

Chapter 72. Emergency Assistance Program Policies and Procedures¹

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72.001 Program Administration

- (a) Authority. Travis County is authorized to provide the services referenced in this Chapter 72 under Texas Local Government Code, Section 81.027, and other applicable statutes.
- (b) Provision of Services. The Travis County Health, Human Services and Veterans Services Department ("Department") through the Services Division (or such successor division as designated by Department) will assist residents toward achieving maximum self-sufficiency and quality of health, economic and social well-being. Implementation of this Policy will be done without regard to race, color, age, religion, sex, national origin, handicap, veteran status or sexual orientation.
- (c) Purpose. The purpose of this Chapter 72, "Emergency Assistance Program Policies and Procedures" ("Policy") is to establish standards in administering the Emergency Assistance Program as set forth in the following sections:
 - 72.001 Program Administration
 - 72.002 Eligibility Criteria
 - 72.003 Verifying Documentation
 - 72.004 Application Policy
 - 72.005 Benefits ScaleThis Policy only serves to provide guidelines for the provision of services as determined to be available by the Travis County Commissioners Court ("Commissioners Court") and the Department, and does not create any entitlement to any of the services referenced herein.
- (d) Statutory Guidelines. Travis County will provide all services in accordance with all applicable federal, state and local laws, rules and regulations.
- (e) Limitations

¹ Chapter 72 was replaced by Travis County Commissioners Court 11/4/2008, Item #2.

- (1) General Revenue Funds. County general revenue fund monies and other funds legally available to Travis County for these purposes may be used, as determined by the Commissioners Court and directed by the Department, to provide assistance under this Chapter 72 when the Department determines that no other appropriate source of funding is readily or reasonably available to meet the identified need(s).
 - (2) Changes. Travis County reserves the right to change any provision of this Policy unilaterally by written amendment approved by the Travis County Commissioners Court without specific notice (other than that provided through the Commissioners Court posting procedures, as required by law) to any recipient of services or potential recipient of services. No employee, official, supervisor or other individual has any authority to change any provision of this Policy without the express and specific authority to do so as set forth in this Policy or granted by the Commissioners Court.
 - (3) Availability of Services. This Policy sets forth the general guidelines under which certain benefits may be provided by Travis County to eligible recipients and are provided for informational purposes only. The services described herein may be limited by availability of County funds or other factors, and the provisions of this Policy are not intended to create any entitlement or interest or right in property. This Policy does not create any guarantee of the provision or continuation of services for any individual, even if that individual meets the stated criteria, nor does it guarantee the availability of services or funds for such services at any given time. Application of this Policy will be as determined by the Commissioners Court and the Department. If funding is available and provision is made, services will be provided according to the terms of this Policy for so long as the County continues to provide for such services. At the discretion of the Commissioners Court, services may be decreased, interrupted or curtailed at any time.
 - (4) Acceptance of Services. Prior to receipt of services provided under this Policy, each recipient will sign a statement evidencing their awareness of the above limitations.
- (f) Definitions. In this Policy, the following terms will have the meaning set forth herein:
- (1) "Common Law Marriage" means a legal marriage in the State of Texas wherein both parties are free to marry, live together, and hold out to the public that they are husband and wife.
 - (2) "Date of Application" means the date of intake.
 - (3) "Disabled" and "Disability" means an adult who has been unable to work or to obtain or maintain employment due to a health condition; or a minor who is disabled due to a health condition. At

the time of the request for assistance, written verification signed by a Licensed Health Professional is required, stating that the individual was unable to work (or to obtain or maintain employment) the thirty (30) days prior to application/verification. Such written verification must be dated within the last 12 months.

OR

A Household member is receiving SSI (Supplemental Security Income) SSD (Social Security Disability) or RSDI (Retirement Survivors Disability Insurance) or VA (Veteran's Administration) disability benefits due to a Disability. Written or verbal verification is required.

