### **SECTION IV-33- WORKFARE EXCEPTIONS.**

Recipients may be excused from workfare only for the following reasons: (IC 12-20-11-5)

1. The individual(s) obligated is not physically able to perform work and provides medical evidence that they are unable to perform the work.
2. The individual(s) obligated is a minor or over the age of sixty-five (65).
3. All obligated members of the household have full-time employment at the time they receive Township assistance.
4. The individual(s) obligated is needed to care for a person as a result of that person's age or physical condition; the receipt must provide current medical evidence of the person's physical condition.
5. There is no work available as determined by the Trustee.
6. The individual(s) obligated is, at the direction of the Trustee, attending educational or self-help courses.

#### **SECTION IV-34 - WORKFARE RESTRICTIONS.**

A recipient(s) shall not be assigned 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 in effect. (IC 12-20-11-1(g)).

#### **SECTION IV-35 - OTHER WORKFARE CREDIT.**

Individuals obligated to the Township workfare program may receive "workfare" credit hours while attending an approved self-help or education program under the following conditions:

1. Individual(s) must be referred to the program by the Township.
2. Individual(s) must attend and participate in all scheduled meetings and/or classes, unless otherwise excused for justifiable reasons.
3. An individual must present proper documentation of attendance to the Township each week.
4. Individual(s) obligated to and referred by other governmental agencies cannot, without Trustee approval, receive Township workfare credit along with credit from another agency for attendance in an approved program.
5. Individual(s) participating in a self-help or educational program must continue to participate even when his/her total obligation to the workfare program is completed until said self-help or education program is complete.

#### **SECTION IV-36 - SUPPLEMENTAL SOCIAL SECURITY INCOME.**

Individuals awaiting a determination from the Social Security Administration of SSI benefits will not be required to perform workfare as long as their initial SSI application remains active. Once the initial application for SSI benefits has been denied by the Social Security Administration 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 obligations. Example: A member of a multi-member household (three (3) members) awaiting an SSI

determination shall be excused from performing 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 household to two-thirds (2/3s) of the assistance rendered as a workfare obligation. This holds true only if the entire household shares in the assistance, such as shelter, utilities, or food. If, however, the 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 (1) of the exempting reasons contained in Section IV-33 of these Standards. (IC 12-20-11-5)

#### **SECTION IV-37 -REPAYMENTS.**

The repayment of assistance, or a promise to repay assistance, will not constitute a condition or eligibility for Township assistance, except as provided in Section IV-36, IV-38, and IV-39 of these Standards.

#### **SECTION IV-38 - THIRD PARTY BENEFITS.**

If it is anticipated that a Township assistance applicant has the potential of receiving a judgment, compensation, or monetary benefits from a third party, the Township will withhold or delay payment until the litigation or eligibility process is resolved or completed. In situations where a delay is not feasible (as in the case of Supplemental security income), the Trustee may require the applicant to enter into a subrogation agreement or sign authorization of the repayment of any Township assistance benefits provided by the Township during this interim period. Failure of an applicant to sign the necessary authorizations for reimbursement to the Township shall result in a denial of Township assistance benefits (IC 12-20-27-1.5).

#### **SECTION IV-39- ESTATE REIMBURSEMENT.**

Subject to IC 12-20-11-5(B), a Township Trustee who, as administrator of Township assistance, furnishes Township assistance, may file a claim against the Estate of a Township assistance recipient who:

1. Dies, leaving an estate; and
2. Is not survived by a;
  - a. Spouse,
  - b. Disabled adult dependent; or
  - c. Dependent child less than eighteen (18) years of age; for the value of Township assistance given the recipient before the recipient's death.

For purposes of this section, the estate of a Township assistance recipient includes any money or other personal property in the possession of a coroner under IC 36-2-14-11. (IC 12-20-27-1)

#### **SECTION IV-40 - CONCLUSION.**

All decisions regarding eligibility will be based on the Standards mentioned hereinabove. These Standards and guidelines will be posted at the Township Trustee's Office. An additional copy will be

furnished to the County Clerk. Any member of the public will be permitted to inspect and copy these standards at their own expense. The Standards will be periodically revised to reflect changes in both statutory and case law.

**SECTION IV-41-REPORTING (PAYEE).**

The Township may from time to time report and recommend to other governmental agencies (TANF, or Social Security Administration) 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. The Township may agree to serve as the payee.

**SECTION IV-42 - REPORTING (ABUSE and/or NEGLECT).**

The Township shall report all suspected cases of abuse or neglect to the proper authorities. Youth that are not emancipated and are requesting Township assistance will automatically be reported to the Johnson County Office of Family and Children Services.

## EMERGENCY ASSISTANCE GUIDELINE TABLES

**TABLE "A" -INCOME**

Number in Household	Maximum Monthly Income
1	\$1,669.15
2	\$2,265.43
3	\$2,861.72
4	\$3,458.00
5	\$4,054.28
6	\$4,650.57
7	\$5,246.85
8	\$5,843.13

Based on 133% of the Federal Poverty Guidelines

In utilizing this Table for the number of household members in excess of those listed above, the sum of \$369.00 shall be added for each additional household member.

**TABLE "B" - SHELTER ASSISTANCE**

**Maximum Amounts**

Unit Type	1st Request	2nd	3rd	4th
Efficiency	\$550	\$413	\$275	\$138
1 Bedroom	\$650	\$488	\$325	\$163
2 Bedroom	\$750	\$563	\$375	\$188
3 Bedroom	\$950	\$713	\$475	\$238
4 Bedroom	\$1050	\$788	\$525	\$263

\*After the 4th rental receipt in one calendar year, applicants are not eligible to reapply for ninety (90) days.

Homeless persons may be provided emergency shelter at the local Super 8 at the weekly rate (\$400 MAX) and the stay may not exceed one (1) week while transfer to Cypress Manor or alternative arrangements are made.

**EMERGENCY MORTGAGE ASSISTANCE-** It is generally the policy that the Township will not assist with mortgages (without applying a property lien) as doing so monetarily benefits the recipient upon sale. However, we recognize there are cases where assistance is judged to be the more cost-effective alternative to eviction. In those events the township can pay the interest part of the mortgage note for the assistance period of one month. **Mortgage assistance will be paid one time per year per eligible applicant and amounts shall not exceed amounts set forth in the Rental Assistance "Table B".**

**TABLE "C" - FOOD ASSISTANCE**

**When no Food Pantry is available.**

**(Non-Taxable food items only)**

Number of Persons	Weekly Allotment
1	\$30
2	\$56
3	\$80
4	\$102
5	\$121
6	\$145

Each additional person will add \$23.00 for the weekly allotment.

**TABLE "D" -HOUSEHOLD SUPPLIES ASSISTANCE**

Number of Persons	Monthly Allotment	Weekly Allotment
1	\$ 24.00	\$ 5.50
2	\$ 32.00	\$ 7.50
3	\$ 34.00	\$ 8.00
4	\$ 38.00	\$ 9.00
5	\$ 41.00	\$ 9.50
6	\$ 45.00	\$ 10.50
7	\$ 49.00	\$ 11.50
8	\$ 55.00	\$ 13.00

Each additional person adds \$2.00 to the monthly allotment or \$1.00 to the weekly allotment.

Necessary household supplies are commonly referred to as “paper and/or soap and toiletries” orders will be administered according to table above.

**TABLE "E" - BURIAL ASSISTANCE**

Cremation \$860

(Direct cremation, body removal, transportation, return to family with death certificate.)

Body Preparation and Burial \$2000



**TABLE "F" - UTILITY ASSISTANCE**

First Month	\$150 Max
Second Month	\$100 Max
Third Month	\$75 Max
Fourth Month	\$25 Max
Fifth Month	Ineligible for ninety (90) days, then ineligible for the remainder of the year.

Utility refers to any service such as water, gas (including natural gas, propane and fuel oil) and electric.

