

Benefits for Households without Minor Children + Emergency Assistance Programs

Poverty Law 1 - Fall 2023
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Benefit Programs for Households without Minor Children

1. General Assistance (GA) - Minn. Stat. § 256D, Minn. R. 9500
2. Minnesota Supplemental Aid (MSA) - Minn. Stat. § 256D
- ~~3. Housing Supports fka Group Residential Housing - Minn. Stat. § 256I~~

Emergency Cash Assistance Programs

1. Emergency Assistance
2. Emergency General Assistance

General Assistance (GA)

The General Assistance is available to:

1. Single adults
2. Married adult couples without children
3. Minor children not living with a blood relative

Minn. Stat. § 256D. 01

GA Assistance Standards - Minn. R. 9500.1231

<u>Household</u>	<u>Assistance Standard</u>
A single childless adult who does not reside with their parents	\$203
A single childless adult who lives with their parents	\$187
Childless* married couple who live together	\$260
Childless, married adult who lives with an eligible spouse	\$73
Person living in a licensed residential facility	\$102
Minor child not living with a blood relative	\$250

*Do not have minor children or living away from minor children.

GA Assistance Standards - Legislative Changes

- The Standard (for all households) will increase to \$350/month effective October 1, 2024
- The standard will be adjusted based on the consumer price index each year starting in October 2025.

General Assistance: Income and Asset Limits

- Income limit = assistance standard
- Asset limit = \$10,000 in personal property
 - Minn. Stat. 256P. 01, subd. 3

General Assistance: Income and Asset Limits

- Income and Assets calculations are determined using Minn. Stat. 256P
 - Earned Income Disregard - Minn. Stat. § 256P.03
 - Income inclusions/calculations - Minn. Stat. § 256P. 06
 - Personal Property Limitations - Minn. Stat. § 256P.02, subd. 3, Minn. Stat. § 256P.02, subd. 3 (vehicles)

Eligibility Categories - Minn. Stat. § 256D.05, subd. 1

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Adult Eligibility Categories - Minn. Stat. § 256D.05, subd. 1

- unable to work due to a medically-certified **illness or injury** lasting more than 45 days;
- **needed in the home** to care for an ill or disabled household member;
- in a **rehabilitation facility** for treatment of a physical or mental impairment or **Drug Addiction or Alcoholism (DAA)**, *if* the county has approved the placement;
- rendered unemployable because of a **developmental disability or mental illness**;
- **applying for** or **appealing a** denial or termination of SSI or SSDI, *with* medical documentation of an inability to work for 30 days or more;
- **55 or older** (of “advanced age”) *and* significantly limited in the ability to work;
- assessed by a vocational specialist as **“unemployable”**;
- diagnosed with a **learning disability**, *if* following a county-approved rehabilitation plan;
- enrolled as a full-time student *and* eligible for **displaced homemaker services**;
- involved with protective or **court-ordered services** precluding work at least 4 hours per day;
- having a first **language other than English** *and* **in high school** at least half-time; or
- disabled by **DAA**, *if* following an assessor’s recommendation regarding treatment.

MINN. STAT. § 256D.05, subd. 1(a).

Minor Child Eligibility Categories - Minn. Stat. § 256D.05, subd. 1

- “a child under the age of 18 who is not living with a parent, stepparent, or legal custodian, and only if: the child is legally emancipated **or** living with an adult with the consent of an agency acting as a legal custodian **and** the child is at least 16 years of age.”

Minn. Stat. 256D.05, subd. 1(a)(9).

