

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 110640
JUNEAU, AK 99811-0640
PHONE: (907) 465-3347

MEMORANDUM

DATE: December 30, 2002

TO: General Relief Assistance Manual Holders

FROM: Ellie Fitzjarrald, Chief
Policy and Program Development Team

SUBJECT: General Relief Assistance Manual Change #7

Recently, there have been numerous questions about the burial assistance “contributions” policy in manual section 2103.4. The intent of this policy is to ensure that burial assistance is only provided when a family does not have resources available to provide for an adequate burial. The attached one-page manual change clarifies this policy.

If person who is related to the deceased by blood or marriage pays for any portion of a more expensive funeral than that provided for by GRA, eligibility for funeral and burial assistance does not exist. However, a contribution for a specific burial item from a non-related third party will not affect eligibility as long as the third party makes the contribution directly to the funeral provider, and not to the family of the deceased.

This policy clarification is effective upon receipt of this manual change.

If you have any questions, please contact any member of the Policy and Program Development Team at 465-3347 or e-mail us at dpapolicy@health.state.ak.us.

Manual Change Filing Instructions

Remove old page 30

Insert new pages 30a through 30b

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

TONY KNOWLES, GOVERNOR

*P.O. BOX 110640
JUNEAU, AK 99811-0640
PHONE: (907) 465-3347*

MEMORANDUM

DATE: October 15, 1996

TO: General Relief Assistance Manual Holders

FROM: Chris Ashenbrenner
Program Officer

SUBJECT: GRA Manual Change #6

Effective November 1, 1996, the General Relief Assistance program no longer provides direct cash payments to AFDC specified relatives for 18-year-old high school students. This change removes all references to such payments from the manual. This change also makes a few minor technical changes to correct existing working.

MANUAL CHANGE FILING INSTRUCTIONS

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If you have any questions about this manual change, please contact Jim Steele at (907)465-3201.

STATE OF ALASKA

**DEPT. OF HEALTH AND
SOCIAL SERVICES**

DIVISION OF PUBLIC ASSISTANCE

WALTER J. HICKEL, GOVERNOR

Theodore A. Mala, Commissioner

*P.O. BOX 110640
JUNEAU, AK 99811-0640
PHONE: (907) 465-3347*

MEMORANDUM

DATE: June 25, 1993

TO: All GRA Manual Holders

THRU: Jan L. Hansen
Director

Curtis C. Lomas
Program Officer

FROM: Jim Steele
GRA Policy Specialist

SUBJECT: GRA Manual Change #5

This change restores the Need Standards table that was inadvertently omitted from the manual with the previous GRA manual change #4.

This change also incorporates into the GRA manual longstanding policy that U.S. citizenship or status as a legal alien is an eligibility requirement for GRA. It also clarifies GRA policy regarding the treatment of personal resources. Other technical changes and cross reference corrections are also included in this change.

If you have any questions about this manual change, please contact Jim Steele, 465-3201, at Central Office.

SUBJECTS OF THIS CHANGE

Section 2005, FACTORS OF ELIGIBILITY

This section has been changed to clarify that U.S. citizenship or status as a legal alien is an eligibility requirement for the GRA program.

Section 2006.2, PERSONAL RESOURCES

This section has been revised to clarify that personal resources which are not specifically excluded (including non-excluded vehicles) count toward the GRA household's \$500 resource limit. In addition, Limited Entry Fishing Permits which are not being used to produce income (with certain exceptions) have been added to the list of countable personal resources.

Section 2006.3, TREATMENT OF INCOME

This section has been revised to indicate that 20 percent of a gross earned income amount may be used as the mandatory deduction amount when the actual mandatory deduction amount is not available.

Section 2006.4, BUDGETING FOR NEED

The Need Standards table was inadvertently omitted from the GRA manual with the previous GRA manual change #4. This change restores this table. Accompanying text is revised to eliminate the old requirement for Eligibility staff to manually complete the GRA budget worksheet. GRA budgets have been completed via the Eligibility Information System (EIS) through the GA Budget Screen (GABS) since 1986.

In addition, the language and examples in this section were revised to clearly indicate that a GRA household is eligible for up to \$120 per person per month as long as the household's income is equal to or less than the applicable need standard, and that eligible high school students are entitled to the full \$120, regardless of the amount of their other countable income.

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Note: The last page of the GRA manual is now page 39. If your manual contains any pages beyond this, such as old GRM material contained in outdated manual sections 2200 - 2205, they should be removed.

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

WALTER J. HICKEL, GOVERNOR

Theodore A. Mala, Commissioner

P.O. BOX 110640
JUNEAU, AK 99811-0640
PHONE: (907) 465-3347

MEMORANDUM

DATE: May 20, 1993

TO: All GRA Manual Holders

THRU: Jan L. Hansen
Director

FROM: Curtis C. Lomas
Program Officer

Jim Steele
GRA Policy Specialist

SUBJECT: GRA Manual Change #4

Effective June 2, 1993, state regulations will increase the maximum payment for funeral and burial expenses from \$950 to \$1250, provide for 10 percent processing fee for payments made by a funeral home to a cemetery or a transportation carrier, and make other technical amendments for funeral and burial assistance. This manual change implements these changes to funeral and burial assistance.

This change also makes numerous changes throughout the GRA Manual to delete policies and procedures for the General Relief Medical (GRM) program, remove outdated references to the old BAF system procedures (including Field Warrant issuance procedures), and update other sections of the manual to comply with current state statutes and regulations. Numerous technical changes and grammatical corrections are also included in this change.

SUBJECTS OF THIS CHANGE

Section 2001, (RESERVED)

This section previously explained the organization of the General Relief manual when GRA and GRM policy was combined into a single manual. Now that the GRA and GRM programs have separate manuals, it is unnecessary and has been deleted.

Section 2004.2, MINORS WHO APPLY

The definitions of eligible minors that applied only to GRM applicants were removed from this section.

Section 2005, FACTORS OF ELIGIBILITY

Transportation has been removed from the list of specific need items in section 2005(B). Although the GRM program does consider transportation for the purpose of medical treatment as a subsistence item, there is no similar provision in the GRA program. However, the GRA program will pay for the transportation of certain deceased persons as part of funeral and burial assistance.

Section 2006.3, TREATMENT OF INCOME

On March 16, 1991, state regulations were changed to allow voluntary health insurance premiums that are paid for household members to be deducted from either earned or unearned income. This section is changed to reflect this change in state regulations.

Section 2008, THE AUTHORIZATION PROCESS

This section has been rewritten to remove outdated references to field warrant issuance procedures and indicate that GRA warrants are now issued by EIS (Eligibility Information System). This section also explains that, except for payments made on behalf of 18-year-old high school students, GRA warrants are always issued to vendors. Payments made on behalf of eligible high school students are issued to AFDC specified relatives.

Section 2009, (RESERVED)

This section previously explained the procedures used to manually process forms for the GRA or GRM case file. Since EIS eliminated the need for many of these forms, and because procedures for forms not eliminated by EIS are contained in other sections of the GRA manual, this section is no longer necessary and has been deleted.

Section 2102.1, AFDC HIGH SCHOOL STUDENTS

This section clarifies that the maximum monthly payment for eligible 18-year-old high school students is \$120 instead of \$80.

Section 2103, FUNERAL AND BURIAL ASSISTANCE

Sections dealing with funeral and burial assistance have been revised and expanded. The following changes apply to all funeral and burial services provided on or after June 2, 1993. The major changes and revisions are as follows:

• Section 2103.1, RESPONSIBLE RELATIVES AND GRA BURIAL SERVICES

This section clarifies that funeral and burial assistance shall not be delayed or denied if a legally responsible relative not living with the deceased person at the time of death refuses, or is unable to, provide for the funeral and burial expenses of the deceased.