**TABLE "G" - MISC ASSISTANCE**

Clothing \$50

Medical \$50

**Township Board Resolution 2024-1**

That pursuant to IC 12-20-5.5-1, the Trustee of Brown Township has reviewed and updated the "Emergency Assistance Eligibility Standards for 2024" for the administration of Township Assistance in Brown Township, Hendricks County, Indiana.

That pursuant to IC 12-20-5.5-1 the Brown Township Board declares:

These "Emergency Assistance Eligibility Standards" are adopted for use in the administration of Emergency Assistance in Brown Township, in the City of Brownsburg, County of Hendricks, State of Indiana and shall be in full force and effect

BY:

---

ANGELA DELP, TRUSTEE

BROWN TOWNSHIP BOARD:

---

JIM MURPHY

---

SHARI O'RILEY

---

KEVIN ROGERS

## INDIANA CODE STATUTES REFERENCES

### IC 4-4-33-1

Administration by lieutenant governor. Sec. 1. The lieutenant governor shall administer the following: (1) The Housing Assistance Act of 1937 (42 U.S.C. 1437). (2) Community services programs, including the Community Services Block Grant under 42 U.S.C. 9901 et seq. (3) Home energy assistance programs, including the Low Income Home Energy Assistance Block Grant under 42 U.S.C. 8621 et seq. (4) Weatherization programs, including weatherization programs and money received under 42 U.S.C. 6851 et seq. (5) Migrant and farm worker programs and money under 20 U.S.C. 6391 et seq., 29 U.S.C. 49 et seq., and 42 U.S.C. 1397 et seq. (6) Emergency shelter grant programs and money under 42 U.S.C. 11371 et seq. (7) Shelter plus care programs and money under 42 U.S.C. 11403 et seq. *As added by P.L.181-2006, SEC.12. Amended by P.L.156-2011, SEC.1.*

### IC 12-7-2-20.5

Basic necessities Sec. 20.5. "Basic necessities", for purposes of IC 12-20, includes those services or items essential to meet the minimum standards of health, safety, and decency, including the following: (1) Medical care described in IC 12-20-16-2. (2) Clothing and footwear. (3) Food. (4) Shelter. (5) Transportation to seek and accept employment on a reasonable basis. (6) Household essentials. (7) Essential utility services. (8) Other services or items the township trustee determines are necessities. *As added by P.L.51-1996, SEC.2.*

### IC 12-7-2-44.6

Countable asset Sec. 44.6. "Countable asset" means the following: (1) For purposes of IC 12-10-10.5, in determining eligibility for the community living pilot program, property that is included in determining assets in the same manner as determining an individual's eligibility for the Medicaid aged and disabled waiver. (2) For purposes of IC 12-20, noncash property that is not necessary for the health, safety, or decent living standard of a household that: (A) is owned wholly or in part by the applicant or a member of the applicant's household; (B) the applicant or the household member has the legal right to sell or liquidate; and (C) includes: (i) real property other than property that is used for the production of income or that is the primary residence of the household; (ii) savings and checking accounts, certificates of deposit, bonds, stocks, and other intangibles that have a net cash value; and (iii) boats, other vehicles, or any other personal property used solely for recreational or entertainment purposes. *As added by P.L.51-1996, SEC.3. Amended by P.L.145-2014, SEC.2; P.L.87-2017, SEC.1.*

### IC 12-7-2-44.7

Countable income Sec. 44.7. "Countable income", for purposes of IC 12-20, means a monetary amount either paid to an applicant or a member of an applicant's household not more than thirty (30) days before the date of application for township assistance, or accrued and legally available for withdrawal by an applicant or a member of an applicant's household at the time of application or not more than thirty (30) days after the date of application for township assistance. The term includes the following: (1) Gross wages before mandatory deductions. (2) Social Security benefits, including Supplemental Security Income. (3) Aid to Families with Dependent Children. (4) Unemployment compensation. (5) Worker's compensation (except compensation that is restricted for the payment of medical expenses). (6) Vacation pay. (7) Sick benefits. (8) Strike benefits. (9) Private or public pensions. (10) Taxable income from self-employment. (11) 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 or the provision of basic necessities would have been reasonably available from that individual. (12) Child support. (13) Gifts of cash, goods, or services. (14) Other sources of revenue or services that the township trustee may reasonably determine to be countable income. *As added by P.L.51-1996, SEC.4. Amended by P.L.73-2005, SEC.5.*

### IC 12-7-2-76.5

Emergency Sec. 76.5. (a) "Emergency", for purposes of IC 12-20, means 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. (b) "Emergency", for purposes of IC 12-17.6, has the meaning set forth in IC 12-17.6-1-2.6. *As added by P.L.51-1996, SEC.6. Amended by P.L.95-*

2000, SEC.1; P.L.283-2001, SEC12; P.L.255-2003, SEC.10.

#### IC 12-7-2-177

Shelter Sec. 177. (a) "Shelter", for purposes of IC 12-20, means a house, a mobile home, an apartment, a group of rooms, or a single room that is occupied or is intended for occupancy as separate living quarters where the occupant or intended occupant: (1) does not live and eat with any other individual in the building; and (2) has direct access to the occupant's living quarters from the outside of the building or through a common hall. (b) Notwithstanding subsection (a), "shelter", for purposes of IC 12-20-17-2, has the meaning set forth in IC 12-20-17-2. [Pre- 1992 Revision Citation: 12-2-1-8.5 ] *As added by P.L.2-1992, SEC 1. Amended by P.L.51-1996, SEC 9.*

#### IC 12-7-2-200.5

Wasted resources Sec. 200.5. "Wasted resources", for purposes of IC 12-20, means: (1) the amount of money or resources expended by an applicant or an adult member of an applicant's household seeking township assistance during the thirty (30) days before the date of application for township assistance for items or services that are not basic necessities; (2) income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application for township assistance by an adult member of an applicant's household unless the adult member can establish a good reason for the act; or (3) lump sum amounts of money or resources from tax refunds, lawsuits, inheritances, or pension payments of at least four hundred dollars (\$400) that are expended by: (A) an applicant seeking township assistance; or (B) an adult member of the applicant's household; during the one hundred eighty (180) days immediately preceding the date of application for township assistance for items or services that are not basic necessities if, at the time of the expenditure, there were amounts due and owing for items or services constituting basic necessities. *As added by P.L.51-1996, SEC.13. Amended by P.L.262-2003, SEC.1; P.L.73-2005, SEC.9.*

#### IC 12-14 ARTICLE 14. FAMILY ASSISTANCE SERVICES

IC 12-14-1 through IC 12-14-9 - available on-line - <https://iga.in.gov/legislative/laws/2014/ic/titles/O12/articles/014/>

#### IC 12-16

Article 16. Payment for Health Services other than Medicaid - available on-line - <https://iga.in.gov/legislative/laws/2014/ic/titles/012/articles/016/>

#### IC 12-20-5.5

##### Township Assistance Standards

IC 12-20-5.5-1 Processing applications; nondiscrimination Sec. 1. (a) The township trustee shall process all applications for township assistance according to uniform written standards and without consideration of the race, creed, nationality, or gender of the applicant or any member of the applicant's household. (b) The township's standards for the issuance of township assistance and the processing of applications must be: (1) governed by the requirements of this article; (2) proposed by the township trustee, adopted by the township board, and filed with the board of county commissioners; (3) reviewed and updated annually to reflect changes in the cost of basic necessities in the township and changes in the law; (4) published in a single written document, including addenda attached to the document; and (5) posted in a place prominently visible to the public in all offices of the township trustee where township assistance applications are taken or processed. *As added by P.L.51-1996, SEC.20. Amended by P.L.73-2005, SEC.24.*

#### IC 12-20-5.5-3

Adequate access ensured; telephone number; office Sec. 3. (a) The township trustee shall ensure adequate access to township assistance services, including a published telephone number in the name of the township. (b) A township assistance office, if separate from the township trustee's residence, must be designated by a clearly visible sign that lists the: (1) township trustee's name; (2) availability of township assistance; and (3) township assistance office's telephone number. The sign must conform to all local zoning and signage restrictions. *As added by P.L.51-1996, SEC.20. Amended by P. L.73-2005, SEC.26.*

