

# ORANGE COUNTY SOCIAL SERVICES AGENCY GENERAL RELIEF REGULATIONS MANUAL

## SECTION 20: ELIGIBILITY DETERMINATION

EFFECTIVE: November 2012

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### **.1 ELIGIBILITY DETERMINATION**

Orange County SSA shall:

- .a Investigate the needs and resources of each applicant for GR.
- .b Redetermine eligibility as often as necessary, but not less than every six (6) months, the continuing needs and resources for each recipient of GR.
- .c Protect the integrity of the program by ensuring that aid is paid only to eligible persons.

Eligibility determination is done by a recorded study and verification of a client's circumstances in relation to GR requirements, followed by a decision as to eligibility and, if eligible, the amount of aid.

The GR Program Manager or designee shall have authority in individual cases to suspend specific eligibility requirements and to authorize payments which exceed maximum grants after evaluation of circumstances which may warrant such decisions.

### **.2 CONFIDENTIALITY**

All information, whether written or oral, concerning any client is confidential. No release of any such information may be made except in the administration of public social services, or any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of public social services, or pursuant to an order of the court or written authorization from the client. This includes acknowledgement by a receptionist, clerk, Eligibility Technician, etc., that any person is receiving assistance or has applied for assistance.

### **.3 RELEASE OF INFORMATION**

Disclosure of any information relating to a client may be made only with the client's express consent except as indicated below. The authorization for release of information must be in writing, except that a telephone authorization may be accepted when the County representative is assured that the client has adequately identified himself or herself.

When, as a result of a contact by a client to the office of a member of the Board of Supervisors, a request for information on that specific case is received from such office, there is implied consent of the client to discuss information known to the eligibility section.

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**.3 RELEASE OF INFORMATION (cont'd)**

Certain confidential information may be released to law enforcement agencies when the person is deceased or is a GR client.

The following restrictions/provisions apply:

- .a** The law enforcement agency must initiate a written request to the Agency, specifying that the client is either deceased or a warrant has been issued for the arrest of the applicant or recipient for the commission of a felony or misdemeanor.
- .b** This written request for confidential information can only be made by the head of the law enforcement agency, or by an agency employee authorized and identified by name and title by the head of the law enforcement agency.
- .c** The confidential information which may be released pursuant to this section is limited to name, address, physical whereabouts, telephone number, birth date, Social Security Number (SSN) and physical description.
- .d** If the client also receives CalFresh, information may be released only if it is obtained exclusively from the GR documents.
- .e** If the SSA learns that a misdemeanor or felony arrest warrant has been issued for an applicant or recipient, the physical whereabouts and other information identified in .c above may be reported to the appropriate law enforcement agency without written request when the following two (2) conditions have been met:
  - (1)** Knowledge of the outstanding warrant comes to the attention of SSA as a result of unsolicited disclosure in one of the following circumstances:
    - (A)** It is received in the process of obtaining or reviewing an application for assistance.
    - (B)** It is received through a regular investigation for the purposes of determining or reviewing eligibility for assistance.
    - (C)** It is received from an independent source.
  - (2)** The applicant/recipient has been notified that release of confidential information from their records will not be protected and can be made if a felony or misdemeanor arrest warrant is issued against the applicant/recipient.

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**.4 CASE RECORDS/ECONOMIC UNIT**

A separate case shall be established for each separate EU receiving assistance or services under the GR Program.

**.a** Determination of the EU is based on one or more of the following:

- (1)** Responsible relative status (see Section 90).
- (2)** A past pattern of support of the client by members of the household.
- (3)** Pooling of money/resources to meet common living expenses.

When a non-responsible relative has previously supported a client, separate EU status may be established if circumstances within the household have changed.

**.b** Eligibility of individuals within a household to receive GR is not a factor in determining the composition of the EU. For example, a husband and wife residing together are one EU even if one receives SSI/SSP. Excluded members of the GR-EU include but are not limited to:

- (1)** Recipients of another type of public assistance (SSI/SSP, CalWORKs, Refugee Cash Assistance (RCA)).
- (2)** Ineligible non-citizens.
- (3) Deleted effective 05-01-2020**

Allocation of income from excluded members not receiving public assistance is covered in Section 70.3.

**.5 VERIFICATIONS**

When verification of evidence is available, it will be imaged in the case record per procedure.