• Section 2103.2, PAYMENT LIMITATIONS

This section is changed to:

1. Increase the maximum payment for basic funeral and burial services from \$950 to \$1,250.
2. Clarify that separate vendors may each receive up to \$1,250 for basic funeral and burial services if the services of one vendor are necessary at the place of death and the services of another vendor are necessary at the place of burial.
3. Provide that payment will be provided to only one vendor for a chapel service, even if separate vendors provide funeral and burial services at the place of death and at the place of burial.
4. Clarify that payment for transporting a deceased person to and from a storage facility is included in the payment for storage.
5. Provide that the GRA program will pay for transporting a deceased person from the place of death to the place of burial in a different locality only when transportation is requested by the next-of-kin; and
 - It is less costly to transport the deceased than to provide for burial at the place of death; or
 - The deceased person was originally transported to the place of death at the expense of the Department of Health and Social Services.

6. Clarify that the Division of Public Health is responsible for all autopsy-related transportation costs.
7. Provide for the payment to a vendor of a processing charge equal to 10 percent of the amount of a payment that a vendor makes directly to a cemetery or to a provider of transportation.
8. Clarify that payment for funeral and burial services provided outside of Alaska will be made only if the deceased person was transported out-of-state at the expense of the Department of Health and Social Services for the purpose of medical treatment, and the person died while outside of Alaska for such treatment. In this situation, payment may also be made for the reasonable costs of transporting the deceased person back to a place of burial within Alaska, but only if the next-of-kin requests that the deceased be returned to Alaska for burial.

- **Section 2103.3, PAYMENT METHOD**

This section clarifies that payment may be made to separate vendors when the services of one vendor are necessary at the place of death, and the services of another vendor are necessary at the place of burial.

- **Section 2103.5, PRIOR RESOURCES**

This section now indicates that, with certain exceptions, the Bureau of Indian Affairs General Assistance (BIA-GA) program is a partial prior resource to the Alaska's GRA program for an eligible Alaska Native or American Indian. The GRA program will only pay for basic funeral and burial services that are not covered by the BIA-GA program.

- **Section 2103.6, PAYMENTS FROM PRIOR RESOURCES**

This section clarifies that payments received by a vendor from a prior resource for funeral and burial services already provided for by the GRA program must be immediately refunded to the Department.

- **Section 2103.7, PUBLIC ASSISTANCE RECIPIENT BURIALS**

The list of Public Assistance recipients who may be eligible for GRA burial assistance has been expanded to include nursing Home Medicaid-only recipients and children in state custody who are Medicaid recipients.

• **2103.8, COURT ORDERED BURIALS**

This section provides that Eligibility Technicians shall treat a court order for the burial of a deceased person as an application for GRA burial. No other application is necessary. The court order automatically establishes eligibility for GRA burial assistance.

• **Section 2103.9, CLAIMS AGAINST THE ESTATE**

This section and the following addendums to this section provide guidance on procedures to be used when filing a claim against the estate of a deceased person. Such claims should be used to recover GRA burial assistance costs only when it appears that a court may have jurisdiction over the deceased person's estate.

If you have any questions about this manual change, please contact Jim Steele, 465-3201, at Central Office.

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MEMORANDUM

State of Alaska

To: General Relief Manual Holders
Division of Public Assistance

Date: March 10, 1986

File No:

From: John R. Taber, Director
Division of Public Assistance

Telephone No: 465-3347

Subject: GR Manual Change #3

This change to the General Relief manual provides significant changes to GR policy. The three most significant changes included in this update are to sections 2005., Work Registration, 2006.1, Definition of the GR household, and 2006.4, Budgeting for Need.

A broadcast message was transmitted February 10, 1986, providing instructions for the immediate implementation of section 2006.1. In addition, procedures for budgeting needs based income were implemented August 1, 1985. Other changes and updated material included in this manual change will be effective April 1, 1986.

Remove sections 2001 through 2007.5 and replace them with the revised section, pages 1 through 23.

Attachment

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2001 (RESERVED)

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2002 DEFINITIONS

- Applicant -** Any person who completes an application for assistance with the Division of Public Assistance
- ABL -** Aid to the Blind; a program that provides a monthly income for needy persons who are legally blind
- APD -** Aid to the Disabled; a program that provides a monthly income to needy persons who are physically or mentally disabled
- AFDC -** Aid to Families with Dependent Children; a program that provides a monthly income and medical care for children and sometimes one parent or another relative, when the children are deprived of the support or care of at least one parent and are in financial need.
- APA -** Adult Public Assistance; this includes the ABL, APD, and OAA programs only.
- BAF -** Basic Action Form; the form that records the information needed to establish payments to clients in cash and medical assistance programs and other data for program management.
- Budget -** The document used to measure an applicant's income (less certain costs and mandatory deductions against an assistance program's need standard). The budget is used to determine eligibility and benefit amounts.
- Central Office -** Juneau office of the Division of Public Assistance which is responsible for state-wide administration of programs offering cash, food and medical assistance.
- Client -** Any person who is applying for or receiving assistance, or who is making inquiries about assistance programs
- DMA -** Division of Medical Assistance.
- DPA -** Division of Public Assistance.
- District Office -** One of the local offices of the Division of Public Assistance which is staffed to accept applications for cash, food, and medical assistance.
- Division -** The Division of Public Assistance, also called DPA; a part of the Department of Health and Social Services

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- EAP -** Energy Assistance Program; a federally funded program which provides assistance to low-income households to help pay for home energy costs.
- Field Warrant -** A manually issued check authorized by an official in the GR program, issued to purchase items on behalf of a client, i.e., fuel or rent payments.
- GRA -** General Relief Assistance; a DPA cash assistance program
- GRM -** General Relief Medical; a DPA medical assistance program, also called GR-Med.
- GR Allocation -** The amount of money available for GR in a given fiscal year
- Grant -** Amount of financial assistance provided to a recipient.
- Income -** Monies and benefits received by a client, usually on a regular basis, which must be considered when making an eligibility determination
- Earned Income:** Income earned through the receipt of wages, salaries, commissions, profits from self-employment, or obtained as an employee.
- Unearned Income:** Income not received from wages, salaries, commissions, or self-employment including but not limited to: Social Security benefits, child support, alimony, dividends, unemployment benefits, BIA benefits, strike benefits, SSI benefits, and tax refunds.
- In-kind Income:** Income received by barter for subsistence needs, including but not limited to housekeeping in exchange for shelter or food.
- Legend Drugs -** Those substances which are dispensed by physicians or pharmacists for the diagnosis, treatment or prevention of disease and which cannot be purchased without a prescription
- Medicaid -** A program that provides for the payment of certain types of medical care obtained by clients financially eligible for federally funded programs such as OAA, APD, ABL, and AFDC.
- OAA -** Old Age Assistance; program that provides a monthly income to needy persons 65 years of age and older
- Over-the-counter-drugs -** Those substances which may be purchased without a prescription, and which are for the diagnosis, treatment, or prevention of disease.

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Pre-authorization – Request made by a provider for DMA to make available to a client certain services which are not normally allowed, such as extensive dental work, transportation, or physical therapy.

Prosthetic Device – Artificial limbs; leg braces; etc., (excludes dentures).

Provider - Any doctor, dentist, pharmacy, or health facility which has agreed to provide medical services or drugs to clients under the medical assistance program.

Personal Resource – Personal property of a client which is actually available to meet financial need, in that it may be readily converted to cash.

Prior Resource - Availability of assistance through a program other than GR or GRM

PAPM - Public Assistance Payments Manager; an employee of the Division who has direct administrative responsibility for the operation of the District Offices within a geographic region of the state.

Recipient - An eligible person who receives cash, food, medical or other assistance from DPA

Resource - Something owned by or available to the client which may provide a means of financial support, and which must be considered when determining eligibility

SSI - Supplemental Security Income; a federal welfare program providing monthly income for adults who are aged, blind, or disabled. The state normally sends an additional APA check to such clients to supplement the federal payment.