#### IC 12-20-5.5-5

Inclusion of standards governing provision of basic necessities Sec. 5. The township's standards for the administration of township assistance must include all applicable standards governing the provision of basic necessities, including maximum amounts, special conditions, or other limitations on eligibility, if any have been established for one (1) or more basic necessities. *As added by P.L.51-1996, SEC.20. Amended by P.L.73-2005, SEC.28.*

#### IC 12-20-5.5-6

Income standards Sec. 6. (a) A township trustee shall set income standards for the township that provide for financial eligibility in an amount consistent with reasonable costs of basic necessities in the trustee's particular township. (b) A township trustee may not consider a Holocaust victim's settlement payment received by an eligible individual when setting income standards under this section. *As added by P.L.51-1996, SEC.20. Amended by P.L.128-1999, SEC.26.*

#### IC 12-20-6-1

Application and affidavit Sec. 1. (a) A township trustee may not extend aid to an individual or a household unless an application and affidavit setting forth the personal condition of the individual or household has been filed with the trustee within one hundred eighty (180) days before the date aid is extended. (b) An individual filing an application and affidavit on behalf of a household must provide the names of all household members and any information necessary for determining the household's eligibility for township assistance. The application must be on the form prescribed by the state board of accounts. (c) An applicant for utility assistance under IC 12-20-16-3(a) must comply with IC 12-20-16-3(d). (d) The township trustee may not extend additional or continuing aid to an individual or a household unless the individual or household files an affidavit with the request for assistance affirming how, if at all, the personal condition of the individual or the household has changed from that set forth in the individual's or household's most recent application. (e) The township trustee shall assist an applicant for township assistance in completing a township assistance application if 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. [Pre-1992 Revision Citation: 12-2-1-6.1(a).] *As added by P.L.2-1992, SEC. J 4. Amended by P.L.51-1996, S"EC.21; P.L.259-2001, SEC. J; P.L.73-2005, SEC.29; P.L.117-2015, SEC.21.*

#### IC 12-20-6-3

Eligibility for other public assistance Sec. 3. Each township trustee shall obtain information about public assistance programs and services administered by the division of family resources and county offices under this article, the Social Security Administration, the federal Food Stamp program (7 U.S.C. 2011 et seq.), or by another federal or state governmental entity. If a trustee believes a township assistance applicant or a member of the applicant's household may be eligible for a public assistance program, the trustee may not extend aid to the applicant or the applicant's household unless the applicant verifies that:

- (1) the applicant has filed, within the one hundred eighty (180) days preceding the application for township assistance, an application for assistance under a federal or state public assistance program administered by the division of family resources and county offices or by another federal or state governmental entity.
- (2) the applicant or a member of the applicant's household is receiving assistance under a public assistance program administered by the division of family resources and county offices or another federal or state governmental entity; or
- (3) the applicant or a member of the applicant's household has an emergency need that the trustee determines must be met immediately.

[Pre-1992 Revision Citation: 12-2-1-6.1 (c) part.]

*As added by P.L.2-1992, SEC.14. Amended by P.L.4-1993, SEC.191; P.L.5-1993, SEC.204; P.L.51-1996, SEC.22; PL. 73-2005, SEC.30; P.L.145-2006, SEC.1 12.*

#### IC 12-20-6-5

Application for other assistance Sec. 5. If the township trustee determines that an applicant or a member of the applicant's household who is granted emergency township assistance under section 3(3) of this chapter may be eligible for public assistance other than township assistance, the applicant shall, not more than fifteen (15) working days after the date that emergency township assistance was granted, file an application for public assistance and comply with all the requirements necessary for completing the application process for public assistance administered by the division of family resources and county offices or another federal or state governmental entity. An applicant or a member of the applicant's household who fails to file an application for public assistance not more than fifteen (15) working days after the date that emergency

township assistance was granted may not be granted township assistance for sixty (60) days following the grant of township assistance on an emergency basis. [Pre-1992 Revision Citation: 12-2-1-6.1 (d) pa11.] *As added by P.L.2-1992, SEC.14. Amended by P.L.4-1993, SEC.192; P.L.5-1993, SEC.205; P.L.51-1996, SEC.23; P.L.73-2005, SEC.31; P.L.145-2006, SEC.113.*

#### IC 12-20-6-6.5

Denial of relief; welfare fraud Sec. 6.5. (a) If an individual has been convicted of an offense under IC 35-43-5-7, a township trustee may not extend aid to or for the benefit of that individual for the following periods: (1) If the conviction is for a misdemeanor, for one (1) year after the conviction. (2) If the conviction is for a felony, for ten (10) years after the conviction. (b) If a township trustee finds that an individual has obtained township assistance from any township by means of conduct described in IC 35-43-5-7, the township trustee may refuse to extend aid to or for the benefit of that individual for sixty (60) days after the later of the: (1) date of the improper conduct; or (2) date aid was last extended to the individual based on the improper conduct. *As added by P.L.51-1996, SEC.25. Amended by P.L.73-2005, SEC.33.*

#### IC 12-20-6-7

Action on application Sec. 7. (a) In a case of emergency, a trustee shall accept and promptly act upon a completed application from an individual requesting assistance. In a nonemergency request for township assistance, the trustee shall act on the completed application not later than seventy-two (72) hours after receiving the application, excluding weekends and legal holidays listed in IC 1-1-9. The trustee's office shall retain a copy of each application and affidavit whether or not relief is granted. (b) The actions that a trustee may take on a completed application for township assistance, except in a case of emergency, are the following: (1) Grant assistance. (2) Deny assistance, including a partial denial of assistance requested. (3) Leave the decision pending. (c) A decision pending determination under subsection (b)(3): (1) may not remain pending for more than seventy-two (72) hours after the expiration of the period described in subsection (a); and (2) must include a statement listing the specific reasons that assistance is not granted or denied within the period required under subsection (a). [Pre-1992 Revision Citation: 12-2-1-6.2(a).]

*As added by P.L.2-1992, SEC 14. Amended by P.L.51-1996, SEC.27; P.L.259-2001, SEC.3; P.L.73-2005, SEC.35.*

#### IC 12-20-6-8

Notice of action taken; appeals Sec. 8. (a) A township trustee shall promptly notify in writing each applicant for township assistance of action taken upon a completed application for township assistance. The trustee shall do the following: (1) Mail notice or provide personal notice not later than seventy-two (72) hours, excluding weekends and legal holidays listed in IC 1-1-9, after the completed application is received, advising the applicant of the right to appeal an adverse decision of the trustee to the board of commissioners. (2) Include in the notice required under subdivision (1) the following: (A) The type and amount of assistance granted. (B) The type and amount of assistance denied or partially granted. (C) Specific reasons for denying all or part of the assistance requested. (D) Information advising the applicant of the procedures for appeal to the board of commissioners. (b) A copy of the notice described in subsection (a) shall be filed with the recipient's application and affidavit in the trustee's office. (c) An application for township assistance is not considered complete until all adult members of the requesting household have signed: (1) the township assistance application; and (2) any other form, instrument, or document: (A) required by law; or (B) determined necessary for investigative purposes by the trustee, as contained in the township's township assistance guidelines.

[Pre-1992 Revision Citation: 12-2-1-6.2(b).]

*As added by P.L.2-1992, SEC14. Amended by P.L.51-1996, SEC28; P.L.259-2001, SEC4; P.L.73-2005, SEC36.*

#### IC 12-20-6-9

Investigation; relatives Sec. 9. If an application for township assistance is made to the township trustee as administrator of township assistance, the township trustee, as administrator of township assistance, shall carefully investigate the circumstances of the applicant and each member of the applicant's household to ascertain the following: (1) Legal residence. (2) Names and ages. (3) Physical condition relating to sickness or health. (4) Present and previous occupation. (5) Ability and capacity to perform labor. (6) The cause of the applicant's or household member's condition if the applicant or household member is found to be in need and the cause can be ascertained. (7) Whether the applicant or a member of the applicant's household is entitled to income in the immediate future from any source, including the following: (A) Past or present employment. (B) A pending claim or cause of action that may result in a monetary award being received by any member of the applicant's household claiming to be in need. (C) A pending determination for assistance from any other federal or state governmental entity. (8) The family relationships of the township assistance applicant. (9) Whether the township assistance applicant or members of the applicant's household have relatives able and willing to assist the applicant or a member of the applicant's household.