- (4) "Economic Crisis" means the existence within a household of a verifiable need for assistance within the past sixty (60) days due to a substantial increase in expenditures, loss or reduction of Income, or loss or reduction of resources.
- (5) "Elderly" means an individual who is sixty (60) years or older.
- (6) "Emancipated Minor" means a person under 18 years of age who either (i) has been legally declared as an emancipated minor by the court; or (ii) is married (with "marriage" including Common Law marriage).
- (7) "Executive Manager" means the Executive Manager of the Travis County Health and Human Services and Veterans Services Department, or his/her designee.
- (8) "Household" means an applicant and those individuals who reside in the applicant's housing unit and whose financial assets are held in common.
- (9) "Immediate Family" means a family member as defined pursuant to the Travis County Policies, Procedures and Regulations, Section 10.038 including:
 - (A) spouse
 - (B) child (birth, adopted, foster or step-)
 - (C) parent
 - (D) sibling (brother or sister)
 - (E) grandparent
 - (F) grandchild
 - (G) person living in the applicants' Household with whom the applicant shares a significant relationship of mutual caring.
- (10) "Income" means the total amount determined from monetary receipts from all sources, including tips, before deductions from all sources, as defined by the Texas Department of Housing and Community Affairs (10) "Income" means the total amount determined from monetary receipts from all sources, including tips, before deductions from all sources, as defined by the Texas

Department of Housing and Community Affairs as set forth in Texas Administrative Code, Section 6.105 (and according to any future amendments thereto).

- (11) "Licensed Health Professional" includes a Physician, Nurse Practitioner, Registered Nurse, Social Worker, Occupational or Professional Physical Therapist (or other professional as determined by Department) .
- (12) "Medical Crisis" means a situation in which a Household experiences a loss or reduction of Income due to a medical condition of a Household member as documented with verification acceptable to Department.
- (13) "Residency" means one's home and fixed place of habitation to which one intends to return after any temporary absences, as set forth in Texas Election Code, Section 1.015.
- (14) "Significant Economic Impact" means a substantial loss of Income or resources, or a substantial increase in expenditures during the past sixty (60) days, as determined by Department.
- (15) "Sixty (60) Day Period" means the previous sixty (60) calendar days from and including the Date of Application.
- (16) "Third Party" means a recognized authority that has no potential for personal gain as a result of receipt of benefits and no personal relationship to the applicant or any member of the applicant's Household, who is qualified (as determined by Department) to verify the needed information. Examples of a Third Party include employers, school nurses, counselor, social services agency representatives, clergy, medical doctor, etc.
- (17) "Thirty (30) Day Period" means the previous thirty (30) calendar days from and including the Date of Application.
- (18) "Twelve (12) Month Period" means that time period beginning with the date of payment approval and ending on the same date of the next calendar year.

72.002 Eligibility Criteria

- (a) Purpose. The purpose of this section 72.002 is to establish unified criteria for identification of Households which meet the minimum Policy eligibility requirements.
- (b) Waiver or Adjustment. Eligibility criteria may be waived when the Executive Manager identifies that an immediate response is required to a disaster which affects the health and safety of the community or in specific instances of Third Party verified current life threatening situations, such as domestic violence.

In such cases, the Family Support Division (or appropriate Department group), with the written approval of the Executive Manager, may waive or

adjust certain provisions of this Eligibility Policy where, as determined by the Executive Manager, such waiver or adjustment will continue to promote the general purpose and intent of this Policy within the limits of applicable laws. At any time that such waiver or adjustment is requested or suggested, the Executive Manager may make such decision or, where time allows, refer such decision to the Commissioners Court. Upon granting of any such waiver or adjustment, the Executive Manager will provide written notice to the Commissioners Court of such waiver or adjustment and the circumstances leading to the granting of the waiver/adjustment at the earliest possible date.

(c) General Criteria

- (1) Income. Household gross Income must be at or below 50% of the Federal Poverty Income Guidelines for the past Thirty (30) Day Period excepting any Households where one or more members are Disabled or Elderly. For Households which include a Disabled or Elderly member, the Household Income must be at or below 125% of the Federal Poverty Income Guidelines for the past Thirty (30) Day Period.
- (2) Economic Crisis. Household must have experienced a verifiable Economic Crisis within the past Sixty (60) Day Period.
- (3) Identification. Applicant must present acceptable identification, as determined to be satisfactory by Department staff, when applying for assistance.
- (4) Residency. Applicant and Household members receiving the benefit of assistance must be able to show proof, as determined to be satisfactory by Department Staff, of Travis County Residency with the intent to remain in Travis County permanently. If applicant is being released from a facility such as ARC, TCDJ, rehabilitation centers, temporary shelters, applicant must provide proof of Residency prior to entering the facility. Lack of a fixed address would not necessarily be reason for denial of assistance.
- (5) Age. Applicant must be at least 18 years of age or an Emancipated Minor.
- (6) Resources/Assets. Households may have assets or resources that total no more than the allowable limit of \$2,500.00.
- (7) Frequency of Assistance. Households will be assisted within the set benefit scale for each service category only once in a Twelve Month Period with the following exceptions:
 - (A) A Household that includes at least one Elderly and/or Disabled person may be assisted twice in a Twelve (12) Month Period.
 - (B) One additional request for the same service category in a Twelve (12) Month Period may be approved if it is the result