State Plan - The statement submitted to the U.S. Department of Health and Human Services which describes the nature and scope of the Medicaid program, and guarantees that the program will be administered in conformity with federal statutes and regulations.

Vendor - Any store, company, business or person which provides non-medical goods or services to the state on behalf of a client; e.g., an oil company delivering fuel to a GR client's home.

Vendor Payment – A payment issued by DPA to a vendor of goods or services, as defined above.

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2003 PURPOSE OF GENERAL RELIEF PROGRAMS

Alaska's General Relief (GR) program dates back to territorial days when the federal assistance programs were not so extensive as they have become in recent years. As the major assistance programs expanded in scope, the GR program became more limited in terms of the amount of financial aid available, qualifying circumstances for eligibility, and caseload. Despite the increase in alternative resources, however, the GR program remains an important part of Alaska's welfare system. GR provides for the **most urgent needs** of many Alaskans who are unable to meet an emergency need through other programs such as AFDC, APA, or Medicaid.

The General Relief Program offers two means of assistance: General Relief Cash Assistance, (GRA) and General Relief Medical Assistance (GRM). Both are emergency assistance programs designed to meet the immediate basic needs of Alaskans experiencing **extreme** financial crisis. Those basic needs include shelter, utilities, food, clothing, transportation, and medical care. In addition, limited funds for a dignified burial of a needy person may be provided.

The GR program is 100% state funded, and as funds are limited, the program is to be used as a **last resort** in providing basic needs to an individual or household. Only after the applicant has exhausted all other possible resources can GRA or GRM be authorized. It is the responsibility of each Eligibility Technician to exercise prudent judgment in the administration of the GR program insuring that all possible areas of assistance and resources have been explored prior to the approval of GR funds.

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2004 TAKING APPLICATIONS

2004.1 – General Policy and Procedures

Any person may apply for GRA-GRM, regardless of age, race, religion, sex, or national origin. Application will be made on a form designated by the Division of Public Assistance, available at any District Office or through authorized fee agents, and will be filed at the District Office.

The District Office must provide an application to a person upon request and must accept all **identifiable applications** submitted. An identifiable application is an application or affidavit containing at least the legal name, address, date, and signature or witness mark of the applicant or his authorized representative (the person designated to act in the needy person's behalf in the event of his mental or physical incapacity). In order for assistance to be granted, however, **all** portions of the application must be completed. Clients should be instructed to enter "N/A" in sections of the application which do not pertain to their particular situations.

If at all possible, the Eligibility Technician should interview the applicant prior to the determination of eligibility. The purpose of such an interview is to establish to the satisfaction of the Eligibility Technician that the actual facts of the case are consistent with the statements made on the application. When an interview is not possible, the application along with **collateral statements** of responsible persons will suffice. Collateral statements are oral or written statements of persons, other than the client, who have knowledge of the applicant's need or of aspects of his circumstances relating to factors of eligibility. Whether or not the applicant can be interviewed personally, he must furnish adequate evidence to demonstrate specific need and eligibility for assistance.

Important: The specific medical need must be stated clearly on all GRM applications submitted if the client is applying for medical assistance.

The factor of eligibility must be **verified** by the worker and **documented** in the case file. Verification of the client's specific need and his financial situation will be necessary. In some cases, verification of the age of minors and subsistence expenses (i.e. shelter costs) is also needed. Evidence may be provided in the form of written verification, pertinent legal documents, or collateral contacts.

Example #1 If a person applies for rent money, he must produce an eviction notice or satisfy the eligibility worker of his inability to secure even temporary lodging, in addition to meeting the basic eligibility criteria (refer to Section **2005 – Factors of Eligibility**).

Example #2 A person applying for money to pay an electric bill to prevent having his power shut off must produce a notice of termination from the utility company.

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In the case of utility shut off, the Energy Assistance Program may be a prior resource for the household.

It is important to remember that GRA is an emergency program. A notice that an account is 30 days past due is not sufficient evidence of need, but a call to the electric company verifying the impending termination of service provides satisfactory verification of emergency need. Any such statement is to be noted in the case record.

Verification in villages serviced by a Fee Agent will be satisfied by a signed statement attesting to the validity of information given on the application. Such a statement should be similar to:

"I am aware of this household's circumstances and attest to the best of my knowledge, that all information cited in this application for _____ is complete and accurate."

(Fee Agent's Signature)

(Date)

Where there are compelling reasons for haste, a case can be opened and assistance granted prior to the receipt of all necessary documentation, provided there is no reason to doubt the statements or facts presented by the applicant. Assistance in such cases will be granted upon approval by the PAPM or appointed designee. The provision of assistance in such cases will not relieve the recipient of the liability to repay improperly granted assistance, nor will it preclude possible fraud prosecution.

2004.2 – Minors Who Apply

An applicant under the age of 18 may be granted GR assistance in his own name if he meets **one** of the following requirements:

1. Is living apart from his parents or guardians, and is self-supporting and managing his own financial affairs, regardless of the source of his income;
2. Is 16 years of age or older and married. A minor of 16 or older who has been married but is divorced, legally separated, or no longer living with his spouse at the time of application must meet the requirements of (1) above to be eligible.

Any minor who applies and does not meet one of the above criteria must be denied assistance, but must be treated with the same consideration as an adult applicant, including being given the specific reasons for the adverse action taken. The ineligible minor should also be informed that his parent (s) or guardian (s) may apply for GRA-GRM on his behalf. If they do, the income and resources of the entire family or household must be considered.

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2004.3 – Civil Rights

The GRA-GRM programs like all Department programs are to be administered without regard to age, race, creed, color national origin, sex, handicaps, or religious beliefs.

If a client complains of discrimination, the first and only action of the eligibility technician is to take the matter directly to the supervisor. The supervisor will refer the client to the **Department Policies and Procedure Manual #190-6**, which details the procedure for filing a complaint. If requested, the supervisor shall assist the client in filing the complaint.

2004.4 – Confidentiality

It shall be unlawful, except for purposes directly connected with the administration of public assistance, for any person to solicit, disclose, receive, make use of, or authorize, knowingly permit, participate in, or allow the use of lists of names or of any information concerning persons applying for or receiving public assistance. No information obtained may be used or released, or discussed outside the office except as directly related to the administration of the public assistance programs.

For violation of this law, an individual can received a fine of not more than \$500.00 or imprisonment not to exceed six months or both fine and imprisonment. This is a misdemeanor conviction.

This law and the rules of the Department protect the individual receiving or applying for assistance:

- (a) Against the identification of the individual as belonging to a special group segregated on the basis of their need for public assistance;
- (b) Against exploitation for commercial, personal or political purposes;
- (c) Against making information available as a basis for persecution and other proceedings except in connection with the enforcement of the public assistance program laws.

Information to be safeguarded includes the following types of materials. **This list is not all inclusive:**

Names and addresses, including lists of applicants and recipients. Information contained in applications, reports, medical examinations, correspondence and in other records of reports concerning the conditions or circumstances or any person from whom or about whom information is obtained; this includes all such information whether or not it is recorded.

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This includes information obtained in interview, or casual conversation with the client.

This means that normal correspondence containing the name of a client or applicant and computer printouts are of a confidential nature and adequate control and protection are provided to preclude unauthorized use.

In regards to the above, public assistance records or information contained in the records cannot be released to Federal, State or local law enforcement officers, such as Federal Bureau of Investigation agents, district attorneys, U.S. Marshals, state or local police, for any purposes not directly connected with the administration of the public assistance programs.

If any person outside the Department including law enforcement personnel requests information on a client not directly affecting the administration of the public assistance program the staff member will point out to them the laws governing this matter.