[Pre-1992 Revision Citation: 12-2-1-7.]

*As added by P.L.2-1992, SEC14. Amended by P.L.51-1996, SEC.29; P.L.73-2005, SEC.37.*

IC 12-20-6-10

Support by relatives Sec. 10. (a) As used in this section, "relative" includes only the parent, stepparent, child, stepchild, sibling, stepsibling, grandparent, step grandparent, grandchild, or step grandchild of a township assistance applicant. (b) If an applicant who applies for township assistance or a member of the applicant's household has a relative living in the township who is able to assist the applicant or member of the applicant's household, the township trustee shall, as administrator of township assistance and before granting aid a second time, ask the relative to help the applicant or member of the applicant's household, either with material relief or by furnishing employment. (c) A township trustee may not use township assistance funds to pay the cost of an applicant's shelter with a relative who is the applicant's landlord if the applicant lives in: (1) the same household as the relative; or (2) housing separate from the relative and either: (A) the housing is unencumbered by mortgage; or (B) the housing has not been previously rented by the relative to a different tenant at reasonable market rates for at least six (6) months. (d) If shelter payments are made to a relative of a township assistance applicant on behalf of the applicant or a member of the applicant's household, the trustee may file a lien against the relative's real property for the amount of township shelter assistance granted.

[Pre-1992 Revision Citation: 12-2-1-11.]

As added by P.L.2-1992, SEC 14. Amended by P.L.51-1996, SEC30; P.L.73-2005, SEC.38.0

IC 12-20-7-1

Consent; form; filing Sec. 1. (a) Each applicant and each adult member of the applicant's household seeking township assistance must consent to a disclosure and release of information about the applicant and the applicant's household before township assistance may be provided by the township trustee. The consent must be made by signing a form prescribed by the state board of accounts. The form must include the following: (1) The applicant's name, case number, and address. (2) The types of information being solicited, including the following: (A) Countable income. (B) Countable assets. (C) Wasted resources. (D) Relatives capable of providing assistance. (E) Past or present employment. (F) Pending claims or causes of action. (G) A medical condition if relevant to work or workfare requirements. (H) Any other information required by law. (3) The names of individuals, agencies, and township trustee offices that will receive the information. (4) The expiration date of the permission to disclose information. (b) Information that is declared to be confidential by state or federal statute may not be obtained under the consent form prescribed by this section. (c) The township trustee shall keep on file and shall make available to the division of family resources and office of Medicaid policy and planning upon request a copy of the signed consent form described in subsection (a). (d) The township trustee shall send to the county office a copy of the signed consent form described in subsection (a). (e) The division of family resources, county offices, and the office of Medicaid policy and planning shall make available to the township trustee upon request a copy of signed consent to disclosure and release of information forms in each entity's files. (f) If an individual who is required to sign a form under this section is unable to sign the form in the township trustee's office due to a physical or mental disability or illness, the township trustee shall make alternate arrangements to obtain the individual's signature.

(Pre-1992 Revision Citation: 12-2-13-1.)

As added by P.L.2-1992, SEC.14. Amended by FL.4-1993, SEC.193; P.L.5-1993, SEC.206; P.L.46-1995, SEC.57; P.L.51-1996, SEC.31; P.L.259-2001, SEC.5; P.L.73-2005, SEC.39; P.L.145-2006, SEC.1 15.

IC 12-20-7-3.5

Provision of information to determine eligibility Sec. 3.5. Upon request of the township trustee, a person holding assets or title to assets of a township assistance applicant or a member of the applicant's household shall provide the township trustee with information concerning the nature and value of those assets for purposes of determining the household's financial eligibility to receive township assistance.

As added by P.L.51-1996, SEC.35. Amended by P.L.73-2005, SEC.41.

IC 12-20-8-1

"Resident" defined Sec. 1. For purposes of this chapter, an individual is a "resident" of a township or county if the individual: (1) has located in the township or county; and (2) intends to make the township or county the individual's sole place of residence.

Pre-1992 Revision Citation: 12-2-1-S(b) pai1.]

As added by P.L.2-1992, SEC.14.

IC 12-20-8-2

Relief for residents Sec. 2. If an individual is a resident of a township or county, the township or county shall relieve and



support the individual if the individual is poor and in need of relief.

[Pre-] 992 Revision Citation: 12-2-1-S(a).]

*As added by P.L.2-1992, SEC 14.*

IC 12-20-8-7 Assistance notwithstanding inability to establish place of legal settlement Sec. 7. If the township trustee, as administrator of township assistance, is unable to ascertain and establish the place of legal residence of a poor individual within the township, the township trustee shall proceed to provide assistance to the individual in the same manner as other poor individuals are provided assistance.

[Pre-1992 Revision Citation: 12-2-1-19.]

*As added by PL2-1992, SEC14. Amended by PL 73-2005, SEC44.*

IC 12-20-9-6

Violations; denial of aid Sec. 6. An individual may be denied township assistance for not more than one hundred eighty (180) days whenever the individual or a member of the individual's household: (1) has been: (A) sent by a township where the individual does not reside to a location outside the township at the individual's request or by court order; and (B) transported to a location outside the township at public expense; and (2) knowingly reapplies for assistance in the township from which the individual or member of the individual's household was sent.

[Pre-1992 Revision Citation: 12-2-1-14(b).]

*As added by PL2-1992, SEC14. Amended by P.L.51-1996, SEC37; P.L.73-2005, SEC49.*

IC 12-20-10-1

Able-bodied assistance applicants to seek employment Sec. 1. If a township assistance applicant is in good health or if any members of the applicant's household are in good health, the township trustee, as administrator of township assistance, shall require the individuals who are able to work to seek employment. The township trustee shall refuse to furnish any township assistance until the township trustee is satisfied that the township assistance applicant or members of the applicant's household are endeavoring to find work.

[Pre-1992 Revision Citation: 12-2-1-10(a).]

*As added by P.L.2-1992, SEC 14. Amended by P.L.51-1996, SEC.38; PL. 73-2005, SEC.50.*

IC 12-20-10-2

Assistance contingent on performance of work; exception Sec. 2. If: (1) a township assistance applicant is in good health and able to work; and (2) either: (A) the township trustee, as administrator of township assistance, offers employment to the township assistance applicant, regardless of whether the compensation for the work is in the form of money, house rent, or commodities consisting of the necessaries of life; or (B) employment at a reasonable compensation is offered by any other individual, governmental agency, or employer; the township trustee, as administrator of township assistance, shall not furnish township assistance to the applicant until the township assistance applicant performs the work or shows just cause for not performing the work. However, a township assistance applicant may be given admission to the county home, where the township assistance applicant shall be compelled to work.

[Pre-1992 Revision Citation: 12-2-1-10(a) pa1t.]

*As added by P.L.2-1992, SEC 14. Amended by P.L.51-1996, SEC.39; P.L.73-2005, SEC.5 I.*

IC 12-20-11-1

Public projects work requirement for township assistance recipients; exceptions; determination of suitability; value of performance; furnished equipment; supervision; insurance; displacement of employees; failure to comply Sec. 1. (a) The township trustee shall obligate any adult member of a recipient household to do any work needed to be done within the county or an adjoining township in any other county for any nonprofit agency or governmental unit, including the state, having jurisdiction in those townships, unless: (1) the obligated individual is not physically able to perform the proposed work; (2) the obligated individual is a minor or is at least sixty-five (65) years of age; (3) the obligated individual has full-time employment at the time the recipient receives township assistance; (4) the obligated individual is needed to care for an individual as a result of the individual's age or physical condition; (5) the township trustee determines that there is no work available for any adult member of the recipient household; or (6) the individual obligated to perform the work is, at the direction of the township trustee, attending: (A) courses under section 3 of this chapter; or (B) a job training program under IC 12-20-12-1 or another job training program approved by the township trustee. (b) The township trustee shall determine a township assistance applicant's suitability to perform available work under this section. The township trustee may provide for medical examinations necessary to make the determination.

