



**Maine Department of Health and Human Services
Office for Family Independence
19 Union Street
11 State House Station
Augusta, Maine 04333-0011**

**PAUL R. LEPAGE
GOVERNOR**

**BETHANY L. HAMM
ACTING COMMISSIONER**

SUBJECT: General Assistance with Municipality of Responsibility
TO: Municipalities providing General Assistance

Dear Municipal Officer:

This memorandum is intended to provide guidance regarding the policy for Municipality of Responsibility. General Assistance Administrators have an opportunity and responsibility to provide the most basic essentials to individuals living in poverty. Cooperation amongst communities strengthens the ability to provide services to those in need. When an applicant requests assistance, it is the duty of the municipal officer to determine what that individual's eligibility may be. State statutes then allow the billing and reimbursement of assistance from one municipality to another, when a municipality where a client is physically present believes that the applicant is the financial responsibility of another community based on Municipality of Responsibility rules.

Process to Identify Valid Reimbursement Requests

If an applicant is in a shelter, or other institution at the time of application and has been there for 6 months or less, the municipality of responsibility is the municipality where the applicant was a resident immediately prior to entering the institution (22 M.R.S.A. §4307(4B)), even if the applicant arrived at the institution by their own free will.

A resident is defined as a person: ((22 M.R.S.A. §4307(2A))

1. Who is physically present in a municipality;
2. Who intends to remain in that municipality;
3. Who maintains or intends to establish a home in that municipality; and
4. Who has no other residence in another municipality.

When determining residency amongst indigent applicants, if an applicant had no physical residence immediately prior to entering the institution, the administrator may rely on subjective intendance to determine residency. The administrator may determine that the applicant is a resident of the previous municipality where the applicant had occupied a location with intendance to remain in that location. If a person is not a resident of any municipality, the municipality where that person first applies shall be responsible for support until a new residence is established (22 M.R.S.A. §4307(4B)).



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Presumptive eligibility on behalf of the institution allows the municipality where the applicant is physically present to provide emergency assistance for a limited duration. Any municipality that provides emergency assistance with presumptive eligibility should complete a formal application and decision on the next available business day, with an attempt at notice to and agreement with the municipality of responsibility. If assistance is granted without notice or agreement with a second "responsible" municipality, the first municipality is responsible for payment for the assistance granted (10-144 C.M.R. Chapter 323, Section 6).

Any municipality in receipt of such a notice has the right to request from the sending municipality copies of the application and eligibility documents. The following are appropriate requests, which the sending municipality should be prepared to present if asked to:

1. A copy of the applicant's General Assistance application.
2. A copy of all relevant General Assistance decisions issued to the client.
3. Any other documentation from the client that would help determine eligibility.
4. Documentation used to verify the client's residence immediately prior to entering the shelter.
(NOTE: Acceptable verification of previous residence may include verbal confirmation made in person or via phone by a third party such as a landlord, relative, roommate etc.)

Billing Process

Municipalities must be mindful that the amount of assistance issued in reimbursement to a non-liable municipality will not be requested for reimbursement to the Department. For instance, if you receive a bill from another municipality for shelter nights at your municipal share of 30%, you must be diligent to not request a 70% reimbursement from the Department on the amount of your municipal share.

If you have questions concerning municipality of responsibility, please do not hesitate to contact the General Assistance Hotline at 1-800-442-6003.

Thank you,

 9/14/18

Sara Russell, General Assistance Program Manager
Maine Department of Health and Human Services