

GENERAL ASSISTANCE

Applicant Rights & Responsibilities

The General Assistance (GA) program in Maine is administered by each municipality in order to provide immediate help to eligible people who do not have enough money for basic needs, such as rent/mortgage, food, heating fuel, medications, non-elective medical care and other items that are essential to maintain themselves or their families. In order to receive GA, people must follow program rules and meet the eligibility conditions.

This brochure contains general information about GA. This brochure is not intended to cover all the rules of the program. If you would like more information, ask the GA administrator in your municipality to show you a copy of the ordinance.

HOW TO APPLY

In order to receive assistance, you must apply in person and fill out an application. If for some special reason that is not possible, you must get a friend, relative, or some other authorized representative to apply for you. You should visit the town office or city hall where you live, or call the GA administrator to find out when and where you may apply. If your situation is not life threatening, you may be expected to make an appointment or apply only on certain days.

When you apply, you will be asked to give the administrator information necessary to determine your eligibility. You will be asked for your household income, expenses, and the number of people in your household. You will also be asked to show the administrator proof of your expenses including food, rent/mortgage, heating fuel, electricity, water/sewer, medical expenses, and so on. Remember, without complete information about your income and expenses, the administrator can't determine if you are eligible.

What To Bring With You When You Apply:

- your most recent bills and/or other proof of expenses including: rent/mortgage, heating fuel, electricity, food, medical expenses;
- cancelled checks, receipts, or other documents that show how you have spent your money and income the past 30 days;

- proof of all household income including: pay stubs, TANF, SSI and SSDI statements;
- financial statements from all your bank accounts;
- name and address of your landlord;
- your driver's license or other identification;
- your Social Security number and the Social Security numbers of all members of your household;
- a doctor's statement if you are ill, disabled, or not able to work;
- insurance policies;
- title and registration for any car, truck or recreational vehicle you own.

If you have applied for GA before, and have been instructed by the GA administrator to apply for certain resources (subsidized housing, TANF, SSI, Food Stamps, etc.) or have been instructed to look for work, you will have to show proof that you have fulfilled any and all of those requirements.

Remember that it is your responsibility to show that you are eligible. If you do not bring in all the information that has been asked for, the administrator may have to deny your request for assistance until you provide the necessary information.

It is the administrator's job to verify the information you supply. This may include obtaining information from your landlord, employer, doctor, or any other person having information about your income, expenses or other information necessary regarding your application.

The administrator will ask for your permission to contact other people to verify the information you have provided. If you do not want the administrator to contact some of those other people, you should tell the administrator. However, if you refuse to give permission and the administrator is unable to verify necessary information, your request for GA may be denied.

Fraud

It is very important that you tell the truth when you apply for GA. If the administrator finds out that you have not told the truth in order to obtain assistance you are not entitled to, you will be disqualified from receiving GA for 120 days. In addition, the administrator may refer your case over to the police department or District Attorney's Office for committing General Assistance fraud, which is a Class E crime.

Note: Disqualifications under this program are effective statewide.

HOW TO QUALIFY

To get General Assistance, your income must fall below the OVERALL MAXIMUM LEVEL OF ASSISTANCE for your household size. The OVERALL MAXIMUM LEVEL OF ASSISTANCE is found in the local GA ordinance (*see Appendix A*). Also, your income must be less than what you need to pay for the basic necessities of food, shelter, heating fuel, electricity, water and sewer utilities, household supplies, clothing and medical care.

It is important to remember that your “income” is any income you will probably receive over the next 30 days as well as any income received over the last 30 days that was not spent on basic necessities. In order to make sure you will get all the assistance you may need, you must make sure you ***SPEND YOUR MONEY ONLY ON BASIC NECESSITIES AND KEEP YOUR RECEIPTS!***

Remember, every time you re-apply, you will have to show that you are doing everything you have been asked to do to reduce your need for assistance. What follows is a brief explanation of these additional requirements.

WORK REQUIREMENT

If you are unemployed or underemployed (working less than full time), but you are able to work, you must:

- register for work at the CareerCenter;
- actively look for work;
- accept any job offer (paying at least minimum wage);
- participate in any no-cost training, retraining, educational or rehabilitative program that would help you get a job if referred to such a program by the administrator; and
- agree to perform and successfully complete work for the municipality if assigned to a “workfare” program.