(c) A township assistance recipient shall perform an amount of work that equals the value of assistance received by the township

assistance recipient or the recipient's household. The township assistance recipient shall receive credit for the work performed, as assigned by the township trustee, at a rate not less than the federal minimum wage. (d) The unit of government or nonprofit agency for which work is performed under this section shall furnish the necessary tools, materials, or transportation, unless the trustee agrees in writing to furnish the necessary tools, materials, or transportation. (e) Supervision of the work of a township assistance recipient under this section is the responsibility of the governmental unit or nonprofit agency for which the work is performed. (f) The township trustee shall see that a township assistance recipient performing work under this section is covered by adequate liability insurance for injuries or damages suffered by or caused by the township assistance recipient. (g) A township assistance recipient may not be assigned to work that would result in the displacement of governmental employees or in the reduction of hours worked by governmental employees. (h) The failure of a township assistance recipient to perform work assigned by the township trustee within a reasonable period required by the township trustee is a basis for denying further assistance to the recipient or the recipient's household for not more than one hundred eighty (180) days, unless the recipient shows good cause for not performing the work.

[Pre-1992 Revision Citation: 12-2-1-10(a).]

*As added by PL2-1992, SEC 14. Amended by PL51-1996, SEC41; PL 73-2005, SEC55.*

#### IC 12-20-11-4

Satisfaction of prior township obligations prerequisite to additional township assistance; hardship temporary assistance; confirming documentation Sec. 4. (a) The township trustee may require a township assistance applicant or an adult member of the applicant's household to satisfy all obligations to perform work incurred in another township before additional township assistance is granted. However, in case of an emergency, the trustee may temporarily waive the work obligation incurred from another township and provide temporary assistance to an applicant or a household in order to relieve need or immediate suffering. (b) The township trustee may request from another township trustee documentation necessary to confirm that a township assistance applicant or an adult member of the applicant's household performed or did not perform work in another township.

[Pre-1992 Revision Citation: 12-2-1-JO(k).]

*As added by PL.2-1992, SEC.14. Amended by PL51-1996, SEC43; PL 73-2005, SEC.57.*

#### IC 12-20-11-5

Application of worker's compensation laws; repayment of assistance Sec. 5. (a) Work performed under this chapter is considered as satisfaction of a condition for township assistance and is not considered as services performed for remuneration or as repayment for township assistance. However, a township assistance recipient performing work under this chapter and the governmental unit or nonprofit agency for which the recipient works are covered by the medical treatment and burial expense provisions of IC 22-3-2 through IC 22-3-6 with regard to the work performed. (b) A township trustee may not seek federal or state reimbursement, foreclose a lien, or otherwise seek repayment of assistance for which a recipient or an adult member of the recipient's household has satisfactorily completed a workfare requirement.

[Pre-1992 Revision Citation: 12-2-1-10(a) part]

*As added by P.L.2-1992, SEC 14. Amended by P.L.51-1996, SEC44; PL 73-2005, SEC.58*

#### IC 12-20-16-1

Assistance only upon necessity Sec. 1. A township trustee, as administrator of township assistance, may provide and shall extend township assistance only when the personal effort of the township assistance applicant fails to provide one (1) or more basic necessities.

[Pre-1992 Revision Citation 12-2-1-10(b).]

*As added by P.L.2-1992, SEC14. Amended by PL.51-1996, SEC53, PL 73-2005, SEC.69.*

#### IC 12-20-16-2

Medical assistance; necessity Sec. 2. (a) Except as provided in subsections (b) and (c), the township trustee shall, in cases of necessity, do the following: (1) Promptly provide medical assistance for poor individuals in the township who are not provided for in public institutions. (2) See that medicines, medical supplies, special diets, or tests prescribed by a physician or surgeon in attendance upon poor individuals in the township are properly furnished. (b) A 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. (c) The township trustee shall pay only for the following medical services for the poor of the township: (1) Prescription drugs, not to exceed a thirty (30) day supply at a time, as prescribed by an attending practitioner (as defined in IC 16-42-19-5) other than a veterinarian. However, if the prescription drugs are available only in a container that contains more than a thirty (30) day supply, the township trustee may pay for the available size. (2) Office calls to a physician licensed under IC 25-22.5 or another medical provider. (3) Dental care is needed to relieve pain or infection or to repair cavities. (4) Repair or replacement of dentures. (5) Emergency room treatment that is of an emergency nature. (6) Preoperative testing prescribed by an attending physician licensed under IC 25-22.5. (7) Over-the-counter drugs prescribed by a practitioner (as defined in IC 16-42-19-5) other than a veterinarian. (8) X-rays and laboratory testing as prescribed by an attending physician licensed under IC 25-22.5. (9) Visits to a medical specialist when referred by an attending physician licensed under IC 25-22.5. (10) Physical therapy prescribed by an attending physician licensed under IC 25-22.5. (11) Eyeglasses. (12) Repair or replacement of a prosthesis not provided for by other tax supported state or federal programs. (13) Insulin and items needed to administer the biological, not to exceed a thirty (30) day supply at a time, in accordance with section 14 of this chapter. However, if the biologicals are available only in a container that contains more than a thirty (30) day supply, the township trustee may pay for the available size. (d) The township trustee may establish a list of approved medical providers to provide medical services to the poor of the township. Any medical provider who: (1) can provide the particular medical services within the scope of the provider's license issued under IC 25; and (2) is willing to provide the medical services for the charges established by the township trustee; is entitled to be included on the list. (e) Unless prohibited by federal law, a township trustee who: (1) provides to an individual medical assistance that is eligible for payment under any medical program described in subsection (b) for which payments are administered by an agency of the state during the pendency of the individual's successful application for the program; and (2) submits a timely and proper claim to the agency; is eligible for reimbursement by the agency to the same extent as any medical provider. (f) If a township trustee provides medical assistance for medical services provided to an individual who is subsequently determined to be eligible for Medicaid: (1) the township trustee shall notify the medical provider that provided the medical services of the individual's eligibility; and (2) not later than thirty (30) days after the medical provider receives the notice under subdivision (1), the medical provider shall file a claim for reimbursement with the office. (g) A medical provider that is reimbursed under subsection (f) shall, not later than thirty (30) days after receiving the reimbursement, pay to the township trustee the lesser of: (1) the amount of medical assistance received from the trustee to an individual; or (2) the amount reimbursed by Medicaid to the medical provider.

[Pre-1992 Revision Citation: 12-2-1-6(a) pa11.]

*As added by P.L.2-1992, SEC 14. Amended by P.L.51-1996, SEC54; P.L.262-2003, SEC4; P.L.73-2005, SEC 70.*