Other Eligibility Requirements

- GA beneficiaries **must**
 - Cooperate with the county to determine if the beneficiary is eligible for other income maintenance programs; and
 - Apply for other income maintenance programs they be eligible for; and
 - Sign an interim assistance agreement; and
 - If later found eligible for another income maintenance program covering the same period, reimburse the county for GA benefits received.
- Minn. Stat. §§ 256D.05, subd. 1(b); 256D.06, subd. 5; Minn. R. § 9500.1245

Interim Assistance Agreement

For SSL: <https://edocs.dhs.state.mn.us/lfservlet/Public/DHS-1795-ENG>

For non-SSL: <https://edocs.dhs.state.mn.us/lfservlet/Public/DHS-1795A-ENG>

Other Eligibility Issues

- Previous eligibility rules related to convictions for a drug offense no longer apply
 - **Old Rule:** Applicants convicted of particular **drug offenses** after 7/1/97 are ineligible for GA until 5 years after completion of their court-ordered sentence.
 - **Exception:** Applicant may become eligible during the 5 years by participating in drug treatment, successfully completing treatment, or having an assessment to determine if they need treatment.
 - Those who become eligible during the 5-year period are subject to random drug-testing.
 - They lose eligibility for 5 years beginning any month they test positive for an “illegal controlled substance” or are convicted of another drug felony.
 - Minn. Stat. § 256D.024, subd. 1 (2020).
 - **New Rule:** “An individual who has been convicted of a felony level drug offense during the previous 10 years from the date of application or recertification may be subject to random drug testing.”
- “Fleeing felons” and parole violators are ineligible for GA.
 - Minn. Stat. § 256D.024, subsd. 2, 3.

Minnesota Supplemental Aid (MSA)

Minnesota Supplemental Aid (MSA)

- A **cash** benefit to:
 - adults
 - who are aged, blind, or disabled and
 - are either getting Supplemental Security Income (SSI), or
 - would be eligible for SSI except that they have too much income or assets.

MSA Income and Asset Limits

	Gross Income Limit	Asset Limit
Individual w/ SSI	\$2,523	\$2,000
Individual w/o SSI	\$2,523	\$10,000
Eligible couple w/ SSI	\$5,046	\$3,000
Eligible couple w/o SSI	\$5,046	\$10,000

MSA Benefit Calculation for SSI Recipients

MSA Assistance Standard

+ Special Needs Expense

+ MSA Housing Assistance

- (SSI FBA - \$20)

= MSA Grant

MSA Benefit Calculation for SSI Recipients

MSA Assistance Standard

+ Special Needs Expense

+ MSA Housing Assistance

- (SSI FBA - \$20)

= MSA Grant

MSA Assistance Standards

- The MSA assistance standard is the minimum amount of money the state has determined someone needs to pay their basic expenses.
 - Single and living alone = \$975/month.
 - Single and live with others = \$702/month.
 - Eligible couple who live on your own = \$1,462/month.
 - Eligible couple who live with others = \$978/month.
 - Living in certain residential facilities = \$121/month

See Minn. Stat. 256D.44

[CM 0020.21 - MSA Assistance Standards](#)

Living Alone

- “does not reside with another person or persons”
- A person who shares a residence with another person or persons is considered to “live alone” if :
 - The person receives a **home and community-based services waiver** OR
 - The person is eligible for **MSA housing assistance** OR
 - Is subject to an individual written lease or rental agreement AND purchases, prepares and eats meals separately from others in the household AND has exclusive use of part of the residence (such as a bedroom).
 - [DHS CM 02.21 - MSA Assistance Standards](#)
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MSA Benefit Calculation for SSI Recipients

MSA Assistance Standard

+ **Special Needs Expense**

+ MSA Housing Assistance

- (SSI FBA - \$20)

= MSA Grant

MSA Benefits - Special Needs Expense

- Medically prescribed diets (\$37.50 - \$312.50/month)
- Representative payee fee (\$25/month)
- Guardian or conservator fees (\$100/month)
- Home repairs and furniture replacement

Minn. Stat. 256D.44, Subd. 5

MSA Benefit Calculation for SSI Recipients

$$\begin{aligned} &\text{MSA Assistance Standard} \\ &+ \text{Special Needs Expense} \\ &+ \textbf{MSA Housing Assistance} \\ &- (\text{SSI FBA} - \$20) \\ &= \text{MSA Grant} \end{aligned}$$

MSA Housing Assistance

To get MSA Housing Assistance, you must be in one of these situations:

- Eligible for Medical Assistance (MA) personal care assistance (PCA) services
- Living in your own home or apartment and getting services through an MA-Waiver program, or
- Moving out of an institution, intensive residential mental health treatment program, or Housing Support (formerly GRH) setting and into a location in the community, such as your own home or apartment.