of a natural disaster causing displacement. A written referral from the American Red Cross is required.

- (C) Any applicant without a Disability or Elderly status requesting assistance more than once may be granted a second assistance upon demonstration of workforce activity or employment that will indicate movement of the applicant toward self sufficiency.

(b) Specific Service Category Criteria.

(1) Food Voucher Assistance.

- (A) Applicants must have applied for food stamps or have completed application to be mailed. Applicants who are ineligible for food stamps (due to their non-citizenship or felony status) will not be required to apply for food stamps.
- (B) Households who have received their regular food stamp allotment within the last 30 days may be assisted if the Household has experienced one of the following:
 - (i) increase in household size
 - (ii) food spoilage
 - (iii) lost or stolen Lone Star card
 - (iv) natural disaster
 - (v) other situation determined by Department to warrant receipt as approved by the Executive Manager.
- (C) Applicants will not be issued a voucher if the interruption in food stamp benefits was due to fraud or failure to follow through with TXDHS requirements.
- (D) Vouchers may be split in different amounts for different dates in cases where food storage is a problem (i.e. for people without a fixed place of residence or people who are homeless).

(2) Rent/Mortgage/Temporary Shelter.

- (A) Applicant may not apply before fourteen (14) calendar days prior to the due date for rent, mortgage, or mobile home lot payment assistance. Payment does not have to be for the current month, but landlord must agree in writing to not proceed with eviction for 30 days from the date of acceptance of payment. Should applicant owe rent or mortgage and lost rent, payment may be split between two vendors.
- (B) Move-in rent may be authorized if Household is homeless, potentially homeless or in a situation that is unhealthy and/or dangerous, as determined by Department (i.e., overcrowding, family violence, current dwelling is structurally unsafe, etc.).

- (C) Temporary shelter may be authorized if space is unavailable at appropriate shelter(s) and one of the following conditions exists:
 - (i) Household has minor children and inclement weather conditions exist; or
 - (ii) applicant has a health problem/condition requiring shelter as a result of a verifiable recent hospital and/or emergency room discharge.
 - (D) Mortgage payments must be made in applicant's name.
 - (E) Payments are made only to the owner of the property, or owner's legal agent with whom owner has a property management agreement.
 - (F) Deposits will not be paid.
 - (G) Rent payment will not be made to relatives or roommates. Relative is defined as spouse, parents, children, grandchildren, sister, brother, grandparents, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, aunt, uncle and first cousin.
- (3) Utility Assistance.
- (A) Utilities include electricity, water, natural gas, butane, propane, firewood and garbage collection.
 - (B) Utility bills do not have to be past due.
 - (C) Payment may be made for utility services fees, charges, and deposits as long as the total does not exceed the benefit scale.
- (4) Prescriptions/Medical Supplies.
- (A) Applicant must have one of the following:
 - (i) a written prescription signed by a physician within the Sixty (60) Day Period prior to the date of application ; or
 - (ii) Refill orders remaining as verified by original pharmacist; or
 - (iii) - Verifiable or written statement from a Licensed Health Professional within the Sixty (60) Day Period prior to the date of application for drugs/medical supplies not requiring a prescription, such as insulin, crutches, etc.
 - (B) Household members who have insurance coverage (i.e. Medical Assistance Program, Medicaid, Medicare, Veterans' Administration benefits, private or any type of health care insurance) may be assisted if:
 - (i) prescription allotments and overrides have been exhausted for the current month or

- (ii) prescription is not an allowable charge by insurance vendor.
- (5) Transportation
 - (A) Households may be assisted with emergency out-of-town transportation under the following circumstances:
 - (i) existence of a life-threatening situation or one in which personal or family safety is at risk due to violence
 - (ii) an individual requires medical treatment or evaluation that is unavailable in Travis County;
 - (iii) an individual requires convalescent care that is unavailable in Travis County
 - (B) A responsible party to accept the family or individual at the destination is required in those situations involving out-of-town transportation due to violence or convalescent care.
 - (C) A confirmation of appointment for medical treatment or evaluation is required.