#### IC 12-20-16-3

Utility services payment; necessity; eligibility Sec. 3. (a) The township trustee may, in cases of necessity, authorize the payment from township assistance money for essential utility services, including the following: (1) Water services. (2) Gas services. (3) Electric services. (4) Fuel oil services for fuel oil used for heating or cooking. (5) Coal, wood, or liquid propane used for heating or cooking. (b) The township trustee may authorize the payment of delinquent bills for the services listed in subsection (a)(1) through (a)(5) when necessary to prevent the termination of the services or to restore terminated service if the delinquency has lasted not longer than twenty-four (24) months. The township trustee has no obligation to pay a delinquent bill for the services or materials listed in subsection (a)(1) through (a)(5) if the delinquency has lasted longer than twenty-four (24) months. (c) The township trustee is not required to pay for any utility service: (1) that is not properly charged to: (A) an adult member of a household; (B) an emancipated minor who is head of the household; or (C) a landlord or former member of the household if the applicant proves that the applicant: (i) received the services as a tenant residing at the service address at the time the cost was incurred; and (ii) is responsible for payment of the bill; (2) received as a result of a fraudulent act by any adult member of a household requesting township assistance; or (3) that includes the use of township assistance funds for the payment of: (A) a security deposit; or (B) damages caused by a township assistance applicant to utility company property. (d) The amount paid by the township trustee, as administrator of township assistance, and the amount charged for water services may not exceed the minimum rate charged for the service as fixed by the Indiana utility regulatory commission. (e) This subsection applies only during the part of each year when applications for heating assistance are accepted by the lieutenant governor under IC 4-4-33. A township trustee may not provide assistance to make any part of a payment for heating fuel or electric services for more than thirty (30) days unless the individual files an application with the township trustee that includes the following: (1) Evidence of application for assistance for heating fuel or electric services from the lieutenant governor. (2) The amount of assistance received or the reason for denial of assistance. The township trustee shall inform an applicant for assistance for heating fuel or electric services that assistance for heating fuel and electric services may be available from the lieutenant governor under IC 4-4-33 and

that the township trustee may not provide assistance to make any part of a payment for those services for more than thirty (30) days unless the individual files an application for assistance for heating fuel or electric services under IC 4-4-33. However, if the applicant household is eligible under criteria established by the lieutenant governor for energy assistance under IC 4-4-33, the trustee may certify the applicant as eligible for that assistance by completing an application form prescribed by the state board of accounts and forwarding the eligibility certificate to the lieutenant governor within the period established for the acceptance of applications. If the trustee follows this certification procedure, no other application is required for assistance under IC 4-4-33. (f) If an individual or a member of an individual's household has received assistance under subsection (b), the individual must, before the individual or the member of the individual's household may receive further assistance under subsection (b), certify whether the individual's or household's income, resources, or household size has changed since the individual filed the most recent application for township assistance. If the individual or a member of the individual's household certifies that the income, resources, or household size has changed, the township trustee shall review the individual's or household's eligibility and may make any necessary adjustments in the level of assistance provided to the individual or to a member of the individual's household.

As added by P.L.2-1992, SEC.14. Amended by P.L.51-1996, SEC.55; P.L.259-2001, SEC. 7; P.L.73-2005, SEC.71; P.L.141-2006, SEC. 60.

*P.L.181-2006, SEC.55; P.L.1-2007, SEC.125.*

#### IC 12-20-16-6

Federal food stamp program eligibility Sec. 6. (a) Except as provided in subsection (b), a township trustee, as administrator of township assistance, may not purchase food out of the township assistance fund for an applicant or a household that is eligible to participate in the federal food stamp program. (b) A township trustee, as administrator of township assistance, may purchase food for an eligible food stamp applicant or household only under any of the following conditions: (1) During the interim period beginning when an applicant or a household is awaiting a determination of eligibility from the food stamp office and ending not more than five (5) days after the day the applicant or household becomes eligible to participate in the federal food stamp program. (2) Upon the verified loss of the household's food stamps or food supply by: (A) fire or other natural disaster; or (B) burglary or other criminal act, if the requesting applicant or household files a report with the appropriate law enforcement agency. (3) Upon the loss of the applicant's or household's food supply through spoilage. (4) Upon a written statement from a physician indicating that at least one (1) member of the household needs a special diet, the cost of which is greater than can be purchased with the household's allotment of food stamps. (5) If the township trustee, as administrator of township assistance, determines that an applicant or a household: (A) is in need of supplementary food assistance; and (B) has participated in the federal food stamp program to the fullest extent allowable under federal and state law; and supplementary food assistance is required by the circumstances of the particular case.

[Pre-I 992 Revision Citation: 12-2-1-JO(d) pa11.]

*As added by PL2-1992, SEC 14. Amended by P.L.51-1996, SEC.57, PL 73-2005, SEC 73.*

#### IC 12-20-16-11

Nonresidents; transportation without ascertaining legal residence Sec. 11. (a) A township trustee may not furnish a nonresident of a township with transportation at the cost of the township until the township trustee, as administrator of township assistance, determines the legal residence of the individual applying for assistance. (b) Transportation provided to a nonresident of a township must be in the direction of the nonresident's legal residence unless it is shown that the individual in need has a valid claim for support or a means of support in some other place to which the individual asks to be sent.

[Pre-1992 Revision Citation: 12-2-1-15.]

*As added by P.L.2-1992, SEC 14. Amended by P.L.51-1996, SEC.60; P.L.73-2005, SEC 77.*

#### IC 12-20-16-12

Funeral and burial or cremation expenses Sec. 12. (a) This section does not apply if the county coroner assumes jurisdiction of an unclaimed body under IC 36-2-14-16. (b) If: (1) 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; and (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, who shall then provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual. (c) The necessary and reasonable expenses of the funeral and burial or cremation, including a burial plot, shall be paid in the same manner as other claims for township assistance. A trustee shall determine the

cost for the items and services required by law for the funeral and burial of an individual, including a burial plot, and for the cremation of an individual, and include in the township's township assistance standards the maximum funeral and burial or cremation amount to be paid from township assistance funds. The trustee may 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. (d) If an individual described in subsection (b) is a resident of a state institution at the time of the individual's death, the division that has administrative control of the state institution shall reimburse the township trustee for the necessary and reasonable expenses of the funeral and burial or cremation of the deceased individual. The township trustee shall submit to the division that has administrative control of the state institution an itemized claim for reimbursement of the necessary and reasonable funeral and burial or cremation expenses incurred by the township trustee. (e) If an individual described in subsection (b) is a resident of a special institution governed by IC 16-33 at the time of the individual's death, the state department of health shall reimburse the township trustee for the necessary and reasonable expenses of the funeral and burial or cremation of the deceased individual. The township trustee shall submit to the state department of health an itemized claim for reimbursement of the necessary and reasonable funeral and burial or cremation expenses incurred by the township trustee. (f) A township trustee who provides funeral and burial or cremation benefits to a deceased individual is entitled to a first priority claim, to the extent of the cost of the funeral and burial or cremation benefits paid by the township trustee, against any money or other personal property held by the coroner under IC 36-2-14-11. (g) The township trustee may not cremate a deceased individual if: (1) the deceased individual; or (2) a surviving family member of the deceased individual; has objected in writing to cremation. (h) If a township trustee provides a funeral under this section, the cost of the funeral may not be more than the cost of the least expensive funeral, including any necessary merchandise and embalming, available from the funeral director under the funeral director's price list disclosed to the Federal Trade Commission.

[Pre-1992 Revision Citation: 12-2-1-20.]

*As added by P.L.2-1992, SEC.14. Amended by P.L. 162-1995, SEC.1; P.L.51-1996, SEC.61; P.L.73-2005, SEC 78.*

#### IC 12-20-16-17

Inspection of housing units; substandard housing; shelter damage or security deposit; eligibility for shelter assistance Sec. 17. (a) A township trustee may employ the services of a housing inspector to inspect all housing units, including: (1) mobile homes; (2) group homes; (3) single household units; (4) multiple household units; (5) apartments; or (6) any other dwelling; inhabited by a township assistance recipient. (b) A township trustee may contract with a local housing authority: (1) for housing inspection services; and (2) to train a township housing inspector. The costs of these contractual services shall be paid from the township assistance fund. (c) A township housing inspector shall use the following for determining a housing structure's suitability for habitation: (1) Standards recommended by the United States Department of Housing and Urban Development as used by local housing authorities. (2) Local building codes and municipal ordinances. (d) Substandard housing that does not meet minimum standards of health, safety, and construction is not eligible for: (1) the maximum level of shelter payments; or (2) damage or security deposits paid from or encumbered by township funds. (e) If the trustee determines that a housing unit for which payment is requested is substantially below minimum standards of health, safety, or construction, the trustee, when necessary, shall assist the applicant in obtaining appropriate alternate shelter. (f) A township trustee is not required to spend township assistance funds for shelter damage or security deposit for an eligible township assistance applicant or household. However, the trustee may encumber money for a shelter damage or security deposit by making an agreement with a property owner who furnishes shelter for a township assistance recipient or household. The agreement must include the following: (1) The agreement's duration, not to exceed one hundred eighty (180) days. (2) A statement that the agreement may be renewed if both parties agree. (3) The total value of the encumbered money, not to exceed the value of one (1) month's rental payment. (4) A statement signed by both the trustee and the property owner attesting to the condition of the property at the time the agreement is made. (5) A statement that encumbered money may 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 obligated. (6) A statement that the total amount to be paid from the encumbered money may not exceed one (1) month's rental payment for the unit in question. (g) A trustee is not required to provide shelter assistance to an otherwise eligible individual if the: (1) individual's most recent residence was provided by the individual's parent, guardian, or foster parent; and (2) individual, without just cause, leaves that residence for the shelter for which the individual seeks assistance. *As added by P.L.51-1996, SEC.62. Amended by P.L.73-2005, SEC.SO.*