Minn. Stat. 256D.44, subd. 5(g)(1) - (3)

MSA Housing Assistance

- Must have total housing costs that are more than **40 percent** of a households total gross income
- Recipient of a federal or state housing subsidy recipient of a federal or state housing subsidy, that **limits shelter costs to a percentage of gross income** are **not eligible**.

MSA Housing Assistance = \$457

DHS CM 0023.24 - MSA Housing Assistance

MSA Benefit Calculation for SSI Recipients

MSA Assistance Standard

+ Special Needs Expense

+ MSA Housing Assistance

- **(SSI FBA - \$20)**

= MSA Grant

Federal Benefit Amount (FBA)

- Monthly maximum SSI benefit amount
- Subject to an annual cost-of-living-adjustment (COLA)

- FBA (2023)
 - Single = \$914
 - Eligible couple = \$1,371

Income Disregard

“The county agency shall disregard the first \$20 of the assistance unit's unearned or earned income.”

- Minn. Stat. 256D.435, subd. 5

MSA Benefit Calculation

SSI Recipients

MSA Assistance Standard

+ Special Needs Expense

+ MSA Housing Assistance

- **(SSI FBA - \$20)**

= MSA Grant

Non-SSI Recipients

MSA Assistance Standard

+ Special Needs Expense

+ MSA Housing Assistance

- **Countable income**

= MSA Grant

MSA Benefit Calculation for Non- SSI Recipients

MSA Assistance Standard

+ Special Needs Expense

+ MSA Housing Assistance

- **Countable income applying Minn. Stat. 256P**

= MSA Grant

Minnesota Supplemental Aid Calculation Examples

SSI Recipients

Lori lives alone. She receive \$914 in SSI/month. How much will she receive in MSA?

MSA Assistance Standard
+ Special Needs Expense
+ MSA Housing Assistance
- (SSI FBA - \$20)
= MSA Grant

Minnesota Supplemental Aid Calculation Examples

SSI Recipients

Lori lives alone. She is single. She receive \$914 in SSI/month. How much will she receive in MSA?

Single and living alone = **\$975/month**
(MSA Assistance Standard)

+ **\$0** (Special Needs Expense)

+ **\$0** (MSA Housing Assistance)

- **(\$914 - \$20)**

= **\$81 MSA Grant**

Minnesota Supplemental Aid Calculation Examples

SSI Recipients

Lori lives alone. She is single. She receive \$131 in SSI. She has \$783 in other countable income. How much will she receive in MSA?

MSA Assistance Standard
+ Special Needs Expense
+ MSA Housing Assistance
- (SSI FBA - \$20)
= MSA Grant

Minnesota Supplemental Aid Calculation Examples

Lori lives alone. She is single. She receive \$131 in SSI. She has \$783 in other countable income. How much will she receive in MSA?

SSI Recipients

Single and living alone = **\$975/month** (MSA Assistance Standard)

+ **\$0** (Special Needs Expense)

+ **\$0** (MSA Housing Assistance)

- **(\$914 - \$20)**

= **\$81 MSA Grant**

Minnesota Supplemental Aid Calculation Examples

Non-SSI Recipients

MSA Assistance Standard

+ Special Needs Expense

+ MSA Housing Assistance

- **Countable income**

Lori lives alone. She is single. She receive \$950 in SSDI per month. She has no other income. How much will she receive in MSA?

Minnesota Supplemental Aid Calculation Examples

Lori lives alone. She is single. She receive \$950 in SSDI per month. She has no other income. How much will she receive in MSA?