The client is the first source of information and it is the responsibility of the client, insofar as possible, to furnish all information necessary to establish eligibility to aid and the correct amount of grant. The Agency is responsible for providing reasonable assistance to the client in obtaining verifications required to determine eligibility to receive GR benefits.

Required verifications include:

**.a IDENTIFICATION** - Identification is required for each adult member of the GR-EU; it is not required for an unaided minor who is part of a family unit (such as receiving CalWORKs/RCA/SSI). Identity may be verified through readily available documentary evidence, or if this is unavailable, through a

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collateral contact.

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### **.5 VERIFICATIONS (cont'd)**

Examples of acceptable identity verifications that the applicant may provide include, but are not limited to:

- (1) Social Security card or other documents containing the SSN.
- (2) Driver's license.
- (3) Work or school ID.
- (4) ID for health benefits or for another assistance program.
- (5) Voter registration card.
- (6) Wage stub.
- (7) Birth certificate.
- (8) Collateral contact.

A collateral contact is a verbal confirmation of an individual's identity by a person outside the EU. The collateral contact may be made either in person or over the telephone. The acceptability of a collateral contact shall not be restricted to a particular individual but may be anyone that can be expected to provide an accurate third-party verification of the individual's identity. Examples of acceptable collateral contacts include, but are not limited to:

- (1) Employers.
- (2) Landlords.
- (3) Social services agencies.
- (4) Probation/Parole Officer.
- (5) Neighbors.

An exception may be made when the person has a valid reason for not having identification (e.g. theft of papers, loss in fire, homelessness, etc.) and the person qualifies for GR-IN. See Section 80.2.

When GR-IN is granted to a person without identification, that applicant shall be required to obtain proof of identity prior to issuance of aid in excess of seven (7) days.

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**.5 VERIFICATIONS (cont'd)**

- .b SOCIAL SECURITY NUMBER (SSN)** - A SSN is required for every member of the GR-EU for which aid is requested prior to issuance of benefits including GR-IN. Verification shall include the Social Security card or other valid documentation; such as award letters from the Social Security Administration. For members of the GR-EU who do not have a SSN, verification of a completed SSN application is required prior to issuance of benefits including GR-IN.
- .c AGE** - Age is verified only if the Eligibility Technician has reason to believe the applicant is a minor or is age 65 or older. When two or more verifications conflict, primary documentation takes precedence. Examples: Birth certificate, school records, or identification which required proof of age.
- .d CF E&T/GRWP REGISTRATION AND ORIENTATION** - Verification of registration with the CF E&T/GRWP is required for Employable and CE clients prior to approval of aid.
- .e NON-CITIZEN STATUS** - Verification of non-citizen status is required as specified in Section 40.1.
- .f COOPERATION ESTABLISHED** - The EU must demonstrate cooperation with all program and eligibility requirements, including the CF E&T/GRWP, and/or MRT, and must make application for all other available monies, including but not limited to, SSI/SSP, Veteran's benefits and provide verification of support monies from a non-citizen sponsor, prior to approval of aid. The EU is required to cooperate with this Agency and with any other agency or individual in securing those benefits.
- .g OTHER** verifications shall be required as identified by the Eligibility Technician or case reviewer or as specified elsewhere in the manual.

Inquiry to a collateral contact requires the written authorization from the client except that a telephone contact may be made with verbal permission from the client. All verifications will be documented in the case record per Agency procedures. Failure of clients to provide necessary verifications or failure to cooperate with the Agency in securing necessary verifications without good cause shall result in denial or discontinuance of benefits.

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### **.6 INTER-PROGRAM REFERRALS**

GR staff must be aware of eligibility factors for other assistance programs to know when a referral is appropriate. All applications and continuing GR cases shall be screened for potential eligibility to other public assistance programs, including SSI/SSP, and referred when it appears that potential eligibility exists.

When it is known that a GR applicant has an open cash, CalFresh and/or Medi-Cal case, the appropriate Agency procedures will be followed to notify the case worker and transfer/share pertinent information, verifications and/or other documentation.

### **.7 ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES**

No applicant may be denied the right to apply because he or she is unable to appear at an office in person due to disability, illness or other undue hardship. GR applicants whose disability, illness or other undue hardship prevents them from getting to the GR Regional office shall be informed of and offered the following available accommodations:

- .a Home application.
- .b Phone interview.
- .c Appointments for interviews at any SSA Regional office or at other community location.

