

## **GUIDELINES FOR THE POLK COUNTY COMMISSION OF VETERAN AFFAIRS**

Polk County Commission of Veteran Affairs shall provide assistance to an individual that is a veteran, veteran spouse, veteran widow or widower or veterans dependent children not over eighteen years of age; and indigent.

### **I. ELIGIBILITY**

1. Veteran is defined by Iowa Code Section 35.1.

Iowa Code Section 35.1 paragraph 2 provides:

a. "Veteran" means a resident of this state who served in the armed forces of the United States at any time during the following dates and who was discharged under honorable conditions:

(1) World War I from April 6, 1917, through November 11, 1918.

(2) Occupation of Germany from November 12, 1918, through July 11, 1923.

(3) American expeditionary forces in Siberia from November 12, 1918, through April 30, 1920.

(4) Second Haitian suppression of insurrections from 1919 through 1920.

(5) Second Nicaragua campaign with marines or navy in Nicaragua or on combatant ships from 1926 through 1933.

(6) Yangtze service with navy and marines in Shanghai or in the Yangtze valley from 1926 through 1927 and 1930 through 1932.

(7) China service with navy and marines from 1937 through 1939.

(8) World War II from December 7, 1941, through December 31, 1946.

(9) Korean Conflict from June 25, 1950, through January 31, 1955.

(10) Vietnam Conflict from February 28, 1961, through May 7, 1975.

(11) Lebanon or Grenada service from August 24, 1982, through July 31, 1984.

(12) Panama service from December 20, 1989, through January 31, 1990.

(13) Persian Gulf Conflict from August 2, 1990, through the date the president or the Congress of the United States declares a cessation of hostilities. However, if the United States Congress enacts a date

different from August 2, 1990, as the beginning of the Persian Gulf Conflict for purposes of determining whether a veteran is entitled to receive military benefits as a veteran of the Persian Gulf Conflict, that date shall be substituted for August 2, 1990.

b. "Veteran" includes the following persons:

(1) Former members of the reserve forces of the United States who served at least twenty years in the reserve forces and who were discharged under honorable conditions. However, a member of the reserve forces of the United States who completed a minimum aggregate of ninety days of active federal service, other than training, and was discharged under honorable conditions, or was retired under Title X of the United States Code shall be included as a veteran.

(2) Former members of the Iowa National Guard who served at least twenty years in the Iowa National Guard and who were discharged under honorable conditions. However, a member of the Iowa National Guard who was activated for federal duty, other than training, for a minimum aggregate of ninety days, and was discharged under honorable conditions or was retired under Title X of the United States Code shall be included as a veteran.

(3) Former members of the active, oceangoing merchant marines who served during World War II at any time between December 7, 1941, and December 31, 1946, both dates inclusive, who were discharged under honorable conditions.

(4) Former members of the women's air force service pilots and other persons who have been conferred veterans' status based on their civilian duties during World War II in accordance with federal Pub. L. No. 95-202, 38 U.S.C. § 106.

(5) Former members of the armed forces of the United States if any portion of their term of enlistment would have occurred within the time period specified in paragraph "a", subparagraph (9), but who instead opted to serve five years in the reserve forces of the United States, as allowed by federal law, and who were discharged under honorable conditions.

(6) Members of the reserve forces of the United States who have served at least twenty years in the reserve forces and who continue to serve in the reserve forces.

(7) Members of the Iowa National Guard who have served at least twenty years in the Iowa National Guard and who continue to serve in The Iowa National Guard.

c. A resident of this state who served on active federal service, other than training, in the armed forces of the United States and who was discharged under honorable conditions.

2. Indigence is determined when the income plus assets of the "veteran" are exceeded by the allowable expenses as determined by the Polk County Commission on Veteran Affairs.

## II. DOCUMENTS REQUIRED

Prior to assistance being granted by this office, the following documents shall be provided:

1. Fully completed application for benefits.
2. Military discharge or separation documents.
3. Certificate of marriage (if applicable) or verification of common law marriage.
4. Child(ren)'s birth certificates(s) or adoption documents, if applicable, for dependents not over 18 years of age.
5. Social Security card and some form of positive picture identification. (Amended 11/14/02)
6. Physician's statements; notices from Job Service; Notice of Decision from Food Stamp Office; any other documents as required by the sections which follow. (Amended 11/30/04)
7. Appropriate releases for medical, financial, employment and/or public assistance records, if requested. (Amended 4/6/92; 8/23/00)

## III. DEFINITIONS

### 1. ASSETS

(a) Assets shall consist of checking and savings accounts, real property, investments and trusts and cannot exceed \$5,600.00. The value of personal residence, life insurance and automobile shall be excluded. (Amended 11/14/02, 1/30/06)

(b) Assets include those listed in the previous section which are owned either solely or jointly by either the applicant or by the applicant's spouse.

