



General Assistance

General Assistance Overview for Santa Clara County Continuum of Care

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Law Foundation of Silicon Valley

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Law Foundation of Silicon Valley

Our Health/Mental Health Program provides free legal advice and representation to individuals residing in Santa Clara County who identify as having mental health or developmental disabilities and/or who live with HIV or AIDS. Economic Rights and Patient's Rights.

WALK-IN & PHONE INTAKE HOURS

MONDAY – FRIDAY

9:00 AM – 11:00 AM & 1:00 PM – 4:00 PM

LOCATION

4 NORTH SECOND STREET, SUITE 1300 (13TH FLOOR)

SAN JOSE, CA 95113

Mental Health Advocacy Project (MHAP)

CALL: (408) 280-2420

MHAP FAX: (408) 350-1158

Health Legal Services (HLS)

CALL: (408) 280-2430

HLS FAX: (408) 886-3850

What is General Assistance?

Governing Law

W&I Code Section 1700 *et seq.* (3/15 *et seq.*)

“Every county and every city and county shall relieve and support all incompetent, poor, indigent persons, and those incapacitated by age, disease, or accident, lawfully resident therein, when such persons are not supported and relieved by their relatives or friends, by their own means, or by state hospitals or other state or private institutions.”

Santa Clara County General Assistance Handbook

<https://www.sccgov.org/sites/ssa/debs/Pages/policy-general-assistance.aspx>



What is General Assistance?

- County program that provides modest monthly cash grants for adults without children
- Sometimes called General Relief
- Each County sets its own standards
- Benefits can be from \$11 to \$343
 - Monthly benefits based on information given to eligibility worker. Any other income may lower benefit amount.

Benefit Amount

Maximum Monthly Benefit Level (Effective 04/01/16)

Living Arrangement	GA Grant Amount
One person living alone	\$ 343
One person living with others <i>(Rate based on number of persons sharing)</i>	\$ 257 - \$ 292
Husband and wife living alone	\$ 460
Husband and wife living with others <i>(Rate based on number of persons sharing)</i>	\$ 345 - \$ 391
One person residing in State-licensed Board and Care home <i>(Payment to the home is \$901 and Payment to the client is \$28)</i>	\$ 929

Vendor Payment to Landlord

- Applicants may choose to receive their **personal needs** amount and have remainder of maximum GA payment sent directly to landlord, or
- Not to receive their **personal needs** amount and have entire maximum GA payment sent directly to landlord.
 - (Usually, a personal needs amount will be \$147 with the vendor payment)
- Verification of housing costs must be provided.
 - Reported to the Internal Revenue Service (IRS) and the State Franchise Tax Board (FTB) as income to the landlord (W-9 Form)
 - Client's Housing Assistance Statement Form (GA-11)

GA Eligibility

- Resident of Santa Clara County
 - At least 15 days continuous physical presence and intent to remain indefinitely in SCC
 - Don't need an address – many recipients are homeless
- Adults (age 18+) without children
- No other means of support (program of last resort)
- Not eligible for any other cash aid program (like CalWORKs, SSI, SDI, UI, etc.)
- Unemployed, employed but making less than grant level, or unemployable (due to disability)

Where to Apply

- **GA requires face-to-face interviews**
- For more information, clients can call (408) 758-3100 and ask for the supervisor of the day. The Supervisor will give more information and answer any questions about the GA Program.

GA OFFICE

1919 Senter Road,
San Jose, CA 95112
(408)758-3100

North County Office

1330 W. Middlefield Rd.
Mountain View, CA 94043
(408) 278-2400

South County Office

379 Tomkins Court
Gilroy, CA 95020 (408)
758-3800



Items needed when you apply

- Picture ID/Driver's License (or 2 pieces of ID which have a signature and/or physical description)
- Proof of residence in Santa Clara County (rent receipts, utilities bill, ID)
- Social Security Card or application for Social Security Number
- Proof of Immigration Status or Citizenship (Birth Certificate, Alien Registration Card or Green Card)
- Proof of Property (Bank Statements, car registration, documents that show value of property)
- Proof of income (pay stubs, award letters, documents that show where income came from)
- Proof of Shelter Costs / Expenses (Housing bills, Utility Bills)



Emergency Support Payments

- Generally, 45 days for determination of eligibility
- But, if you need emergency cash aid and are eligible, the County may make an emergency support payment pending determination of eligibility, not to exceed 25% of the maximum monthly aid the person is entitled to.

Staying on General Assistance

- Required to work for monthly benefit, unless deemed unemployable*
 - Must make good faith effort to make 24 contacts every month
 - *Unemployable means you cannot work due to a physical or mental health disability (doctor's letter)
- Must report any changes to income or circumstances to County within 10 days
- Personal Property Allowance
 - Can have up to \$500 maximum in personal property
 - Your car can be valued up to \$4,650



SSI Advocacy Program

- GA recipients who cannot work due to a disability and the disability is expected to last 12 months or more, will be *required* to apply for Supplemental Security Income and/or Retirement, Survivors, Disability Insurance.
- County social workers will assist with appeals and referrals to Social Security attorneys.
- SSI Advocacy Program (408) 793-8876



Common Myths - is GA a loan?

- Effective January 1, 2014, GA benefits received are no longer considered loans.
 - i.e. benefits don't have to be paid back to the County, unless:
 - You are eligible and approved for SSI for the months you received GA
 - You were overissued GA benefits

Due Process Requirements

- Notices of Action
- Aid Paid Pending
- Hearings

YOUR HEARING RIGHTS

You have the right to ask for a hearing if you disagree with any county action. You have only 90 days to ask for a hearing. The 90 days started the day after the county gave or mailed you this notice. If you have good cause as to why you were not able to file for a hearing within the 90 days, you may still file for a hearing. If you provide good cause, a hearing may still be scheduled.