Non-SSI Recipients

Single and living alone = **\$975/month** (MSA Assistance Standard)

+ **\$0** (Special Needs Expense)

+ **\$0** (MSA Housing Assistance)

- (**\$950 - \$20**) countable income

= **\$45 MSA Grant**

Minnesota Supplemental Aid Calculation Hypo

- Jack is disabled. He lives on his own and is single. He receives \$1000 in SSDI benefits. He has medical assistance and receives PCA services. Is he eligible for MSA? How much will he receive?
- What else would you want to know from Jack to make sure he receives the maximum amount of MSA available to him?

Minnesota Supplemental Aid Calculation Examples

Jack is disabled. He lives on his own and is single. He receives \$1000 in SSDI benefits. He has medical assistance and receives PCA services. Is he eligible for MSA? How much will he receive?

Non-SSI Recipients

Single and living alone = **\$975/month** (MSA Assistance Standard)

+ **\$0** (Special Needs Expense)

+ **\$0** (MSA Housing Assistance)

- (**\$1,000 - \$20**) countable income

= **???**

MSA Benefit Calculator

https://mn.db101.org/mn/programs/income_support/msa/program2a.htm

Emergency Cash Assistance Programs

Emergency Cash Assistance Programs - EA

- **Emergency Assistance (EA)**
 - Households with minor children or a pregnant woman
 - Funded through the state's "Consolidated Fund" - Minn. Stat. § 256J.626
 - Each County has its own EA plan
 - Federal and State Funded
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- **Emergency General Assistance (EGA)** - Minn. Stat. § 256D.06, subd.2
 - Households without minor children
 - State funded and sometimes county funded
 - Each County has its own EGA plan but must follow the requirements in the statute

Emergency Cash Assistance Programs EA/EGA

- For both EA and EGA the issuances of the benefit **must** resolve the emergency.

Emergency Cash Assistance Programs - EA

Common Components of EA Policies

- Limits on how often EA may be accessed
 - Once every 12 months
 - Once every 18 months
 - Once in a lifetime
- The assistance must resolve the emergency and not delay it
- The assistance must be “cost effective.”
- Limits on the Emergency that will be covered
 - Usually housing and/or utilities
- The amount of EA that may be issued
- Look-back period

Emergency Cash Assistance Programs

Statutory Requirements of an EGA policies - Minn. Stat. 256D.06, subd 2

- (a) Notwithstanding the provisions of subdivision 1, a grant of emergency general assistance shall, to the extent funds are available, be made to an eligible single adult, married couple, or family for an emergency need where the recipient requests temporary assistance not exceeding 30 days if an emergency situation appears to exist under written criteria adopted by the county agency. If an applicant or recipient relates facts to the county agency which may be sufficient to constitute an emergency situation, the county agency shall, to the extent funds are available, advise the person of the procedure for applying for assistance according to this subdivision.
- (b) The applicant must be ineligible for assistance under chapter 256J, must have annual net income no greater than 200 percent of the federal poverty guidelines for the previous calendar year, and may receive an emergency assistance grant not more than once in any 12-month period.
- (c) Funding for an emergency general assistance program is limited to the appropriation. Each fiscal year, the commissioner shall allocate to counties the money appropriated for emergency general assistance grants based on each county agency's average share of state's emergency general expenditures for the immediate past three fiscal years as determined by the commissioner, and may reallocate any unspent amounts to other counties. No county shall be allocated less than \$1,000 for a fiscal year.
- (d) Any emergency general assistance expenditures by a county above the amount of the commissioner's allocation to the county must be made from county funds.

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Emergency Cash Assistance Programs

Dan and Annette recently received a an eviction summons. Dan and Annette live alone. There are no additional persons in their household. The only basis for the eviction is non-payment of rent. Their rent is \$1500 per month. The are 2-months behind. The landlord's attorney is also requesting attorneys fees and expenses associated with the eviction action.

- You are schedule to meet with Dan and Annette to discuss their options and need to prepare for the meeting.
- What questions, information, and documents would you need to determine whether Dan and Annette are eligible for EGA?