Family Independence
An Office of the
Department of Health and Human Services
Paul R. LePage, Governor Mary C. Mayhew, Commissioner

Department of Health and Human Services
Family Independence
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Date: July 1, 2013

To: Maine General Assistance Administrators

From: David Maclean, General Assistance Program Manager

RE: Recent Legislative Changes

As you are probably aware a budget is enacted and will be effective as of Monday, July 1, 2013. What are these changes and what do they mean for us?

Established a maximum level of assistance – Provides a new formula for determining the overall maximum for the period of July 1, 2013-June 30, 3014 and July 1, 2014 – June 30, 2015. (See attached appendix A).

Established the reimbursement formula of the tribes – Provides a formula for determining reimbursement for the Indian Tribes.

Makes fugitives from justice ineligible - self explanatory

Eliminated eligibility for those ineligible for unemployment due to fraud – someone who has committed unemployment fraud would be ineligible for General Assistance to replace the lost unemployment benefits.

Allows Circuit-breaker/Tax Fairness Credit to be counted as income for eligibility – The Circuit-breaker program has gone away and is being replaced by the Tax Fairness Credit, which will be countable as income for General Assistance, unless used for basic necessities.

Pro-rata share of household calculations of benefits – Currently to figure pro-rata, when one member of the household is Disqualified, we would decrease the number in the household by one and recalculate the overall maximum and the category maximums to reflect the reduced household size. We will now be keeping the overall maximum and category maximum at the same level but reducing that amount by the share of the disqualified person

Example: Household of four. One member is disqualified for 120 days for committing fraud. They have no income and are requesting help with their $500 a month rent. The overall maximum for a household of four is $800. Only three quarters of the household is eligible to receive assistance so therefore the overall maximum would be ¾ of $800 = $600. They would qualify for ¾ of the rental expense, their rental eligibility would be ¾ of $500 = $375.00.

Restricted the use of lump sum payments for eligibility – Disregards from the lump sum would include anything that was spent of basic needs. It also removed the 150% of the Federal Poverty Level as a way to pro rate the lump sum. Lump sums will now be pro-rated at actual costs for basic needs.

Enclosed please find Appendices A, B, C, D, and E. Appendix A will take effect on July 1, 2013 – June 30, 2014, Appendices B-E will take effect on October 1, 2013-September 30, 2014. Kate Dufour with MMA, checked with MMA attorneys and found that at the public hearing will be accepting Appendix A, you will also be able to accept the other Appendices. You will just have to state that these will not take effect until October 1, 2013. Just remember not to start using Appendices B-E until October 30th, (actually the only one that changed is Appendices C).

Also enclosed, is the summary schedule and two Appendices adoption forms. (one for A and one for B-E)

The Adoption Process

The **municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices ***after notice and hearing***. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;

2) End public discussion, close the hearing; and

3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site www.memun.org)*. In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS has made it easier by enclosing a self-addressed envelope for your use. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

We will forward to you, copies of the revised Statute and Policy that cover the changes once they have been published.

GENERAL ASSISTANCE ORDINANCE

The Municipality of _____ enacts the following General Assistance Ordinance. This Ordinance is filed with the Department of Health & Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the _____ day of _____, _____, by the municipal officers:
(day) (month) (year)

_____ (Print Name)	_____ (Signature)
_____ (Print Name)	_____ (Signature)
_____ (Print Name)	_____ (Signature)
_____ (Print Name)	_____ (Signature)
_____ (Print Name)	_____ (Signature)
_____ (Print Name)	_____ (Signature)