#### IC 12-20-16-17(g)

Inspection of housing units; substandard housing; shelter damage or security deposit; eligibility for shelter assistance (g) A trustee is not required to provide shelter assistance to an otherwise eligible individual if the: (1) individual's most recent residence was provided by the individual's parent, guardian, or foster parent; and (2) individual, without just cause, leaves that residence for the shelter for which the individual seeks assistance.

#### IC 12-20-17-1

Investigations; temporary aid necessity Sec. 1. If a township trustee determines by investigation that a township assistance applicant or a township assistance applicant's household requires assistance, the township trustee shall, after determining that an emergency exists, furnish to the applicant or household the temporary aid necessary for the relief of immediate suffering. However, before any further, final or permanent relief is given, the township trustee shall consider whether the applicant's or household's need can be relieved by means other than an expenditure of township money.

[Pre-1992 Revision Citation: 12-2-1-8]

*As added by P.L.2-1992, SEC. 14. Amended by P.L.51-1996, SEC.63; PL. 73-2005, SEC.81.*

#### IC 12-20-17-2

Shelter; expenditure limitations; combination of resources; referral to appropriate agency; ability to contract with private agency Sec. 2. (a) As used in this section, "shelter" means a facility that provides temporary emergency assistance. (b) A township trustee may establish, purchase, acquire, maintain, or operate a shelter for eligible township assistance households needing temporary housing assistance. (c) A township having a population of less than eight thousand (8,000) may not expend more than ten thousand dollars (\$10,000) to implement this section without the approval of the county executive. (d) A township having a population of at least eight thousand (8,000) may not expend more than one hundred thousand dollars (\$100,000) to implement this section without the approval of the county executive. (e) In counties where the implementation of this section can be more efficiently and expeditiously handled in units larger than a single township, a township trustee may combine resources with other townships within a county to: (1) establish one (1) or more household shelter units; and (2) pay a pro rata share of all administrative and other costs incidental to the maintenance and operation of each shelter unit established in subdivision (1). IC 36-1-7-1 through IC 36-1-7-4 apply to a township electing to combine its resources with other townships under this subsection.(f) A township trustee is not required to provide shelter to an individual who at the time assistance is requested is: (1) under the influence of drugs or alcohol; or (2) incapable of self-care. The township trustee may at no cost to the township refer an individual described in this subsection to an appropriate agency or facility located in the county or in an adjoining county that has a program or charter specifically addressing the problems of substance abuse, mental illness, or self-care. (g) A township trustee may contract with a private agency offering a shelter program in order to comply with this section if the applicant or the applicant's household is not mandated by the private agency to participate, as a condition of eligibility, in religious services. (h) A township trustee is not obligated to: (1) enter into a contract with; or (2) pay shelter costs to; a shelter that is supported by federal or state funds.

[Pre-1992 Revision Citation: 12-2-1-8.5]

*As added by P.L.2-1992, SEC.14. Amended by P.L.51-1996, SEC.64; P.L.73-2005, SEC.82.*

#### IC 12-20-27-1

Filing claims Sec. 1. (a) Subject to IC 12-20-11-S(b), a township trustee who, as administrator of township assistance, furnishes township assistance, may file a claim against the estate of a township assistance recipient who: (1) dies, leaving an estate; and (2) is not survived by: (A) a spouse; (B) an adult dependent with a disability; or (C) a dependent child less than eighteen (18) years of age; for the value of township assistance given the recipient before the recipient's death. (b) For purposes of this section, the estate of a township assistance recipient includes any money or other personal property in the possession of a coroner under IC 36-2-14-11.

[Pre-1992 Revision Citation: 12-2-7-1 pa11.]

*As added by P.L.2-1992, SEC. 14. Amended by P.L.51-1996, SEC.71; P.L.73-2005, SEC.149; P.L. 99-2007, SEC.99.*

#### IC 12-20-27-1.5

Repayment of benefits provided during interim period Sec. 1.5. (a) As used in this section, "interim period" means the period: (1) beginning when a township trustee obtains from a township assistance applicant or member of the applicant's household an agreement or authorization described in subsection (b); and (2) ending when the township assistance applicant or member of the applicant's household receives the judgment, compensation, or monetary benefit or leaves the household. (b) Subject to IC 12-20-1 1-5(b), if a township trustee, as administrator of township assistance, anticipates that a township assistance applicant or a member of the applicant's household is likely to receive a judgment, compensation, or a monetary benefit from a third party, the township trustee may require the applicant or the affected member of the applicant's household to: (1) enter into a subrogation agreement; or (2) sign a Social Security Administration's reimbursement authorization; for the repayment of any township assistance benefits provided by the township during the interim period. A subrogation agreement authorized under subdivision (1) may only require repayment of interim benefits provided to the applicant or to the applicant's dependents who were members of the household to which township assistance benefits were paid.

*As added by P.L.51-1996, SEC.72. Amended by P.L.73-2005, SEC.150.*

Chapter 15. Disqualification for Benefits IC 22-4-15-1 Grounds for disqualification; modifications Sec. 1. (a) Regarding an individual's most recent separation from employment before filing an initial or additional claim for benefits, an individual who voluntarily left the employment without good cause in connection with the work or was discharged from the employment for just cause is ineligible for waiting period or benefit rights for the week in which the disqualifying separation occurred and until: (1) the individual has earned remuneration in employment in at least eight (8) weeks; and (2) the remuneration earned equals or exceeds the product of the weekly benefit amount multiplied by eight (8). If the qualification amount has not been earned at the expiration of an individual's benefit period, the unearned amount shall be carried forward to an extended benefit period or to the benefit period of a subsequent claim. (b) When it has been determined that an individual has been separated from employment under disqualifying conditions as outlined in this section, the maximum benefit amount of the individual's current claim, as initially determined, shall be reduced by an amount determined as follows: (1) For the first separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of: (A) the maximum benefit amount of the individual's current claim, as initially determined; multiplied by (A) seventy-five percent (75%); rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar. (2) For the second separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of: (A) the maximum benefit amount of the individual's current claim determined under subdivision (1); multiplied by (B) eighty-five percent (85%); rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar. (3) For the third and any subsequent separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of: (A) the maximum benefit amount of the individual's current claim determined under subdivision (2); multiplied by (B) ninety percent (90%); rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar. (c) The disqualifications provided in this section shall be subject to the following modifications: (1) An individual shall not be subject to disqualification because of separation from the individual's employment if: (A) the individual left to accept with another employer previously secured permanent full-time work which offered reasonable expectation of continued covered employment and betterment of wages or working conditions and thereafter was employed on said job; (B) having been simultaneously employed by two (2) employers, the individual leaves one (1) such employer voluntarily without good cause in connection with the work but remains in employment with the second employer with a reasonable expectation of continued employment; or (C) the individual left to accept recall made by a base period employer. (2) An individual whose unemployment is the result of medically substantiated physical disability and who is involuntarily unemployed after having made reasonable efforts to maintain the employment relationship shall not be subject to disqualification under this section for such separation. (3) An individual who left work to enter the armed forces of the United States shall not be subject to disqualification under this section for such leaving of work. (4) An individual whose employment is terminated under the compulsory retirement provision of a collective bargaining agreement to which the employer is a party, or under any other plan, system, or program, public or private, providing for compulsory retirement and who is otherwise eligible shall not be deemed to have left the individual's work voluntarily without good cause in connection with the work. However, if such individual subsequently becomes reemployed and thereafter voluntarily leaves work without good cause in connection with the work, the individual shall be deemed ineligible as outlined in this section. (5) An otherwise eligible individual shall not be denied benefits for any week because the individual is in training approved under Section 236(a)(1) of the Trade Act of 1974, nor shall the individual be denied benefits by reason of leaving work to enter such training, provided the work left is not suitable employment, or because of the application to any week in training of provisions in this law (or any applicable federal unemployment compensation law), relating to availability for work, active search for work, or refusal to accept work. For purposes of this subdivision, the term "suitable employment" means with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as defined for purposes of the Trade Act of 1974), and wages for such work at not less than eighty percent (80%) of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974. (6) An individual is not subject to disqualification because of separation from the individual's employment if: (A) the employment was outside the individual's labor market; (B) the individual left to accept previously secured full-time work with an employer in the individual's labor market; and (C) the individual actually became employed with the employer in the individual's labor market. (7) An individual who, but for the voluntary separation to move to another labor market to join a spouse who had moved to that labor market, shall not be disqualified for that voluntary separation, if the individual is otherwise eligible for benefits. Benefits paid to the spouse whose eligibility is established under this subdivision shall not be charged against the employer from whom the spouse voluntarily separated. (8) An individual shall