An employee of the Department of Health and Social Services shall not give testimony in courts or in a hearing of any nature, with respect to any person, record, file, paper, or information connected with the program, except where such information is directly connected with the administration of the program, i.e., fraud prosecution or when the client or applicant has authorized the release of the information.

If an employee is subpoenaed to appear in court or to produce information on a client, he should immediately report this to his supervisor. A staff member may appear or be required to appear to give testimony in hearings directly related to the operation of Departmental programs (i.e. protective or supporting role in Juvenile Code, insanity or guardianship hearings). Agency records would be used only in Fair Hearing by clients and prosecution for fraud instituted by the Department.

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2005. FACTORS OF ELIGIBILITY

Applicants for GR must meet the following eligibility criteria:

A. FINANCIAL NEED

Be in financial need (as determined by net income limitations as set forth in section 2006, Eligibility Determination).

B. SPECIFIC NEED

Have an immediate and specific need for one or more subsistence items; Subsistence items are shelter, food, clothing, or burial.

C. INADEQUATE RESOURCES

Have inadequate or inappropriate resources to meet the specific need. The applicant must lack the immediate financial means, either in the form of cash on hand or on deposit, personal property which may be readily converted to cash, credit, or eligibility for assistance through other programs, to provide for a basic necessity of life.

D. ELIGIBLE INDIVIDUALS

Be an adult or eligible minor (refer to section 2004.2, Minors Who Apply).

E. PRESENCE IN STATE

Be physically present within the State of Alaska at the time of application.

F. WORK REGISTRATION

Currently the Alaska Administrative Code (7 AAC 47.140) requires registration for work with the Alaska Department of Labor and acceptance of any bona fide offer of employment.

The Department of Labor will not accept and process the Work Registration forms (ES 511) previously used by DPA. Until such time as a work registration agreement has been signed with the Department of Labor, the Work Registration form will not be a mandatory requirement to apply for General Relief.

G. U.S. CITIZEN OR LEGAL ALIEN

Eligible persons must be U.S. citizens or legal aliens.

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2006. ELIGIBILITY DETERMINATION

When making an eligibility determination, the worker must consider the immediate need, the resources, and the income presently being received by the applicant. Financial eligibility will exist only if the need standard exceeds the monthly net income.

Prior to examining an applicant's income, the Eligibility Technician should determine the nature of the client's need. This is the logical first step of an eligibility interview. If an interview is not possible, the need must be stated clearly on the application. It must be remembered that GRA is basically a last resort program designed to meet immediate, emergent need. If a client's need can be met at no expense to the State through another agency, the client should be referred to that agency. Such an agency would be considered a prior resource.

A discussion of the most common and prevalent prior resources for GRA follows in section 2104.

In the event that no prior resource exists, the Eligibility Technician should next examine the personal resources of the applicant and all appropriate members of his household.

2006.1 DEFINITION OF A GR HOUSEHOLD

A GR household includes the applicant, members of the applicant's immediate family, all persons related to the applicant by blood, marriage or adoption, who reside with him; and all of the unrelated or distantly related persons residing with him who would directly benefit from the requested assistance whether their needs are included or not. When making an eligibility determination, the financial need, resources, and income of all members of the household as here defined must be considered.

- A. In determining whether or not an unrelated person(s) residing with the applicant would directly benefit from the requested assistance, the following criteria should be looked at in making a determination that the unrelated person would not benefit:
1. Is there normally a separate direct payment to the vendor by both the unrelated person and the applicant?
 2. Is there a past history of splitting cost of housing, food, and utilities prior to applying for GRA?

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3. Can the applicant provide a signed statement(s) from the unrelated person(s) on their separate financial status, including payment of rent?
4. Is there a written agreement between the parties on the allocation of rent and living space in the shared living quarters? This written agreement may be made at or after the time of application for GRA if it reflects a prior oral agreement between the parties. Signatures should be notarized when a notary is available at the office.
5. Are applicant and the unrelated person(s) treated as separate households for the following programs: Food Stamps, APA, SSI?
6. Are applicant and the unrelated person(s) economically independent? Economic independence can be determined by whether or not there are joint banking accounts, joint charge accounts, joint ownership of personal property, and/or joint purchases of household supplies and food.

The Division will look at all six of these criteria in making a determination of household composition of unrelated persons living together. However, an applicant need not meet all or even the majority of these criteria for a determination to be made that separate households exist.

Example 1: If a communal household of unrelated persons applies for GRA rent payment, there must first be a determination of who is in the applicant's household based on the criteria above. This may result in a determination that there are two or more households sharing living space or that there is only one household.

Example 2: If a married couple applies for rent assistance and they are sharing a house with another unrelated married couple, the criteria used for determining the status of an unrelated person in the household apply to the couple not applying for assistance.

Example 3: Assume in Example 2 that the husbands, Tom and John are brothers. Their wives, Mary and Marsha are not related to each other or to their brothers-in-law by blood. Mary is not related to Marsha by blood or marriage (not considered a true sister-in-law). If Marsha dies and the household applies for burial assistance, only the income and resources for Marsha, John, and Tom will be considered.

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Important: In determining eligibility for burial assistance, an applicant household will consist of the deceased, all persons of his immediate family who resided with him prior to his death, and all persons related to him by blood, marriage, or adoption who resided with him prior to his death. (See sections 2011 and 2103.)

- B. Verification will be by the best means available to the applicant. Pursuant to 7 AAC 47.040, the applicant should make himself available for an interview at the district office. If he cannot be interviewed, statements of other persons must be obtained. Whether or not he is interviewed, the applicant shall furnish adequate evidence to demonstrate his need and his eligibility.

If there are compelling reasons beyond the control of the applicant why adequate evidence cannot be obtained in a timely manner, and if there is no reason to doubt the statements of the applicant, then assistance may be granted before receipt of necessary evidence upon approval of a regional manager of the Division.

Workers should bear in mind that an applicant may have an uncooperative roommate or landlord. In those cases the applicant may have no legal ability to force cooperation and alternative means of verification should be explored, including affidavits from the applicant and other household members.

2006.2 PERSONAL RESOURCES

To be eligible to receive GRA, the household must have personal resources that do not exceed \$500. Personal resources include:

1. liquid assets such as cash, savings, stocks, or bonds;
2. any real or personal property with equity value, not including:
 - (a) the home in which the applicant resides and the land on which it stands, unless the land has been surveyed for subdivision. If the land has been surveyed for subdivision, only the lot on which the house stands will be excluded;
 - (b) property actively marketed for sale at fair market value or less;

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- (c) property which is producing reasonable income;
- (d) property which is essential to employment;
- (e) either an automobile or a motorcycle or, in an area where local transportation needs require an alternative, a boat, snowmobile, all-terrain vehicle (ATV) or a combination of any two;

Example: A two-person household owns two cars. One car is used as the "family car" and the other car, a taxi, is used to produce income. Neither car would be considered as an available resource.

- 3. a Limited Entry Fishing Permit which was not used during the most recent season for reasons other than:
 - (a) loss of essential fishing equipment prior to or during the most recent season;
 - (b) Serious illness of the applicant or a household member for the period prior to and including the most recent season; or
 - (c) lease of the Limited Entry Fishing Permit at fair market value to produce income for the applicant's household;
- 4. credit or the opportunity to obtain credit from a vendor who provides the subsistence item for which the household is requesting General Relief. (The credit must be granted in time to meet the need, and it must be sufficient to meet all of the specified need.)

If a household does not meet non-financial eligibility requirements or possesses resources which render it ineligible, an income eligibility determination is not required. The interview can be concluded, and the client notified that the application is denied. If a household meets the resource requirement, the ET should proceed with the computation of income for the budget.

"Fair Market Value" - is determined by the ET by checking with realtors, real estate agents, classified advertisement listings, the tax assessors office, stock brokers, or insurance agents, as appropriate in order to determine the probable value of the resource if it were to be sold. If the fair market value of a particular resource cannot be determined exactly, the worker may establish its fair market value by determining the value of comparable property in the vicinity which is being offered for sale or which has been recently sold.