72.003 Verifying Documentation

- (a) Purpose. The purpose of this Section 72.003 is to establish standard documentation requirements and verification procedures to support all eligibility or ineligibility decisions related to applications for emergency assistance services under this Policy.
- (b) Income. Applicant must provide acceptable proof of income as determined by Department. In the exceptional case where proof of income is unavailable, an applicant must sign a Declaration of Income Affidavit as provided by Department. Income will be verified and documented.
- (c) Economic Crisis. Claim of Economic Crisis supporting an application for assistance will be verified and documented for one of the following categories:
 - (1) Increased Expenditure such as the following:
 - (A) medical expenses
 - (B) transportation expenses for out of County medical needs
 - (C) transportation expense due to domestic violence
 - (D) auto repairs
 - (E) refrigerator and/or refrigerator repairs
 - (F) funeral expense for Immediate Family member
 - (G) increase in utility expense
 - (H) recent increase in family size with birth certificate or third party documentation

- (2) Loss/Reduction of Income resulting from situations such as the following:
 - (A) - job loss
 - (B) employer reduction in hours and/or rate of pay
 - (C) departure of household member receiving earned/unearned income
 - (D) loss of child support
 - (E) death of household member who provided Household support
 - (F) termination or decrease of unearned income/cash assistance benefits
 - (G) medical crisis
 - (H) Household member has a loss of earned income due to a medical condition
 - (I) Household member receiving earned income needs to attend to dependent at home or Immediate Family member
 - (J) Household member previously providing income is pregnant and unable to work
 - (K) Household member recently became disabled
 - (L) domestic violence, with third party verification
 - (M) loss of residence due to fire, flood, natural disaster, health hazard, that is not compensated through insurance company

- (3) Loss/Reduction of Resources from situations such as the following:
 - (A) delay, reduction or termination of non-money benefits such as food stamps and medical benefits
 - (B) bank account depleted
 - (C) personal property pawned/sold in order to meet expenses
 - (D) loss of Household support from friend/relative
 - (E) unplanned loss of financial support from Social Service Program
 - (F) verifiable loss of money order(s) (at Caseworker's discretion as documented in case notes)
 - (G) verifiable burglary or theft within 3 days of incident (at Caseworker's discretion as documented in case notes)

72.004 Application Process

- (a) Purpose. The purpose of this Policy and the procedures utilized by the Department to implement this Policy is to provide all Travis County residents equal access to Emergency Assistance Services. All individuals involved in the provision of Emergency Assistance under this

Policy will follow Department approved application/intake procedures. Applicants will be served with confidentiality, dignity and respect.

- (b) Executive Manager Discretion. The Family Support Services Division (“Division”) of the Travis County Health and Human Services Department, and others, as designated by Department, will create, adjust and amend internal Division specific procedures to implement the Emergency Assistance policy with the written approval of the Executive Manager. Internal procedures will be maintained in writing within the Department.

72.005 Benefit Scale/Interpretive Guidelines and Standards

- (a) Purpose. The purpose of this Section 72.005 is to establish specific benefit amount limits for eligible recipients of Emergency Assistance Services under this Policy.
- (b) Food Voucher Assistance Benefit Limit Scales. The amount of assistance is determined by household size, and is for the purchase of groceries only.

# OF HOUSEHOLD	BENEFIT AMOUNT MEMBERS
1	\$ 41
2	\$ 71
3	\$ 89
4	\$ 103

For each additional household member, the benefit amount will be increased by \$13.00

- (c) Utilities Assistance Benefit Limit Scale. Utilities assistance will be limited as follows:
 - (1) A maximum benefit amount of \$230.00 will be allowed per Household, not per utility.
 - (2) In no event shall the assistance awarded exceed the amount indicated on the unpaid bill.
 - (3) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.
 - (4) When the amount needed to restore or continue service exceeds the allowable benefit amount of \$230.00, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.
- (d) Prescription/Medical Supplies Assistance Benefit Limit Scales. Prescription/medical supplies assistance will be limited as follows:
 - (1) A maximum benefit amount of \$157.00 will be allowed for each Household member assisted.