not be subject to disqualification if the individual voluntarily left employment or was discharged due to circumstances directly caused by domestic or family violence (as defined in IC 31-9-2-42). An individual who may be entitled to benefits based on this modification may apply to the office of the attorney general under IC 5-26.5 to have an address designated by the office of the attorney general to serve as the individual's address for purposes of this article. As used in this subsection, "labor market" means the area surrounding an individual's permanent residence, outside which the individual cannot reasonably commute on a daily basis. In determining whether an individual can reasonably commute under this subdivision, the department shall consider the nature of the individual's job. (d) "Discharge for just cause" as used in this section is defined to include but not be limited to: (1) separation initiated by an employer for falsification of an employment application to obtain employment through subterfuge; (2) knowing violation of a reasonable and uniformly enforced rule of an employer, including a rule regarding attendance; (3) if an employer does not have a rule regarding attendance, an individual's unsatisfactory attendance, if the individual cannot show good cause for absences or tardiness; (4) damaging the employer's property through willful negligence; (5) refusing to obey instructions; (6) reporting to work under the influence of alcohol or drugs or consuming alcohol or drugs on employer's premises during working hours; (7) conduct endangering safety of self or coworkers; (8) incarceration in jail following conviction of a misdemeanor or felony by a court of competent jurisdiction; or (9) any breach of duty in connection with work which reasonably owed an employer by an employee. (e) To verify that domestic or family violence has occurred, an individual who applies for benefits under subsection (c)(8) shall provide one (1) of the following: (1) A report of a law enforcement agency (as defined in IC 10-13-3-10). (2) A protection order issued under IC 34-26-5. (3) A foreign protection order (as defined in IC 34-6-2-48.5). (4) An affidavit from a domestic violence service provider verifying services provided to the individual by the domestic violence service provider.

*Formerly: Acts 1947, c.208, s.1501; Acts 1957, c.261, s.1; Acts 1965, c.190, s.9; Acts 1967, c.310, s.19; Acts 1971, P.L.355, SEC.35; Acts 1972, P.L.174, SEC.1; Acts 1974, P.L.110, SEC.4. As amended by Acts 1977, P.L.262, SEC.25; Acts 1980, P.L.158, SEC.5; Acts 1982, P.L.95, SEC.4; P.L.20-1986, SEC.9; P.L.80-1990, SEC.13; P.L.21-1995, SEC.83; P.L.166-1996, SEC.3; P.L.290-2001, SEC.7;*

*P.L.189-2003, SEC.3; P.L.97-2004, SEC.82; P.L.175-2009, SEC.23; P.L.121-2014, SEC.12; P.L.183-2015, SEC.7; P.L.224-2017, SEC.10.*

#### IC 35-43-5-7

Welfare fraud Sec. 7. (a) A person who knowingly or intentionally: (1) obtains public relief or assistance by means of impersonation, fictitious transfer, false or misleading oral or written statement, fraudulent conveyance, or other fraudulent means; (2) acquires, possesses, uses, transfers, sells, trades, issues, or disposes of: (A) an authorization document to obtain public relief or assistance; or (B) public relief or assistance; except as authorized by law; (3) uses, transfers, acquires, issues, or possesses a blank or incomplete authorization document to participate in public relief or assistance programs, except as authorized by law; (4) counterfeits or alters an authorization document to receive public relief or assistance, or knowingly uses, transfers, acquires, or possesses a counterfeit or altered authorization document to receive public relief or assistance; or (5) conceals information for the purpose of receiving public relief or assistance to which he is not entitled; commits welfare fraud, a Class A misdemeanor, except as provided in subsection (b). (b) The offense is: (1) a Level 6 felony if the amount of public relief or assistance involved is more than seven hundred fifty dollars (\$750) but less than fifty thousand dollars (\$50,000); and (2) a Level 5 felony if the amount of public relief or assistance involved is at least fifty thousand dollars (\$50,000). (c) Whenever a person is convicted of welfare fraud under this section, the clerk of the sentencing court shall certify to the appropriate state agency and the appropriate agency of the county of the defendant's residence: (1) the defendant's conviction; and (2) whether the defendant is placed on probation and restitution is ordered under IC 35-38-2. *As added by P.L.182-1984, SEC.5. Amended by P.L.158-2013, SEC.479.*

#### IC 36-2-14-11

Property or money of deceased person subject to coroner's investigation; found with body or at scene of death; taking possession; publication; search for person entitled; delivery to county treasurer or sheriff Sec. 11. (a) This section applies to money or other personal property: (1) owned by a deceased person whose death is subject to a coroner's investigation; or (2) found: (A) on a body; or (B) at the scene of death. (b) If money or personal property is not claimed by a person entitled to them, the coroner shall do the following: (1) Take possession of the property. (2) Publish, in accordance with IC 5-3-1, a description of the deceased and the name of the deceased if known. (3) Make a reasonable search to find a person who is



entitled to the money or other personal property. (c) If, after complying with subsection (b), the coroner does not know of a person entitled to the money, the coroner shall deliver the money to the county treasurer for deposit in the county general fund. (d) If, after complying with subsection (b), the coroner does not know of a person entitled to the personal property other than money that has an intrinsic value, the coroner shall deliver the personal property to the sheriff for sale at any auction that the sheriff conducts under law. The sheriff shall deposit the receipts from the auction of the personal property in the county general fund.

[Pre-Local Government Recodification Citations: 17-3-17-8 pai1; 17-3-17-1 O.]

*As added by Acts 1980, P.L.212, SEC. I. Amended by Acts 1981, P.L.45, SEC II; P.L.141-1992, SEC I.*

IC 36-2-14-16 Counties over 400,000 population; disposition of unclaimed bodies Sec. 16. (a) This section applies to each]]=[

county having a population of more than four hundred thousand (400,000). (b) For purposes of this section, a body is unclaimed if: (1) a person cannot be located to take custody of the body; or (2) there is a person to take custody of the body, but that person cannot or will not assume financial responsibility for disposition of the body. (c) Except as provided in IC 21-44-2, the coroner may order the burial or cremation of any unclaimed body left in the coroner's custody. (d) If the deceased died without leaving money or other means necessary to defray the funeral expenses, the coroner may contract with a funeral director licensed under IC 25-15 to dispose of the body. The necessary and reasonable expenses for disposing of the body shall be paid by the county auditor upon the order of the coroner.

*As added by P.L.106-1986, SEC.3. Amended by P.L.3-1990, SEC.123; P.L.2-2007, SEC.385.*