If you do not comply with these work requirements, and you do not have a good reason for not complying, you will be disqualified from receiving GA for 120 days. Also, if you are not in an emergency situation, the administrator may ask you to perform workfare before your assistance is actually issued to you. Do not hesitate to ask the administrator for a complete description of your rights and responsibilities under the municipal work program.

There are some exceptions to the work requirement: Applicants do not have to meet the work requirements if they have a physical or mental disability that prevents them from working. Also, people who are the sole caretakers of a pre-school age child or other dependent person in need of care will not be asked to fulfill the work requirements. Applicants who feel they have a legitimate reason they can not meet the work requirements should discuss the matter with their GA administrator.

Quitting Work & Getting Fired

If you have been working, but quit your job without a good reason or get fired from your job for misconduct, you are automatically disqualified for 120 days from the date of separation from your employment. Remember that the administrator does not want to disqualify you from receiving the assistance you need, so it is in your best interest to fully comply with the work program rules.

OTHER REQUIREMENTS -- USE OF INCOME & RESOURCES

You are required to use your income for basic necessities. If your income is enough to pay for your household needs, but you spend your money on items that are not considered basic necessities (*ask your GA administrator to explain what is and is not considered a basic necessity*), you will not be eligible for assistance. Also, the municipality may have adopted certain use-of-income guidelines that the administrator will expect you to follow. These guidelines may ask you to spend your money on certain basic needs first, such as rent or electricity. These guidelines will be explained to you and given to you in writing.

In addition, you must use any and all resources that would reduce your need for GA. If you refuse to use a resource without a good reason, you will be disqualified until you do so. These resources include:

- TANF, SSI, SSDI, Food Stamps, HEAP fuel benefits, and other government benefit programs;
- trust funds;
- alimony or child support payments;
- educational, retraining, medical or rehabilitative programs;
- assistance from relatives legally liable for your support;
- unnecessary assets, such as extra vehicles and real estate, which you may be required to sell.

For instance, if an applicant is likely to be eligible for TANF but refuses to apply, that applicant will not receive GA until he or she does apply. As another example, if an applicant owns an expensive car or is making payments on a car that is beyond his or her means, the GA administrator may require that the vehicle be traded in for a less expensive vehicle.

Also, if you receive a lump sum payment, (*such as a Workers' Compensation settlement*) the administrator will "prorate" your eligibility. This means that you may not be eligible for GA for a number of months—even up to one year—depending on the size of the lump sum payment and the way the lump sum payment was spent. To protect your eligibility for GA, the lump sum payment must be spent on basic needs.

Further, if you are receiving income from a government benefit program but your income is reduced or terminated because you committed fraud or violated that program's rules—GA will not replace the lost income.

OTHER INFORMATION

When Is Assistance Granted?

Within 24 hours after you apply for GA, the administrator will give you a written decision explaining if you are or are not to be granted assistance, and the reason why. If you are eligible to receive assistance, the written decision will describe the types and amount of assistance you will receive. Any assistance granted will be in the form of a voucher payable to a specific vendor.

If you are not in an emergency situation and your assistance has been granted on the condition that you perform a workfare assignment, the written decision will explain your rights and responsibilities, and when your assistance will be actually issued. If you are not eligible to receive GA, the written decision will explain why you are ineligible, and you will be informed that you can challenge the decision by requesting a fair hearing.

Amount of Assistance

The amount of assistance you receive depends upon your situation. However, the municipality does have maximum levels of assistance for the various basic necessities that it will not exceed. For example, if your total eligibility is \$450 and your rent is \$425, but the municipality allows a maximum of \$350 for housing, you will not receive your total rent of \$425 even though you are eligible for \$450. It is your responsibility to find housing within your ability to pay.

Assistance will be granted for a period of time that is no longer than one month, although it may be granted for shorter periods, such as a week at a time. If a month has gone by since your last application and you need additional assistance, you must reapply and show the administrator that you are eligible.