If you ask for a hearing before an action on Cash Aid, Medi-Cal, CalFresh, or Child Care takes place:

- Your Cash Aid or Medi-Cal will stay the same while you wait for a hearing.
- Your Child Care Services may stay the same while you wait for a hearing.
- Your CalFresh benefits will stay the same until the hearing or the end of your certification period, whichever is earlier.

If the hearing decision says we are right, you will owe us for any extra Cash Aid, CalFresh or Child Care Services you got. To let us lower or stop your benefits before the hearing, check below:

Yes, lower or stop: Cash Aid CalFresh
 Child Care

While You Wait for a Hearing Decision for:

Welfare to Work:

You do not have to take part in the activities.

You may receive child care payments for employment and for activities approved by the county before this notice.

If we told you your other supportive services payments will stop, you will not get any more payments, even if you go to your activity.

If we told you we will pay your other supportive services, they will be paid in the amount and in the way we told you in this notice.

- To get those supportive services, you must go to the activity the county told you to attend.
- If the amount of supportive services the county pays while you wait for a hearing decision is not enough to allow you to participate, you can stop going to the activity.

Cal-Learn:

- You cannot participate in the Cal-Learn Program if we told you we cannot serve you.
- We will only pay for Cal-Learn supportive services for an approved activity.

OTHER INFORMATION

Medi-Cal Managed Care Plan Members: The action on this notice may stop you from getting services from your managed care health plan. You may wish to contact your health plan membership services if you have questions.

Child and/or Medical Support: The local child support agency will help collect support at no cost even if you are not on cash aid. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you current support money collected but will keep past due money collected that is owed to the county.

Family Planning: Your welfare office will give you information when you ask for it.

Hearing File: If you ask for a hearing, the State Hearing Division will set up a file. You have the right to see this file before your hearing and to get a copy of the county's written position on your case at least two days before the hearing. The state may give your hearing file to the Welfare Department and the U.S. Departments of Health and Human Services and Agriculture. (W&I Code Sections 10850 and 10950.)

TO ASK FOR A HEARING:

- Fill out this page.
- Make a copy of the front and back of this page for your records. If you ask, your worker will get you a copy of this page.
- Send or take this page to:

OR

- Call toll free: 1-800-952-5253 or for hearing or speech impaired who use TDD, 1-800-952-8349.

To Get Help: You can ask about your hearing rights or for a legal aid referral at the toll-free state phone numbers listed above. You may get free legal help at your local legal aid or welfare rights office.

If you do not want to go to the hearing alone, you can bring a friend or someone with you.

HEARING REQUEST

I want a hearing due to an action by the Welfare Department of _____ County about my:

Cash Aid CalFresh Medi-Cal
 Other (list) _____

Here's Why: _____

If you need more space, check here and add a page.

I need the state to provide me with an interpreter at no cost to me. (A relative or friend cannot interpret for you at the hearing.)

My language or dialect is: _____

NAME OF PERSON WHOSE BENEFITS WERE DENIED, CHANGED OR STOPPED

BIRTH DATE _____ PHONE NUMBER _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

SIGNATURE _____ DATE _____

NAME OF PERSON COMPLETING THIS FORM _____ PHONE NUMBER _____

I want the person named below to represent me at this hearing. I give my permission for this person to see my records or go to the hearing for me. (This person can be a friend or relative but cannot interpret for you.)

NAME _____ PHONE NUMBER _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

Appeals

- Denials, benefits lowered or less than expected, stopped, or overpaid/overissued
- Appeal to Hearing Officer
 - In person: 333 W. Julian Street, San Jose, CA 95110
 - By Mail: California Department of Social Services State Hearings Division, P.O. Box 944243, Mail Station 9-17-37, Sacramento, CA 94244-2430
 - By Fax: (916) 651-5210
 - By Phone: (800) 952-5253 or (800) 952-8349 (TDD)
 - Online: <https://secure.dss.cahwnet.gov/shd/pubintake/>

Appeals cont.

- Appeal deadline = **30 days** from Notice of Action
 - Plus 5 days for mailing
 - Good Cause
- Aid Paid Pending
 - Must request within **7 days** of Notice of Action
- Hearing should be scheduled within 45 days of and a decision should be issued within 90 days



Non-Citizen Eligibility

- Must be citizen, lawfully admitted permanent resident, or and a non-citizen granted temporary legal residence under the Immigration Reform and Control Act of 1986 or Violence Against Women Act of 1994
- There are separate cash programs for U-Visa Immigrants and Refugees

Resolving Issues and Other Tips

- Steps:
 - (1) Get a signed Release of Information
 - (2) Contact Eligibility Worker
 - (3) Contact Supervisor (if unknown, call 408-758-3100)
 - (4) Contact Mariela Moncayo, DEBS SCC SSA Ombudsman at Ombudsman@ssa.sscgov.org
 - (5) Refer for legal assistance

Resolving Issues and Other Tips

- Homeless Individuals
 - May use a mailing address of friend, relative, PO Box (in SCC), or Social Services District Office
- Home visits if applicant unable to come to GA office for initial interview (includes inpatients at VMC)
- Language Access
- Vendor payments and landlord not wanting to fill out W-9s.
 - Client can complete a “Client’s Housing Assistance Statement” (GA-11) and payment will be issued via warrant to landlord.