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"Reasonable Income" - is determined by checking with realtors, real estate agents, rental agencies, classified advertisement listings, etc., to determine whether the income produced is comparable to that being produced by similar properties in the vicinity. Producing income does not necessarily imply making a profit. Property may be producing income comparable to that normally produced by other property in the same area and yet it may be losing money after deductions for expenses are taken (refer to section 2006.3). Any profit gained on income producing property must be considered income to the applicant (refer to section 2006.3). However, the property itself will still be considered an exempt resource.

2006.3 TREATMENT OF INCOME

For GRA applicants all earned, unearned, and/or in-kind subsistence income received and reasonably expected to be received in the month of application must be considered when computing the budget (and in the "month of need", if the application spans an "end-of-the-month" and "beginning-of-the-month" period - See Example 3 below).

Exception: The original payments from the Alaska Native Claims Settlement Act and Permanent Fund Dividend payments will be disregarded when considering income. If a client has a savings or checking account containing identifiable Land Claims or PFD monies, they are to be disregarded. **Dividends from Native corporations are not exempt.**

Earned income means wages, salaries, or commissions obtained through employment or self-employment. Income earned through self-employment refers to the gross monthly income less all costs of doing business. (See the Food Stamp Manual for examples of deductible costs of doing business.)

The net countable income produced from the use or rental of property owned by the applicant is considered to be income from self-employment. For example, if an applicant is buying a piece of property and renting it at a rate reasonable to the area, the income received less the costs of maintenance, e.g., mortgage payments, insurance payments, and any utility payments made by the owner, is considered as "Gross Earned Income" (refer to section 2006.2 and 2006.4)

Any income received in the month prior to the month of application will not be counted as income for budgeting purposes. However, if any of it remains in the client's possession in the month of application, it will be counted against the \$500 personal resource limitation (refer to section 2006.2).

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The following are examples of "reasonably expected to be received" income. Assume in all situations that all eligibility criteria, other than financial, have been satisfied.

Example 1: A client receives notice on the first day of the month of application that he will be evicted if his rent is not paid by the 10th. If he is employed and expects to receive his first monthly paycheck on the 8th, and that check after deductions, is larger than the need standard for his household, he is ineligible for assistance. (Refer to section 2006.4.) However, if the check, after deductions, is less than or equal to the need standard, he is eligible.

Example 2: A client receives a cut-off notice on his electrical bill effective April 25. He applies in his own behalf (household of one) on April 20th. So far in the month of application, April, the client has received \$100 in net countable income. He expects to receive a \$250 net paycheck May 1st. He is eligible for assistance. Here, you count only the income available to meet his need in the month of application.

Example 3: A client who applies for assistance in April has a cut-off notice for April 10th. The client will not receive income adequate to place him over the need standard until after April 15th. However, the vendor will not extend credit. Even though the client will be without electricity for five days, he is not eligible for GRA because he will receive income within the month of application which will place him over the need standard.

Section 2006.4, Budgeting for Need, provides instructions on how to match available income against the need standard to determine financial eligibility.

A. SELF-EMPLOYMENT INCOME

Self-employment income will not be annualized as the General Relief program is intended to meet an emergent need. Self-employment income will be counted during the month in which it is received. .

B. UNEARNED INCOME

Unearned income includes, but is not limited to cash gifts, Social Security benefits, child support, alimony, dividends, unemployment benefits, strike benefits, Supplemental Security Income or other cash assistance payments, or tax refunds.

Unearned income is determined by using the actual amount of income anticipated to be received. Voluntary health insurance premiums paid for

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persons included in the GR household may be deducted from unearned income. No other deductions are allowed from unearned income.

One of the most common sources of unearned income in the GR program is unemployment insurance benefits (UI). When determining UI income be sure to refer to the calendar to determine if the applicant will receive four or five weeks of UI benefits. For example, John receives \$100 every Tuesday. He applies in November. Anticipated actual income for November would be \$500. If he applies again in December, the anticipated actual income would be \$400.

C. IN-KIND INCOME

In-kind income refers to the value of benefits that meet subsistence needs. An example would be shelter provided by an employer to an employee in exchange for services of managing her apartment house. Subsistence needs will only include food, clothing, rent, mortgage payment, utilities, and heating fuel.

D. EARNED INCOME

The Eligibility Technician must carefully examine, verify, and document all income available and anticipated to be available in the month of application, and the month of need. The total actual amount of gross earned monthly income will be used for budgeting for the need standard unless the actual amount is not known. In that case, the ET must estimate the monthly gross by using the following method: To arrive at the estimated total amount of gross earned monthly income, multiply the gross earned income (as shown on the pay stub or as determined for self-employment by the methods outlined above) received weekly by 4.3, that received every two weeks by 2.15, that received twice monthly by 2, and that received monthly by 1.

Next, determine the total amount of mandatory monthly payroll deductions, including state and federal income tax, FICA, unemployment insurance, union dues, mandatory insurance premiums, and retirement. Voluntary health insurance premiums paid for persons included in the GR household may also be deducted from earned income. (All mandatory payroll deductions will be considered, with this one exception: If a union member is currently not employed and yet is paying his union dues to maintain his status and avoid the payment of a large re-initiation fee, the eligibility worker may deduct the union dues if the client has any other source of income which is being considered in the budget.)

Subtract the total mandatory deductions from the total gross earned income to get the net earned income. If the actual mandatory deduction amount is not available, use 20 percent of the gross earned income

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amount as the mandatory deduction amount. The total net earned income plus all unearned monthly income will equal the total monthly net income.

Proceed in the manual to section 2006.4, Budgeting for Need, to complete the determination of financial need.

Important Note: When computing the budget, the process of rounding should be used throughout. Any decimal amount of .50 and over should be rounded up to the nearest dollar. Any decimal amount of .49 and under should be rounded down.

2006.4 BUDGETING FOR NEED

Monthly allowances have been established to aid in the determination of eligibility for GRA recipients. The amount of the monthly allowance is determined by the size of the recipient's household. (Refer to section 2006.1 for a definition of a GR household.

After an applicant's monthly income has been determined (refer to section 2006.3), the Eligibility Technician should consult the following table of monthly allowances to determine the need standard.

Number of Persons	Maximum Need Standards
1	\$300
2	400
3	500
4	600
5	700

\$100 shall be added for each additional household member.

The worker will compare the GRA household's net monthly countable income to the applicable need standard.

If the income is larger than the need standard, even by \$1.00, the applicant is not eligible.

If the income is less than or equal to the need standard, all applicants are eligible for assistance up to \$120 per person (per month).

Example:

Need standard:	\$400	(one adult, one child)
Income	<u>-250</u>	
Difference	\$150	Eligible for up to \$240

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2006.5 NOTICE OF FINDING

The Division must render an eligibility decision for each identifiable application for assistance and forward a written notice of finding to the applicant within 30 days from the date of the receipt of the application in the District office. An identifiable application means an application which contains at least the applicant's name, mailing address, and signature or witness mark. However, in order for assistance to be granted, the applicant must complete all portions of the application.

The ET is required to provide "adequate" notice of any action taken on the application for assistance. Adequate notice is required for all of the situations listed below:

- Finding of eligibility.
- Increase in benefits if in the same month of eligibility.
- Denial of assistance

"Adequate notice" means the notice must be in writing and include the reasons for the action, specific manual sections supporting the action, and an explanation of the person's right to request a hearing.

Example of Adequate Notice:

"A check in the amount of \$49.00 to pay for your rent for November will be mailed on November 15." GRA Manual Section 2006.

Example of Inadequate Notice:

"You are eligible for assistance."

Notice of finding on eligibility determinations for GRA should, whenever possible be given to the applicant at the close of the eligibility interview. Whether the notice is hand-delivered or mailed, it must be issued in writing.