If you need GA, make sure your request is for help with current bills. GA does not usually pay for back bills. Also it is important to remember to apply for assistance before you have a crisis. If you receive a notice that your electricity is going to be shut off, or if you are going to be evicted, **notify the administrator immediately**. You also are responsible for checking your fuel supply, whether it is an oil tank or a wood pile. If you don't check your fuel and then run out, the administrator will not necessarily consider it an emergency beyond your control and individuals causing their own "emergency" may be found ineligible to receive GA.

Liens & Repayment

You should be aware that if you receive GA, you are required to repay the municipality when you become financially able to do so.

If the municipality makes a mortgage payment or pays for a capital improvement to your property, it may place a lien on your property in the Registry of Deeds.

There is also an automatic lien against any Workers' Compensation lump sum payment that you may receive. This Workers' Compensation lien captures any General Assistance you have received after January 1, 1992.

In addition, there is a process in place that is effectively a lien against any future Supplemental Security Income (SSI) retroactive benefit you may receive. If you have applied for SSI, the administrator will ask you to sign an agreement form that will result in the municipality (*and the Department of Human Services*) being paid back for all the GA issued to you after you applied for SSI. If you refuse to sign this form, you will be denied General Assistance. The money to repay the municipality and DHS is taken from your SSI retroactive benefit if you should get such an SSI benefit in the future.

Note: The monetary value of GA workfare performed is deducted from both SSI and Workers' Compensation liens a municipality may hold, reducing the amount you must repay.

What To Do If You Are Not Satisfied

If you do not agree with the administrator's decision, you can ask for further explanation. If you still disagree, you can appeal the decision to the fair hearing authority (FHA). The FHA may be one person or a small board made up of three or five people. No member of the FHA will have participated in the decision on your request for assistance.

You must request the hearing in writing within 5 working days of receiving your decision. After you make such a request, a hearing will be scheduled within 5 working days. An attorney may represent you at the hearing at your own expense. At the hearing, you should be prepared to explain why you think an error has been made regarding your application (e.g., why you are eligible for GA).

At the fair hearing, you will have the right to tell your side of the story and also question witnesses. You will receive a written decision from the fair hearing authority no later than 5 working days after the hearing. If you are dissatisfied with the fair hearing authority's decision, you have 30 days to appeal to Superior Court.

If you are in immediate need and you think the municipality has violated the state law with regard to your request for assistance, you may call the Department of Human Services to complain. The Department's hot-line number is **1(800) 442-6003**.

Confidentiality

The information concerning your request for assistance, including the application, budget sheet, decision and other information regarding your case is strictly confidential. You, your attorney, the administrator and certain government personnel may review your records, but the general public may not review your records unless you have given your express permission.

SUMMARY

GA is intended to help people who are in need and have nowhere else to turn. GA is a program of last resort. The municipality has the responsibility to provide assistance to eligible people who are in need. Applicants have the responsibility to:

- provide complete and accurate information;
- provide written documentation of expenses (bills, receipts, etc.);
- notify the administrator if there are any changes in circumstances which affect eligibility (income, household members, etc.);
- use income for basic necessities (food, heating fuel, rent/mortgage, utilities, medicine);
- make every effort to use potential resources, including other government benefit programs, private pension programs, support payments, trust funds, etc.;
- attempt to find and accept full-time work, if able-bodied;
- not quit work or get fired for misconduct;
- participate in an education or training program to assist employability;
- sell your non-essential assets at fair market price (vehicles, boats, real estate, etc.);
- find affordable housing within your ability to pay;
- request assistance with bills that are current (due that month), not back bills;
- check heating fuel supply (oil, wood, gas) on a regular basis and request GA before fuel runs out;
- notify the administrator immediately upon the receipt of a “shut off” notice, before utilities are disconnected;
- tell the truth; and
- reimburse the municipality for any assistance received, once financially able.

If you have questions about GA or your application, contact:

Municipality: _____

GA Administrator: _____

Telephone Number: (207) _____

GA Office Hours:

Day: _____ **Hours:** _____

Day: _____ **Hours:** _____

Day: _____ **Hours:** _____

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