2. INCOME - To be used for budget purposes only. Income of the Veteran, Veterans spouse and/or any adult living with the

veteran will be used to determine eligibility. Income includes wages, salary, unemployment compensation, worker's compensation, disability insurance, layoff, strike, VA Pension, VA compensation, social security benefits, IPERS, retirement benefits, child support, alimony, annuity, investment & savings income from any source, food stamps, FIP, college income grants, scholarships, loans, GI bill and all other income as determined by the Polk County Commission on Veteran Affairs. (Amended 10/21/93, 12/18/00)

3. EXPENSES - Monetary payments made to benefit eligible persons by the veteran or the veteran's spouse or surviving spouse for shelter, food, personal care items, utilities, transportation, car insurance, medical or health care expenses, child care, school lunches, child support payments of the veteran, basic telephone service that has been deemed medically necessary and real estate taxes apportioned on a monthly basis. Expenses allowed for food, and personal care items in determining the applicant's monthly expenses shall be limited to the amounts currently allowed in these guidelines for those items based on the size of the family. (Amended 12/21/91; 8/23/00)

4. FISCAL YEAR - A year shall be considered the twelve-month period commencing the first day of December of any year to November 30 of the following year.

IV. ADMINISTRATION:

1. The director or administrator of Veteran Affairs is responsible for the administration and delivery of services described in these policies. (Amended 01/30/06; 07/01/10)

V. CONDITIONS FOR ASSISTANCE:

1. The veteran or veteran's spouse or the widow or widower of a veteran or former spouse or parent or guardian of a veteran's dependent children not over the eighteen years of age living in the home shall make application in person to the Office of Veteran Affairs unless disabled or unable to do so for a documented legitimate reason.

2. In all cases, it shall be necessary for the veteran representative to prepare an income and expense statement and a statement of personal assets to determine if the applicant qualifies for assistance.

3. Temporary and extended financial assistance shall be provided only for those items identified below. Assistance shall in no case be allowed in an amount greater than that set forth in these guidelines or any amendments thereto. (Amended 4/6/92)

4. Temporary financial assistance may be provided for up to three (3) months per fiscal year for any veteran or eligible member of the veteran's family. (Amended 11/16/11, 2/14/13, 10/1/15)

5. Extended financial assistance may be provided to veterans who are disabled and have applied for state and federal disability benefits and otherwise qualify under these guidelines. This assistance may continue until all other benefits the veteran has applied for are received or denied. The veteran then reverts back to the limitation on temporary financial assistance as set out above. (Amended 12/18/00; 11/14/02; 12/11/03, 11/30/04, 01/30/06, 11/16/11)

6. If the qualified veteran is married, it will be necessary for the veteran and the spouse to actively seek employment unless it can be shown that the veteran's or spouse's presence is required in the home to care for the veteran or the spouse or the veteran's minor children not over eighteen years of age, or unless the veteran or the spouse is disabled and unable to work. A veteran or spouse claiming disability shall provide a letter from the attending physician verifying the disability and inability to work. (Amended 11/14/02)

7. All unemployed veterans and spouses applying for assistance shall be required to register for employment at Iowa Workforce Development, unless they document that their presence is required at home as set out in Section V-6 above. (Amended 8/23/00; 11/30/04, 01/30/06; 07/01/10)

8. Veterans and their spouses shall be required to apply for assistance from the Food Stamp Program with the following exception: Persons living in a mission or a facility where the room and board are combined in one rate shall not be required to apply for assistance from the Food Stamp Program while residing in that facility. The veteran or spouse must bring a Notice of Decision from the Food Stamp Office. (Amended 8/28/91; 4/6/92; 11/14/02; 11/30/04; 11/20/06)

9. Any applicant found to be using fraudulent means or attempts to use fraudulent means to apply for or receive financial assistance from the Commission of Veteran Affairs shall be prohibited from receiving any further assistance for a period of two years to be determined by the Commission. (Amended 2/27/97; 8/23/00; 11/14/02)

10. Any applicant who is denied assistance by the director shall be informed that the applicant has a right to request a hearing before the Commission of Veteran Affairs for the purpose of reviewing the applicant and eligibility. The Commission of Veteran Affairs has the final determination on assistance if within the Code of Iowa. (Amended 11/14/02, 01/30/06)

11. No cash or warrants shall be granted to the applicant or to any person eligible for assistance.

**IV. TYPES AND LEVELS OF ASSISTANCE:**

A BUDGET SHALL BE RUN ON EACH CASE TO DETERMINE THE AMOUNT OF HELP, BUT IN NO CASE CAN IT BE MORE THAN AS FOLLOWS, UNLESS APPROVED BY THE COMMISSION OF VETERAN AFFAIRS.

1. Food assistance (includes "Personal Care Items"). Temporary financial assistance may be provided to qualified applicants up to the amounts shown below the indicated time periods.