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2007 CASE MAINTENANCE

2007.1 PERIOD OF ELIGIBILITY

A determination of eligibility for GRA is normally valid for a period of no longer than one calendar month. After a month's time, if additional assistance is desired, the recipient must submit a new application for eligibility determination. It is important that the Eligibility Technician make these facts known to the recipient at the time assistance is granted. Whenever necessary, the Eligibility Technician must comply with the requirements for the provision of timely and/or adequate notice as specified in Section 2006.5

Eligibility for GRA will begin on the first date the request for services is received. Assistance to an eligible recipient is authorized based on the specified emergent need for the month of application up to the maximum payment of \$120 per household member.

Example:

On March 25 a homeless eligible recipient requests rent assistance for new lodging. A local hotel will rent the recipient a room for \$50 per week. Only \$50 GRA is authorized for the one remaining week in March.

Under unusual circumstances and with prior approval of the PAPM, or the PAPM's designee, a General Relief case may remain open and eligible for assistance for a period not to exceed six months without requiring a reapplication form.

2007.2 RETROACTIVE BENEFITS

General Relief Assistance is not provided for the month(s) prior to the month of application.

2007.3 CASE REVIEW AND CLOSURE

Each case should be opened during the month of eligibility. GRA cases are closed the following month. In the closure of GRA vendor cases, no client notification is necessary, as the payment is understood to meet a one-time-only need.

If the client contacts DPA indicating that he wishes his assistance to be continued, the case will be reviewed for redetermination of eligibility when the client submits a new application.

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2007.4 REPORT OF CHANGE

At the time of finding of eligibility, all clients should be instructed to report any changes which might affect their eligibility. Changes which must be reported include, but are not limited to, changes in the nature of the specific need, living arrangements, income, and resources. Such changes must be reported by the recipient or his authorized representative to the nearest District Office orally (in person, by telephone or record-a-call) or in writing within 10 days of their occurrence.

Reports of change on GRA vendor payment cases should be recorded in the case file for use at the time of the next application.

2007.5 CASE FILE

A case file shall be maintained for all GRA cases. The file shall include the original application form, a copy of the eligibility determination budget worksheet, all clients reports of change, materials verifying factors of eligibility, all ROC sheets, all subsequent applications, and other pertinent material.

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2008. THE AUTHORIZATION PROCESS

GRA payments are made by state warrant through the Eligibility Information System (EIS). EIS has the capability of issuing GRA benefit payments three times a week.

GRA payments are **always** issued to a vendor.

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2009 (RESERVED)

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2010. HEARING POLICY

Any applicant or recipient whose application is not acted upon within 30 days after its receipt in the District Office, or whose application is modified or denied, or whose assistance is reduced or discontinued, will, upon presentation of an oral or written request to any employee of the Division, be granted the opportunity for a prompt hearing before a representative of the Division. This hearing will be conducted under the procedure established by 7 AAC 49.

Recipients of General Relief with unresolved GR hearings may apply for GR in the subsequent month.

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2011. LEGALLY RESPONSIBLE RELATIVES

Under the Alaska Statutes (AS 47.25.230), the relatives of needy persons are liable for their support while they are living and for their burial upon death. These "legally responsible relatives" include, in the following order, the spouse, children, father, mother, grandfather, grandmother, brothers, or sisters of the needy person. However, the determination of a client's eligibility will not be delayed in an attempt to contact such relatives, nor will assistance be denied on the basis of knowledge of their existence or whereabouts. The purpose of the GRA program is to meet emergent need, and the statute requires that the legally responsible relative reimburse the state (with interest) for any relief or burial assistance granted in the event that he fails to provide for the immediate need. If the Eligibility Technician becomes aware of the whereabouts of a client's relatives and their probable ability to support, he should inform the applicant of this program provision, note the information in the case file, and send a copy to his PAPM for the proper follow-up.

Along these same lines, it should be noted that the total amount of GRA benefits paid to a recipient constitutes a claim by the state against the recipient's estate and can be awarded to the State at the client's death (refer to Alaska Statute 47.25.220). Such cases should be referred to the PAPM.

Note: Normally amounts paid in GR are not sufficient to invoke either relative responsibility or estate follow-up by the PAPM. Such action is usually determined by the total amount of GRA expenditures versus the probable cost of pursuit.

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2100 GENERAL RELIEF ASSISTANCE

2101 COVERAGE AND CONSIDERATION

2101.1 LIMITS OF ASSISTANCE

Except for burial assistance, the amount of General Relief Assistance paid to or on behalf of eligible applicants is based on the extent of the specified need and the availability of program funds, but cannot exceed a total of \$120 per person per month. Refer to section 2103, Funeral and Burial Assistance, for an explanation of burial assistance payment limitations.

2101.2 EXCLUSIONS WHEN MAKING PAYMENTS

GRA payments for shelter costs, food, fuel, clothing, utilities, house repair, and funeral and burial assistance **must** be made to a vendor. They are **never made to the recipients.**

All GRA cases must be approved by the Eligibility Supervisor, unless the PAPM and other supervisor agree to delegate this responsibility.

Rent or utility **deposits** are not covered by GRA. Payment for telephone charges of any kind will **not** be covered.

No GRA vendor payments will be made for services or goods provided prior to the month of application.

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2102. (RESERVED)

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2103 FUNERAL AND BURIAL ASSISTANCE

The GRA program provides limited assistance for the burial of deceased persons. Assistance will be granted only if there are no other resources available to meet the deceased person's need for funeral and burial services, and all other factors of GRA eligibility (including financial eligibility) have been met. This chapter explains eligibility requirements and payment limitations for funeral and burial assistance. It also describes procedures for authorizing such assistance.

2103.1 RESPONSIBLE RELATIVES AND GRA BURIAL SERVICES

Certain relatives are considered legally responsible for the funeral and burial expenses of a deceased person. (Refer to section 2011, Legally Responsible Relatives.) Relative responsibility applies to funeral and burial assistance as follows:

A. RESPONSIBLE RELATIVES LIVING WITH THE DECEASED AT THE TIME OF DEATH

Responsible relatives living with the deceased at the time of death include all persons who are related to the deceased person by blood, marriage, or adoption. The Eligibility Technician must consider the income and resources of all relatives living with the deceased at the time of death when determining eligibility for funeral and burial assistance.

B. RESPONSIBLE RELATIVES NOT LIVING WITH THE DECEASED AT THE TIME OF DEATH

The Eligibility Technician shall attempt to contact any legally responsible relatives not living with the deceased person at the time of death and explain to them their responsibility to either provide for the funeral and burial expenses of the deceased, or to reimburse the state for any burial assistance provided to the deceased under the GRA program. If the responsible relative agrees to provide for the funeral and burial expenses of the deceased, eligibility for assistance does not exist. However, funeral and burial assistance shall not be delayed or denied if a legally responsible relative cannot be located, or if the relative refuses or claims to be unable to provide for the funeral and burial expenses of the deceased.

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2103.2 PAYMENT LIMITATIONS

The GRA program will pay vendors for certain funeral and burial expenses. In this section, a vendor means an individual or business that provides funeral and burial services. GRA will only pay for the following funeral and burial services:

A. BASIC SERVICES

GRA will pay for basic funeral and burial services provided in Alaska at the rates published in the vendor's general price list, up to a maximum payment of \$1,250 to each vendor for each deceased person.

Basic funeral and burial services include:

1. Preparation and embalming;
2. Provision of a cloth-covered casket with at least four handles and a padded and lined interior, which is similar to Sound Casket Company No. 199 gray domet or Puget Sound Casket Co. No. 0 gray flannel square;
3. One chapel service at the vendor's place of business;
4. Use of a hearse; and
5. Use of other facilities and equipment for burial or cremation if the next-of-kin requests cremation.

