

WEBSTER COUNTY Veterans Affairs Commission

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EFFECTIVE January 12, 2010

Policies and Eligibility Guidelines
Chapter 35B, Code of Iowa

35B.14 Code of Iowa: The board of supervisors of each county may appropriate moneys for the food, clothing, shelter, utilities, medical benefits, and funeral expenses of indigent veterans, as defined in section 35.1, and their indigent spouses, surviving spouses, and minor children not over eighteen years of age, having a legal residence in the county.

The appropriation shall be expended by the joint action and control of the Webster County Board of Supervisors and the Webster County Commission of Veteran Affairs.

The Commission, with the approval of the Board of Supervisors, established the following policies and eligibility guidelines.

I. To be eligible for benefits through Webster County Veterans Affairs an indigent veteran shall meet the following qualifications:

- 1.) Be a legal resident of Webster County
- 2.) Discharged from the U.S. Armed Forces under honorable conditions
- 3.) Serving on active duty at least 90 days during at least one of the following war time periods
 - (a) World War I - April 6, 1917 to November 11, 1918
 - (b) World War II - December 7, 1941 to December 31, 1946
 - (c) Korean War - June 25, 1950 to January 31, 1955
 - (d) Vietnam War - February 28, 1961 to May 7, 1975
 - (e) Persian Gulf Conflict, War on Terrorism, and the Iraqi War - August 2, 1990- present (all above dates are inclusive for eligibility)
 - (f) State and County VA benefits only - no Federal VA benefits - Lebanon or Grenada August 24, 1982 to July 21, 1984 and Panama December 20, 1989 to January 31, 1990

II. Required documentation:

- 1.) Completion of VA application
- 2.) Certified copy of the DD Form 214 report or report of separation from active duty" with U.S. Armed Forces.
- 3.) Certificate of Marriage (if applicable) or Verification of Common Law Marriage
- 4.) Veteran, spouse and/or any other adult household member (if applicable) social security card
- 5.) Child or children's (if applicable) birth certificate and social security card

III. Ineligibility for benefits and services of Webster County Veterans Affairs:

- 1.) Falsifying any information on applications for assistance of the Webster County Veterans Affairs.
- 2.) Persons voluntarily quitting their job or are terminated for cause due to the employee/applicant's job performance.
- 3.) Persons who have been discharged from the FIP and/or low income housing program due to violation of the rules of conduct or falsification on applications.

IV. Responsibility of the VA Commission:

- 1.) Temporary benefits shall be granted at the good judgment of the Commission to indigent veterans, widows, wives and minor children.
 - a. The Webster County Veterans Affairs Commission will determine each application as an individual case. Assistance will be determined on a month-to-month basis. The Commission reserve's the right to decline benefits to an applicant who has not proven to be indigent.
 - b. The Commission shall recommend all applicants seek employment at the Iowa Work Force, same of which includes a veteran's wife, unless disability is an issue in the household.
 - c. The Commission may require a verified medical report for the claim of indigent due to unemployable for medical reason.
 - d. The Commission shall recommend a veteran or widow of a veteran with minor children to sign up for unemployment compensation or FIP if applicable in their particular case. If indigent, the Commission may grant benefits to them until they are granted the above support.
 - e. The Commission will emphasize to each applicant that Veterans Affairs assistance is for the indigent on a temporary basis.
- 2.) The veteran shall make application in person. If the veteran is unable to apply in person, a family or legal representative may assist in the application process.
- 3.) Family/household income will include wages (net income from employment will be considered), pensions, compensations, railroad retirement, Veteran benefits, Social Security benefits, S.S.I., child support and other receipts of income or public assistance of the family (including food stamps and housing assistance.)
- 5.) The Commission shall consider essential needs of the current month only: rent, utilities, transportation for medical care, medications if not available through the VA, and burial allowance.