- (2) In no event shall the assistance awarded exceed the amount necessary to purchase the medicine or medical supplies.
- (3) When the amount needed to purchase the medicine or medical supplies exceeds the benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.

(e) Transportation Assistance Benefit Limit Scale.

- (1) The amount of transportation assistance is determined by household size as follows:

# OF HOUSEHOLD	BENEFIT AMOUNT MEMBERS
1	\$ 140
2	\$ 150
3	\$ 160
4	\$ 170

For each additional household member, the benefit amount will be increased by \$10

- (2) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.
- (3) When the amount needed exceeds the allowable benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.

(f) Rent/Mortgage/Temporary Shelter Assistance Benefit Limit Scale.

- (1) The amount of assistance will be determined by the unit size as follows:

UNIT SIZE	BENEFIT AMOUNT
1	\$ 343
2	\$ 418
3	\$ 569
4 or more	\$ 658

- (2) In no event shall the assistance awarded exceed the amount indicated on the landlord/lien holder statement.
- (3) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.
- (4) When the amount needed to prevent homelessness or secure housing exceeds the allowable benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.

72.006 Appeals Process

- (a) Purpose. The purpose of this Section 72.006 is to provide all Travis County residents a right to appeal eligibility determination decisions related to the provision of Emergency Assistance Services under this Policy. All persons involved in the provision of Emergency Assistance will follow Department approved appeals procedures. Applicants will be served with confidentiality, dignity and respect.
- (b) Any applicant may appeal the eligibility determination decisions. Such appeals must be made in writing within five (5) working days of the rendered decision.
- (c) Appeals will be handled through Executive Manager approved written procedures that will ensure that any person denied an emergency assistance service is given a written notice of the denial and appeals process.
- (d) All appeals will be handled through the Family Support Division organizational structure and the appeal decision will not be made by the staff member making the original denial decision. A written decision will be rendered and provided to the applicant within three (3) working days of the written appeal request. Documentation of the appeals process will be kept with the applicant file.

72.007 Best Single Source Program Standards

- (a) Program. The following policy revisions apply to those clients enrolled in the Best Single Source Project ("Project") which was implemented beginning on or about Tuesday, March 8, 2005, and continued through September 30, 2005.
- (b) Current Policy Provisions. Unless listed under this Section 72.007 as changes, the provisions of Chapter 72 shall apply only to services provided under this Project.
- (c) Under this Project, the policy provisions will be changed by replacing the noted sections with the language set forth herein:
 - 72.001(d)(6) Economic Crisis. An economic crisis for Emergency Assistance Eligibility exists when, during the last 60 days, before the date of application, the client's household has experienced a need for assistance due to income reduction, or loss of resources. In order to qualify as an economic crisis, the change in circumstances must be great enough to significantly impact the household's ability to meet the need.
 - 72.001(d)(10) Income. Gross income may be adjusted for individuals on a case-by-case basis. Situations that may result in income adjustment include out of pocket medical, unplanned funeral costs, and unplanned car repairs. Any other situations in which income would be adjusted require approval by the Executive Manager.

72.001(d)(15) Significant Economic Impact. Requirements for significant economic impact may be waived where documented crisis is shown. "Crisis" is defined as a situation in which the applicant's level of instability in any area of basic life needs has risen to the point that intervention is necessary as determined by the department.

72.002(a)(3) Economic Crisis. Households must have experienced a verifiable economic crisis within the past 60 days.

72.002(a)(2) Income. Gross income may be adjusted for individuals on a case-by-case basis. Situations that may result in income adjustment include out of pocket medical, unplanned funeral costs, and unplanned car repairs. Any other situations in which income would be adjusted require approval by the Executive Manager.

72.002(a)(7) Frequency of Assistance. Households may be provided financial assistance more than 2 times per year while enrolled in the Best Single Source Project. The cap on funding for each household enrolled in the Project is \$1,500.00. A household may not receive assistance again for a 12 month period after completing the Best Single Source Project.