



ORDINANCE

AMENDING WELFARE DEPARTMENT GENERAL ASSISTANCE GUIDELINES

CITY OF NASHUA

In the Year Two Thousand and Fourteen

The City of Nashua ordains that Part II "General Legislation", Appendix, Chapter A400 "General Assistance Guidelines" of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding the following new underlined language:

1. In Section A400-9 "Determination of eligibility and amount", subsection C. (5):
 - “(5) Eligibility for other categorical assistance. Applicants or recipients whom the Welfare Official believes may be eligible for any other form of public assistance must apply for such assistance no later than seven days after being advised to do so by the Welfare Official. Failure to do so may render the applicant or recipient ineligible for assistance. Applicants who are receiving Aid to Permanently & Totally Disabled (APTD) or Old Age Assistance (OAA) are not eligible to receive General Assistance except for medical and surgical assistance (RSA 167:27).”

2. In Section A400-12 "Burials":

“City Welfare will assist with the burial costs when there is prior authorization by the Welfare Officer and after attempts to find relatives or other parties responsible for payment have failed. In order to be considered for funeral assistance, a family member must appear in person at the Welfare Office and apply for assistance of the deceased prior to the funeral and burial. The Welfare Official will make a determination for assistance based on the relative’s income and liabilities. If determined eligible for assistance, the funeral may consist of cremation or burial in the City of Nashua cemetery. Payment for burial from the Welfare Office is limited to ~~\$1,000.00~~\$750.00 where the total cost does not exceed \$1,000.00 (RSA 165:27-a. I). Resources from the Department of Health and Human Services, Social Security or other sources as per RSA 165:3 will be applied toward reduction of the Welfare Department cost.”

3. In Section A400-13 "Notice of action", subsection C (6):

"(6) Suspension Period. The suspension period for failure to comply with the guideline requirements shall last:

(a) Either seven days, or 14 days if the recipient has had a prior suspension which ended within the past six (6) months, and

~~1.~~(b) Until the recipient complies with the Guidelines if the recipient, upon the expiration of the seven- or fourteen-day suspension period, continues to fail to carry out the specific actions set forth in this notice.

~~2.~~(c) Notwithstanding paragraph (b) above, a recipient who has been suspended for non-compliance for at least six (6) months may file a new application for assistance without coming back into compliance.

~~3.~~(d) ~~Applicants who file false information or omit information in an attempt to become eligible for assistance may be suspended for six (6) to twelve (12) months and will be required to establish a repayment plan for any assistance given before any further assistance is granted."~~

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This legislation shall take effect following its passage.

LEGISLATIVE YEAR 2014

ORDINANCE: O-14-009

PURPOSE: Amending Welfare Department General Assistance Guidelines

ENDORSERS: Alderman-at-Large Lori Wilshire

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: Unknown

ANALYSIS

This legislation amends portions of the Welfare Department's General Assistance Guidelines. The amendment to Section A400-9 "Determination of eligibility and amount", subsection C. (5) removes the automatic disqualification for assistance for those who receive aid to permanently and totally disabled (APTD) and old age assistance (OAA). A recent change to state law removes the mandatory disqualification previously required when a person was receiving APTD or OAA. The amendment to Section A400-12 "Burials" reduces the maximum payment for burials from \$1,000 to \$750. The final amendment to Section A400-13 "Notice of action", subsection C. (6) deletes the provision permitting six to twelve month suspensions for applicant who provides false information and a requirement that a payment plan be established for any assistance received as a result of the false information. A similar provision in Manchester was found to conflict with state law and rejected by the Supreme Court.

Approved as to form: Office of Corporation Counsel

By: 

Date: January 24, 2014