B. OTHER SERVICES

In addition to the payment for basic funeral and burial services listed in section 2103.2A above, GRA will also pay for additional services or expenses provided in Alaska as follows:

1. The cost of the least expensive municipal or private cemetery plot that is reasonably available in the locality where the deceased is to be buried.
2. The cost of cremation if the next-of-kin requests cremation.
3. The reasonable cost of opening and closing the grave.
4. The cost of a hermetic sealer, oversized casket, clothing, extraordinarily lengthy storage (including the cost of transporting the deceased person to and from the storage facility), and other extraordinary expenses necessary because of special

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circumstances, if the Division authorizes the service before the service is rendered.

5. The reasonable cost of transporting the deceased from the place of death to a place of burial in a different locality if transportation is requested by the next-of-kin; and
 - it is less costly to transport the deceased than to provide for burial at the place of death; or
 - the transportation of the deceased from the place of residence to the place of death was at the expense of the Department of Health and Social Services.

Note: The Division of Public Health is responsible for all transportation costs related to autopsies. GRA does not pay for transportation costs to and from the place of autopsy.

6. A processing charge equal to 10 percent of the amount of a payment a vendor makes directly to a cemetery or a provider of transportation for any of the reimbursable services listed in items 1 through 5 above.

Example:

A funeral provider pays \$600 to a cemetery for a burial plot for the deceased. When making payment to the funeral provider, the GRA payment will include an additional 10 percent over the cost of the burial plot; the total payment to the funeral provider for the burial plot is \$660.

C. OUT-OF-STATE PAYMENT LIMITATIONS

GRA will pay for the reasonable costs of necessary funeral and burial services provided outside of Alaska if the deceased person was transported outside the state at the expense of the Department of Health and Social Services for medical treatment, and the person died while outside of Alaska for such treatment.

If the next-of-kin requests that the deceased be returned to Alaska for burial, GRA will pay the reasonable costs of transporting the deceased from the place of death to the place of burial.

Note: The \$1,250 payment limitation for basic funeral and burial services does not apply to burial assistance provided outside of Alaska.

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2103.3 PAYMENT METHOD

GRA will normally make a single assistance payment for funeral and burial services to the funeral provider that prepares the deceased person for burial or cremation.

However, if the services of one funeral provider are necessary at the place of death, and the services of another funeral provider are necessary at the place of burial, GRA will make separate assistance payments to each funeral provider. Each funeral provider may be paid up to \$1,250 for basic services listed in section 2103.2A above. However, when payment is made to more than one funeral provider for basic services, only one of them may receive payment for a chapel service.

2103.4 CONTRIBUTIONS

The donation or contribution of items that are **not covered** by GRA such as food, drinks, flowers, casket cover, or a death certificate does not affect eligibility for GRA burial assistance.

The donation or contribution of items that are **covered by GRA** are treated as follows:

- **Related individuals:** A person related to the deceased by blood, marriage, or adoption may contribute toward the funeral and burial expenses of the deceased as long as the contribution does not exceed the amount provided for by GRA. The contribution is subtracted from the GRA payment. However, if a relative pays any portion of a more expensive funeral than that provided for by GRA, eligibility for funeral and burial assistance does not exist.

***Example:** If the deceased person's sister wants to donate a coffin valued at \$3,000, eligibility for funeral and burial assistance does not exist because it exceeds the amount allowed for a coffin under GRA.*

- **Non-related individuals:** A third party not related to the deceased individual by blood, marriage, or adoption, such as a church or Native organization, may make a contribution directly to a funeral provider to pay for a specific burial item. As long as the contribution is paid directly to the funeral provider, and not to the family of the deceased, GRA may be approved for the remaining funeral and burial expenses. The cost of the contributed item is not included in the GRA payment.

***Example:** A Native organization gives \$3,000 directly to a funeral provider for the purchase of a more expensive casket than that*

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provided for by GRA. Although the deceased individual remains eligible for funeral and burial assistance, the cost of a casket is not included in the GRA payment.

2103.5 PRIOR RESOURCES

Prior resources for funeral and burial assistance provided by GRA include but are not limited to:

A. BUREAU OF INDIAN AFFAIRS BURIAL ASSISTANCE

The Bureau of Indian Affairs General Assistance (BIA-GA) program provides limited burial assistance to an eligible Alaska Native or American Indian. BIA-GA is therefore considered a prior resource to burial assistance provided by Alaska's GRA program. However, in Alaska, BIA-GA burial assistance is limited to payment for basic funeral and burial services listed in manual section 2103.2A. Eligibility for GRA burial assistance may still exist, but GRA will only pay for funeral and burial services that are not covered by the BIA-GA program.

In situations where it appears that a deceased person would be eligible for BIA-GA burial assistance, the Eligibility Technician must refer the applicant to the BIA or its tribal contractors. Both DPA and BIA-GA workers must coordinate the issuance of burial assistance benefits to ensure that state GRA burial costs are correctly paid only for burial services not covered by the BIA-GA program.

Note: BIA-GA burial assistance is not a prior resource for Public Assistance recipients listed in section 2103.7.

B. SOCIAL SECURITY LUMP SUM DEATH BENEFITS

A lump sum death benefit of \$255 is payable on the death of an insured worker to the spouse living with the worker at the time of death or eligible to receive or eligible to receive benefits at that time. If there is no qualified spouse, the death benefit is payable to a child or children of the deceased worker who are eligible for monthly survivor benefits.

The Eligibility Technician will disregard this benefit amount when determining eligibility and payment amounts for GRA burial services. It is the responsibility of the vendor to immediately refund to the Department of Health and Social Services any such payments received from a relative.

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C. VETERANS' DEATH BENEFITS

Death benefits from the federal Department of Veterans Affairs and the Alaska Department of Military and Veterans Affairs are considered prior resources for GRA funeral and burial assistance. They are an available resource for the deceased person or responsible relatives. However, due to the length of time involved in the application process, the eligibility determination, and payment of benefits the GRA case should not be denied on the probability of VA burial benefit eligibility. Sections 2011 and 2103.6 deal with the responsibility of relatives and vendors to reimburse the state when and if VA burial assistance payments are received on behalf of a GRA burial client. Applicants and vendors should be reminded of their reimbursement responsibilities regarding VA payments they may eventually receive.

The federal Department of Veterans Affairs offers a \$150 burial plot allowance to any deceased person who was discharged under other than dishonorable circumstances. An additional \$300 burial benefit is available to disabled veterans with service-connected disabilities or veterans who were receiving a VA pension.

Indigent veterans whose remains are unclaimed are entitled to burial benefits; those dying from service-connected disabilities may receive a \$1,100 benefit. Payments from the federal Department of Veterans Affairs are frequently applied for and received by the funeral provider.

The Alaska Department of Military and Veterans Affairs administers the Veteran Death Gratuity program. Spouses or personal representatives of eligible veterans may apply for and receive a death gratuity benefit of \$750. Eligibility for this benefit is based on Alaska residency for at least one year and an honorable discharge. The veteran must be buried in Alaska.

The federal Department of Veterans Affairs considers the state's VA benefit to be a prior resource, and federal benefits are not available if burial assistance has been made for the deceased by the state VA. However, the state VA does not consider the federal VA burial assistance to be a prior resource. If the client applied for and received federal VA benefits first, benefits could also be received from the state VA.

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2103.6 PAYMENTS FROM PRIOR RESOURCES

If a vendor receives a payment from a prior resource for funeral and burial services already provided for by the GRA program, the vendor must immediately refund to the Department any amounts received from the prior resource.

2103.7 PUBLIC ASSISTANCE RECIPIENT BURIALS

Certain Public Assistance recipients who die while receiving assistance will be eligible for GRA burial assistance provided they have no other available means to provide for their funeral and burial services. Other available means include other resources such as a burial insurance policy or relatives who are able to provide for the funeral and burial services. BIA-GA is not a prior resource for these persons. Public Assistance recipients who qualify for GRA burial services under this provision are limited to:

- AFDC recipients,
- APA recipients,
- Nursing Home Medicaid-only recipients, and
- Children in state custody who are Medicaid recipients.