### **.8 APPLICATION PROCESS**

An application consists of a written request for GR on the appropriate GR application form. No aid may be approved without the appropriate written Application for GR, Statement of Facts Supporting Eligibility, Repayment Agreement, any other forms required by Agency procedures.

As part of the application process, the County will review the GR Responsibilities and Requirements Agreement with the client. The applicant shall sign the Responsibilities and Requirements Agreement form and the applicant will be provided with a copy of the agreement.

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**.8 APPLICATION PROCESS (cont'd)**

All applicants who are denied assistance will be provided a written denial NOA which includes the reason for denial, the appropriate GR regulation sections and appeal rights. See Section 110.1.

All applicants/recipients have the right to self-determination and may request withdrawal or denial of benefits. When an act of non-cooperation precedes this request or follows a written agreement to cooperate, without good cause, all applicable sanctions for failure to comply with GR regulations, policies and/or procedures or for misrepresenting material facts to the Agency shall be imposed.

**.9 PROMPTNESS**

It is the goal of the Agency to take action on each application at the earliest opportunity. However, if the applicant's shelter needs are not of an emergent nature, issuance of aid may be delayed until the verifications necessary to determine eligibility are provided by the applicant.

Every application shall be evaluated to determine whether GR-IN aid payment is needed. See Section 80.2.

**.10 EFFECTIVE DATE OF AID**

The beginning date of aid (BDA) shall not precede the date of application. Aid shall begin on the date of application, or the date on which the applicant meets all eligibility conditions, whichever is later. "The date of application" means the date on which the county receives a signed and dated application.

Aid shall be granted for a specified period of time. At the conclusion of the eligibility period, no further aid shall be issued until the redetermination has been completed and ongoing eligibility has been verified.

**.11 REPORTING**

When GR has been approved and the recipient is in need of continued assistance, a monthly (for Employables) or quarterly (for Incapacitated/CE) report/contact to account for the income, needs and other factors of eligibility is required prior to authorization of additional assistance. Changes are to be reported within ten (10) calendar days of their occurrence.

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**.12 REDETERMINATIONS**

A redetermination of continuing eligibility will be conducted as often as necessary, but not less than every six (6) months.

As a part of the redetermination process the recipient shall complete a Statement of Facts Supporting Eligibility, a Repayment Agreement and any other forms required by Agency procedure. All eligibility factors shall be verified and documented to ensure that continuing eligibility exists.

The County will review the GR Responsibilities and Requirements Agreement with the client. The recipient shall sign the Responsibilities and Requirements Agreement form and the recipient will be provided with a copy of the agreement.

Aid shall be denied to anyone who has been determined to be ineligible or who has failed to cooperate with the redetermination. Aid shall be approved for a specified period of time for those who are eligible and cooperating with program requirements.

**.13 PROGRAM INTEGRITY**

**.a Deleted effective 07-01-2018**

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**.13 PROGRAM INTEGRITY (cont'd)**

**.b OFFICE SAFETY**

The County will not tolerate violent or destructive behavior in any Social Services office/property or any other location associated with the GR Program such as CF E&T/GRWP work sites. It is vital that order be maintained to ensure the safety of both GR applicants/recipients and employees. All acts of violence, destructive or threatening behavior in connection with the GR Program are prohibited. Any violation of this prohibition may result in an imposition of applicable sanctions.

Violent behavior consists of but is not limited to:

- (1) Striking or otherwise harming another person.
- (2) Threatening or attempting to strike or otherwise harm another person.
- (3) Spitting or urinating on another person.
- (4) Damaging property that does not belong to the applicant/recipient.
- (5) Threatening or attempting to damage property that does not belong to the GR applicant/recipient.
- (6) Making a bomb threat.

Use of profane language is not in and of itself considered violence unless it is combined with threatening behavior.

**.14 GOOD CAUSE DETERMINATION**

Good cause will be evaluated and determined anytime an individual is non-compliant with eligibility and program requirements, including those of the MRT and CF E&T/GRWP.

In determining good cause, a violation will not be considered willful or negligent if the applicant or recipient claims that his or her failure to comply with program requirements was the result of his or her disability, or the disability was a significant factor causing the failure to comply. In all cases in which the applicant or recipient makes such a claim that his or her failure to comply with eligibility and program requirements, including those of the MRT and CF E&T/GRWP was the result of his or her disability, or if SSA has reason to believe that an applicant or recipient's disability was a significant factor in causing the failure to comply, then SSA will investigate and determine whether the disability was a significant factor causing the failure to comply.