	<u>Weekly</u>	<u>Monthly</u>
Single Person	\$ 50.00	\$200.00
Two Persons	\$ 92.00	\$367.00
Three Persons	\$132.00	\$526.00
Four Persons	\$167.00	\$668.00
Five Persons	\$199.00	\$793.00
Six Persons	\$238.00	\$952.00

Add \$25 per week for each additional child of the veteran not over eighteen years of age living in the home. (Amended 3/17/94; 11/30/04, 01/30/06; 11/20/06; 12/11/08; 07/01/10)

2. Temporary financial assistance may be provided to qualified applicants receiving food stamps to use for personal care items up to the amount shown below.

	<u>Monthly</u>
One Person	\$50.00
Two Persons	\$60.00
Three Persons	\$70.00

Add \$10 per month for each additional child of the veteran not over eighteen years of age living in the home. (Amended 8/23/00; 11/30/04, 01/30/06; 11/20/06; 11/10/2016)

IN ALL CASES THE VETERAN OR THE VETERAN'S SPOUSE MUST SIGN UP FOR FOOD STAMPS AND PROVIDE PROOF OF ELIGIBILITY BY DEPARTMENT OF HUMAN SERVICE. (AMENDED 11/14/02; 11/20/06)

3. Shelter assistance. Temporary financial assistance may be provided to qualified applicants up to the maximum amounts shown below for the indicated time periods. (Amended 01/16/97, 12/18/00, 11/14/02; 11/30/04, 01/30/06; 11/10/2016)

Single person	\$650.00 per month
Married or family	\$900.00 per month

4. Utility assistance. Temporary financial assistance may be provided to a qualified applicant. The amount shown below:

a. Assistance for utilities shall be granted for the then current monthly utilities only, plus  $\frac{1}{4}$  (one-fourth) of the arrears. Up to  $\frac{1}{4}$  (one-fourth) of arrears may be paid only once annually. (Amended 8/28/91, 01/30/06)

b. Assistance shall be granted only for utilities listed in the veteran's name or in the name of the veteran's spouse. (Amended 4/6/92)

c. Assistance of a one-time payment of \$250.00 may be issued once upon proof of consistent utility payments during the moratorium. (Amended 11/10/2016)

5. Transportation assistance. Indigent local medical transportation assistance may be granted by issuing DART bus tokens/pass and/or Greyhound bus ticket. Emergency medical transportation assistance may be provided to an eligible person, for the purpose of receiving emergency medical care at the University of Iowa Hospitals and Clinics or at the V.A. Medical Centers at Iowa City or Knoxville. A voucher to a local vendor shall be used for such assistance. (Amended 8/28/91, 2/17/94, 12/18/00; 11/14/02; 09/14/05; 11/10/2016)

6. Medical assistance. Assistance shall be allowed for prescription medications, sensory aids, medical equipment and supplies for an eligible person. Other medical programs providing these services shall be utilized prior to the Commission authorizing assistance for these items. Eye care may be allowed, but only by utilizing a program authorized by the Commission of Veteran Affairs. (Amended 12/18/00, 01/30/06)

7. Funeral expenses. Funeral expenses up to a maximum of \$2,000.00 shall be allowed on behalf of an otherwise qualified veteran, spouse or minor child not over eighteen years of age. Any assistance shall be paid directly to the funeral home, mortuary or funeral director for funeral cost. Any assistance provided for funeral expenses shall not affect the number of month's eligibility for temporary financial assistance for food, shelter, and utilities. (Amended 4/6/92;10/19/92; 6/20/96; 7/20/98; 8/8/00; 11/14/02; 09/14/05)

8. Markers for graves. The Commission may furnish a suitable and appropriate metal marker at a cost not exceeding the amount set by the Code of Iowa for the grave of each honorably discharged veteran.

9. Veteran in the jail or municipal holding facility may request a visit from a veteran service officer. As used in this section, "veteran" means a person who was a member of the regular component of the armed forces of the United States, National Guard, or reserves.

10. The duties of the executive director, administrator, and employees shall include all of the following:

a. Inform members of the armed forces, veterans, and their dependents of all federal, state, and local laws enacted for their benefit.

b. Assist all residents of the state who served in the armed forces of the United States and their relatives, beneficiaries, and dependents in receiving from the United States and this state any and all compensation, pensions, hospitalization, insurance, education, employment pay and gratuities, loan guarantees, or any other aid or benefit to which they may be entitled under any law.



Effective date 10th day of November 2016.

These guidelines for the Polk County Commission of Veterans

Affairs are adopted this 10<sup>th</sup> day of November, 2016.

2:09pm.  
Time

Signed:

  
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Tim Krum, Chair

  
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Victoria Palmer, Member

  
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Mike Scione, Member