Responsible relatives living with the deceased at the time of death who claim not to have available resources for the burial of their relative and who are recipients of, or eligible for AFDC, APA, or GRA, will be eligible to apply for GRA burial services for the deceased, and not have their needs, income, or resources considered in the eligibility determination.

2103.8 COURT ORDERED BURIALS

A court may order the burial of a deceased person in two situations:

1. The identity of the deceased person is known, and no one has claimed the body for burial.
2. The identity of the deceased person is unknown, and no one has claimed the body for burial.

The Eligibility Technician shall treat a court order for the burial of an unclaimed body as an application for GRA Burial. No other application form is necessary. The court order automatically establishes eligibility for GRA burial assistance.

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If the Eligibility Technician becomes aware of legally responsible relatives, he or she shall inform the relatives of their legal responsibility to reimburse the state for any funeral and burial services provided for by the GRA program. Refer to section 2011 for an explanation of relative responsibility.

2103.9 CLAIMS AGAINST THE ESTATE

The amount paid by the GRA program for the funeral and burial expenses of a deceased person allows the creation of a claim against the deceased person's estate. This means that the amount of burial assistance provided by the GRA program will be allowed as a claim against the estate by the court that has jurisdiction over the distribution of the deceased person's estate. The court will have jurisdiction over the deceased person's estate if the burial was originally ordered by the court or if the deceased person's estate goes into probate. The court of jurisdiction is normally the Superior Court nearest to where the person died or is buried. See Addendum A for a list of Judicial Districts in Alaska.

Note: In Alaska, the court does not have priority right over the family. In a situation where the deceased is known, the deceased person's family may step forward and collect the assets. If they do, then the court would not maintain jurisdiction. This is especially true if the value of the estate is less than \$15,000. In this situation, the heirs can collect the estate assets without any court involvement at all.

If the Eligibility Technician becomes aware of legally responsible relatives will collect the assets of an estate, he or she shall inform the relatives of their legal responsibility to reimburse the state for any funeral and burial services provided for by the GRA program. Refer to section 2011 for an explanation of relative responsibility.

A. DEMAND FOR NOTICE

In situations where a burial is not ordered by a court, but there is reason to believe that the deceased person has left an estate over which a court will have jurisdiction (i.e., the estate will go into probate), the supervisor of the DPA office that approved the burial assistance will file a "Demand for Notice" with the court that has jurisdiction over the deceased person's estate. A copy of this "Demand for Notice" should be retained in the case file. See Addendum B, "Demand for Notice".

Any funds that are subsequently recovered from the deceased person's estate by the court are sent to the DPA office that filed the "Demand for Notice". That office will immediately forward any such payment, along

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with the deceased person's name and GRA case number, to the GRA Policy Specialist in the Division's Central Office.

B. CLAIM AGAINST ESTATE

In situations where the court has ordered the burial of an unclaimed body, the Eligibility Technician shall send a copy of the court order, along with any accompanying information from the court, to the GRA Policy Specialist in the Division's Central Office.

The GRA Policy Specialist will review the information, and if it appears that there may be recoverable assets from the deceased person's estate, will complete a "Claim Against Estate" and file it with the court that ordered the burial. The GRA Policy Specialist will monitor the claim for payment. See Addendum C, "Claim Against Estate".

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ADDENDUM A

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

IN THE MATTER OF THE ESTATE)
)
 of)
)
 _____)
 deceased.)
)
)
 _____)

Probate No. _____ P

CLAIM AGAINST ESTATE

The Department of Health and Social Services, per Alaska Statute 47.25.220, is a creditor of the estate of _____, deceased, and hereby states that said estate is indebted to said creditor in the amount of \$ _____ for General Relief burial assistance provided _____.
 (date)

Dated this _____ day of _____, 20_____.

 Signature of Claimant

 Printed Name and Title of Claimant

Department of Health & Social Services
 Division of Public Assistance
 P. O. Box 110640
 Juneau, AK 99811-0640

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ADDENDUM B

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

IN THE MATTER OF THE ESTATE)
of)
deceased.)
)

Probate No. _____ P

DEMAND FOR NOTICE

PLEASE TAKE NOTICE that the State of Alaska Department of Health and Social Services has an interest in the estate of the above named decedent, by reason of the fact that General Relief Assistance provided financial assistance to pay funeral costs in the amount of \$ _____.

The undersigned hereby demands notice of all proceedings in the above named estate. Notice may be served upon the undersigned, representing the Department of Health and Social Services, at the Division of Public Assistance,

(Mailing Address)

Dated this _____ day of _____, 20_____.

(Signature of Claimant)

(Printed Name and Title of Claimant)

Department of Health & Social Services
Division of Public Assistance

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ADDENDUM C

JUDICIAL DISTRICTS OF ALASKA

FIRST JUDICIAL DISTRICT

Juneau Superior Court
PO Box 114100
Juneau AK 99811-4100

Ketchikan Superior Court
415 Main St., Suite 400
Ketchikan AK 99901-6399

Sitka Superior Court
304 Lake St., Suite 203
Sitka AK 99835-7599

Petersburg Superior Court
PO Box 1009
Petersburg AK 99833-1009

SECOND JUDICIAL DISTRICT

Barrow Superior Court
PO Box 270
Barrow AK 99723-0270

Kotzebue Superior Court
PO Box 317
Kotzebue AK 99752-0317

Nome Superior Court
PO Box 1100
Nome AK 99762-1100

THIRD JUDICIAL DISTRICT

Anchorage Superior Court
825 W. 4th Avenue
Anchorage AK 99501-2004

Dillingham Superior Court
PO Box 909
Dillingham AK 99576-0909

Kenai Superior Court
125 Trading Bay Rd., Suite 100
Kenai AK 99611-7717

Kodiak Superior Court
204 Mission Rd., Room 10
Kodiak AK 99615-7312

Palmer Superior Court
435 S. Denali
Palmer AK 99645-6487

Valdez Superior Court
PO Box 127
Valdez AK 99686-0127

FOURTH JUDICIAL DISTRICT

Bethel Superior Court
PO Box 130
Bethel AK 99559-0130

Fairbanks Superior Court
604 Barnette St., Rm. 202
Fairbanks AK 99701-4576

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2104 PRIOR RESOURCES COMMONLY AVAILABLE FOR GR

General Relief Assistance may not be granted if an applicant, despite an excess of need over income, has other resources available and adequate to meet the specific need.

In many cases an applicant's need can be met by other programs or agencies. The Eligibility Technician must always check for prior resources before determining eligibility. GR is considered the last resort.

The most common resources are discussed below.

2104.1 FOOD STAMPS

If an applicant applies for GRA for food, first determine his status as a food stamp recipient. If the client is not eligible for food stamps, a food purchase warrant may be issued to a local store.

2104.2 SOCIAL SECURITY DEATH BENEFITS

The Social Security Administration will pay the surviving spouse or children (refer to section 2103.5B) up to \$255 for the burial of SSA eligibles. It is the responsibility of the funeral home to notify and refund to the Division such payments received from a relative.

2104.3 CATEGORICAL PROGRAMS

If the person for one of the categorical programs (such as AFDC, APA, or EAP) defined under section 2002, this source of assistance must be used before GR. An exception to this is a Public Assistance recipient burial (refer to section 2103.7).

2104.4 OTHERS

Other prior resources include but are not limited to: Workers' Compensation, CHAMPUS, Crippled Children's Service, Office of Vocational Rehabilitation, assistance from the Department of Veterans Affairs, Bureau of Indian Affairs General Assistance, and charitable organizations such as the Salvation Army, Red Cross, etc.