

STATE OF VERMONT
AGENCY OF HUMAN SERVICES

DCF

Department for Children and Families

BULLETIN NO.: 13-26

FROM: Richard Giddings, Deputy Commissioner
Economic Services Division

DATE: August 1, 2013

SUBJECT: General Assistance Program Rules

CHANGES ADOPTED EFFECTIVE 8/1/13

INSTRUCTIONS

Maintain Manual - See instructions below.
 Proposed Regulation - Retain bulletin and attachments until you receive Manual Maintenance Bulletin: _____
 Information or Instructions - Retain until _____

MANUAL REFERENCE(S):

2652.3

This bulletin changes the eligibility criteria for General Assistance rules for emergency housing for vulnerable populations without a catastrophic need. On July 1, 2013, the department adopted an emergency rule that implemented a point system for determining eligibility for vulnerable populations in need of emergency housing. In response to that rule filing, advocates and community partners charged that the new rule posed a threat to the health, safety, and welfare of Vermonters who would no longer be eligible for emergency housing under the new rule. This bulletin establishes categorical eligibility for certain vulnerable populations and also decreases the points necessary to establish eligibility for non-categorically eligible applicants. **This bulletin replaces B13-24.**

Specific Changes to Rule Sections

- 2652.3** Amends eligibility criteria by establishing categorical eligibility for four groups of vulnerable populations (individuals 65 years of age or older; supplemental security income or social security disability insurance recipients; children six year of age or younger; and pregnant individuals in the third trimester) and decreases the points necessary to establish eligibility for non-categorically eligible applicants from six to four.

Emergency Rulemaking Process

The department filed this emergency rule with the Legislative Committee on Administrative Rules (LCAR) and the Secretary of State's Office on or before August 1, 2013.

The department will post the emergency rule on the Agency of Human Services website at <http://humanservices.vermont.gov/on-line-rules> and notify advocates and members of the public about the rule.

To get more information about the Administrative Procedures Act and the rules applicable to state rulemaking go to the website of the Office of the Vermont Secretary of State at: <http://vermont-archives.org/aparules/> or call Louise Corliss at 828-2863

For information on upcoming hearings before the Legislative Committee on Administrative Rules go to the website of the Vermont Legislature at: <http://www.leg.state.vt.us/schedule/schedule2.cfm> or call 828-5760.

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Vertical lines in the left margin indicate significant changes. Dotted lines at the left indicate changes to clarify, rearrange, correct references, etc., without changing the content.

Manual Maintenance

General Assistance Rules

Remove

Insert

2652.3

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Housing

2652.3 Emergency Housing for Vulnerable Populations

Emergency housing is intended to provide up to 28 days of shelter for vulnerable populations who are without housing and do not qualify for temporary housing under rule 2652.2.

Applicants may qualify for emergency housing if the household has a member who is:

- A. 65 years of age or older;
- B. in receipt of SSI or SSDI;
- C. a child six years of age or under; or
- D. in the third trimester of pregnancy.

Applicants, without a member belonging to one of the above vulnerable populations, may qualify for emergency housing if the household has a member belonging to a vulnerable population and has been assessed a total of 4 or more points according to the following point system:

Vulnerable Population Category	Points
Disabled Veteran (as defined in 38 U.S.C. § 4211)	1
Individual with an open case receiving services from the Family Services Division	1
SSI or SSDI applicant with medical documentation of disability	1
Child(ren) between the ages of 7 and 17	2
Individual discharged from a 48-hours or more inpatient hospital stay, within the past 30 days, who has an ongoing medical need related to the hospitalization	2
Individual over 18 years of age discharged from the custody of the department for children and families within the past 3 years	1
Reach Up recipient	1
Individual on probation or parole with the department of corrections who has been incarcerated for 12 consecutive months and released within the past 6 months	1

Applicant households shall be assigned points only once within any vulnerable population category.

Assistance shall not be authorized when appropriate shelter space is available. Available shelter space shall be deemed appropriate absent documentation that the shelter poses health or safety risks to a member of the applicant household.

Applicant households that have caused their own loss of housing within the past 6 months shall not be eligible for emergency housing. Examples of causing one's own loss of housing include, but are not limited to:

- Court-ordered eviction, subject to the limitation set forth in rule 2621(D);
- Voluntarily leaving one's housing, excluding constructive eviction as defined in rule 2622;
- Denial of further accommodations at a shelter, motel, or similar establishment, for not following the rules of the establishment.

Housing

Recipient households who are denied further accommodations at a motel, or similar establishment, for not following the rules of the establishment shall be ineligible for emergency housing for 30 days following the last date the department authorized emergency housing assistance.

Applicant households must contribute 50 percent of gross monthly income toward housing costs.

If verification of eligibility criteria cannot be obtained on the day of application, assistance may be authorized for no more than four days on a conditional basis pending verification. No more than four days of conditional assistance may be authorized within the 30-day period following the date of application.

Authorization for emergency housing may be issued for periods of not more than 14 days.

Emergency housing payments will be allowed for only 28 days in any consecutive 12-month period. The 12-month period is computed from the date of application to the same day of the month 12 months prior. The 28-days need not be consecutive.

The 84-day housing maximum under rule 2652.2 is cumulative for assistance received under rules 2652.2 and 2652.3. An applicant who has received 84 days in temporary housing during a 12-month period is not eligible for any further emergency housing assistance for the same 12-month period. Emergency housing for vulnerable populations is not an entitlement; payments shall cease upon expenditure of the annual appropriation for this purpose.