

# **Chapter 5**

## **General Assistance Verification**

# Verification

Verification, or certifying that applicants are eligible for assistance, is one of the administrator's most important duties. *Applicants have the burden of proving that they are eligible for GA. The applicants must show that they need GA by providing written documentation such as wage stubs, receipts, and bills. The GA administrator is responsible for verifying that information (§ 4309).* It is not the administrator's job to do the groundwork to discover if applicants are eligible.

The administrator does, however, have the obligation to check the accuracy of the applicants' statements and documents in order to make sure the applicants are in fact eligible. The administrator may gather or *verify information from other sources provided the administrator, prior to contacting third parties, informs the applicant (in writing is the preferred method, see page 4 of the MMA GA Application) of the sources which will be contracted.* If the applicant refuses to allow the administrator to make a third party contact, the applicant's request for GA may be denied.

Generally speaking, the administrator should require applicants to bring certain documents each time they apply: bills or receipts for rent, utilities, fuel, telephone service, medical expenses, clothing and evidence of income whether it is earned income or a public benefit such as TANF or SSI. A requirement that the applicant bring such documentation should be a part of any use-of-income policy and notice, if the municipality employs such a policy (*see "Use-of-Income Guidelines," page 2-22*).

If the application is not an initial application, the administrator should also expect documentation establishing exactly how the household's previous 30-day income was spent (*see "Availability of Misspent Income," page 2-19*) as well as proof that the applicant has fulfilled the work requirements and attempted to secure all potential resources.

Requiring applicants to fully document their eligibility can be less strictly required in some emergency situations, but the recently-enacted municipal authority to limit emergency assistance when the applicant could have averted the emergency situation clearly authorizes the administrator to request and expect to receive sufficient documentation to satisfy the applicant's burden of proof that the emergency was not self-created (*see "Limitations on Emergency GA," page 2-45*). Even when verifying documentation is less strictly required in emergency circumstances (such as a furnace breakdown in the middle of the night), all recipients of such emergency GA would be expected to bring all necessary

documentation as soon as possible, or at least by the next time they apply (§ 4310).

If an applicant's information and documentation is incomplete, the administrator should tell the applicant, in writing, what information is needed for the administrator to make a decision. If the applicant fails to provide the necessary information within 24 hours and the administrator can't determine eligibility, the administrator should deny the application pending receipt of the necessary information.

*Remember, the eligibility period commences upon the administrator's determination of eligibility for purposes of the 30-day calculation period.*

**Example:** Mr. Jones (a repeat applicant) applies for GA on the 1<sup>st</sup> of the month and is directed (in writing—the preferred method) to bring back pay stubs and expenditure receipts within 24 hours so that his eligibility can be determined. Mr. Jones does not bring the documentation as directed. Thus, the GA administrator *by law must issue a written decision* (in this case indicating ineligibility due to failure to bring in necessary documentation). Mr. Jones returns on the 3<sup>d</sup> of the month, submitting all the necessary documentation previously requested of him. The GA administrator must initiate a new application, dated the 3<sup>rd</sup>, and the period of eligibility becomes 30 days from the 3<sup>rd</sup> (not the 1<sup>st</sup>). On the 4<sup>th</sup> (24 hours later) the GA administrator provides Mr. Jones with a new written decision.

Because the burden of proving eligibility rests upon the applicant, the administrator can *require the applicant to present the necessary information*, or the administrator can gather the remaining information personally. However, if an applicant doesn't provide the information or refuses to allow the administrator to gather the needed facts to determine eligibility, the applicant can be *denied due to insufficient information* (§ 4309).

People applying for the first time are not required to present as much documentation as recipients who have received assistance previously. Because need is the primary eligibility factor at the time of an initial application, people are not required to prove that they have looked for work, accepted work, or have met other eligibility conditions. They do, however, have to show that they are in need and must present reasonable documentation of their income and expenses.

**Employment.** Applicants *must* give the administrator proof of their wages. If “first time” applicants do not provide the necessary information and it is impossible for the administrator to determine their eligibility, the administrator may deny assistance due to incomplete information and documentation of eligibility *if the request is not an emergency*. If it is an emergency, the

administrator should grant sufficient assistance to meet the immediate need. However, in the written decision the administrator should inform the applicant that they must provide the required documentation in order to receive further assistance. The decision should also state that if an applicant fails to provide the requested documentation, the administrator may contact the employer to verify the employment information if the applicant hasn't provided the information within seven days.

Employers are *required by state law* to release employment information upon *written* request by a GA administrator. If employers refuse to give the information, they must give a written explanation stating the reason for the refusal within three days of the request for information. If employers do not have a good reason for refusing to comply with the request, they can be fined not less than \$25 nor more than \$100. In addition, giving the administrator false information is a Class E crime (§§ 4314, 4315).

**Financial Institutions.** Applicants are required to inform the administrator if they have savings or checking accounts. The administrator may verify this information by making a *written* request to the bank, credit union or other financial institution. The bank or financial institution will usually require a release signed by the applicant to provide the administrator with this information. If a bank refuses to release this requested information it must give a written decision explaining why it refused. If the banking institution does not have good reason for refusing to release the information, it can be fined not less than \$25 nor more than \$100 (§ 4314).

**State Agencies.** The administrator can contact the Department of Human Services and any other state agency which has any information pertaining to an applicant's eligibility. Unlike inquiries to employers and financial institutions, requests for information from state agencies do not necessarily have to be in writing. Administrators can, for instance, call the Department of Human Services to find out about an applicant's TANF or Food Stamp grant or call the Department of Labor to learn about an applicant's unemployment compensation benefits (§ 4314).

**Emergencies & Telephone Applications.** In an emergency situation *requiring immediate assistance*, the GA administrator may issue "sufficient benefits to provide the basic necessities needed immediately..." provided the following conditions (found at § 4310) are met:

- the administrator has determined, on the basis of the interview, that the applicant will probably be eligible for GA after full verification;
- when possible, the applicant submits adequate documentation to verify that he or she needs immediate assistance;

- when adequate documentation is not available at the time of application, the administrator may contact at least one other person to confirm the applicant's statement;
- in no case may the authorization of benefits provided under this section exceed 30 days; and
- in no case may there be further authorization of benefits until a full verification of eligibility has taken place.

In some cases, emergency applications may be made over the telephone. The administrator should accept telephone applications when the applicant has an immediate need and neither he/she nor any person can apply in person due to illness, disability, lack of childcare, no transportation or other good cause. If an application is taken over the phone, the administrator still has the obligation to verify the information either by making a visit to the applicant's home with his/her consent or having the applicant send or bring in the necessary information another day (§ 4304(3)). *(See page 1-6 for further discussion.)*