V. INCOME GUIDELINES:

The household income must be below the following household monthly income guidelines to qualify for assistance:

Single	2 / Person	3 / Person	4 / Person	Over 4
\$750.00	\$1000.00	\$1,100.00	\$1,250.00	Add \$125.00/per

VI. RESOURCE GUIDELINES:

The following resources are exempt when considering eligibility:

- 1.) A homestead, used as a place of residence, not to exceed a market value of \$35,000.
- 2.) Household furnishings and personal effects of reasonable value.
- 3.) Automobiles or other vehicles with equitable value of all vehicles owned not to exceed \$5,000.
- 4.) A pre-paid burial agreement and cemetery lot.
- 5.) Cash, bank accounts, securities, or other real or personal property not to exceed a value of \$500 for a single person or \$1000 for a couple plus no more than \$150 per each additional person in the family or household.

VII. MAXIMUM ASSISTANCE AVAILABLE PER FISCAL YEAR:

Maximum household assistance is not to exceed \$2,000.00 in a fiscal year or assistance three months during a fiscal year, which ever comes first.

VII. FORMS OF ASSISTANCE AVAILABLE

1.) Burial:

The Webster County Veterans Affairs Commission will pay such expense for the veteran only in an amount not exceeding the set limit (\$1,100.00) established by the Webster County Board of Supervisors. The assets of the veteran including personal property, real estate, and life insurance must be exhausted first. **BURIAL BENEFITS ARE FOR THE VETERAN ONLY.**

2.) Transportation assistance:

The Webster County Veterans Affairs Commission will consider request for assistance to get to a VA medical center or other medical facilities for an appointment/emergency on a case by case basis. An occasion may arise in which a veteran and or family of a veteran is in need of such transportation. Between the Commission's regular board meetings assistance may be authorized by a phone call to a member of the Commission.

3.) Rent:

Payment for the current month's rent up to a maximum of \$400.00 for the applicant. Payment is made to the landlord.

4.) Utilities:

Payment for the current month's utilities up to a maximum of \$270.00 for the applicant will be made. Payment is made to the vendors.

VIII. Procedure of Appeal:

The Webster County Veterans Affairs Commission being duly appointed under the Iowa Code Section 35B.3 and Section 35B.4. has established an appeal procedure for those who do not agree with the decisions of the Commission.

At the time of denial or within ten (10) working days the Commission shall provide written decision showing the reasons for the determination of the denial. A copy of the procedure of appeal is to accompany the written denial.

The decision of the Commission shall be binding and no appeal will be allowed unless the person denied assistance contacts the Webster County Veterans Affairs office within ten (10) days and requests to be put on the agenda of the next regularly scheduled meeting of the Webster County Board of Supervisors. The applicant is allowed only one appeal to the Webster County Board of Supervisors for each application denial.

It shall be the duty of the office of the Webster County Veterans Affairs Commission to place the appeal hearing onto the Webster County Board of Supervisors' agenda. The Commission shall follow the deadline for placing items onto the Webster County Board of Supervisors' agenda. The applicant shall be informed by regular mail of the date and time of the appeal hearing before the Webster County Board

of Supervisors. Upon written request of the applicant or their attorney the Webster County Veterans Affairs Commission shall grant the applicant access to his or her case file.

The Webster County Board of Supervisors shall hear the applicant's appeal at the time on the agenda. The applicant shall be permitted to present relevant evidence in support of the appeal including testifying or having other witnesses testify offering documentary evidence and reasonable cross examination of other witnesses if present. The technical rules of shall not apply. The applicant's file shall be admitted into evidence. The Webster County Board of Supervisors may question the applicant. A member of the Webster County Veterans Affairs Commission shall be present and give the Board of Supervisors reasons for the denial of assistance. The appeal will be tape recorded. The hearing before the Webster County Board of Supervisors shall not be an open Meeting as under Iowa Code Chapter 21 since the confidential files of the applicant will be in evidence.

The Webster County Board of Supervisors shall make a decision on the appeal within ten(10) working days of the appeal hearing. Within four (4) working days of making its decision the Webster County Board of Supervisors shall mail its written decision to the applicant by ordinary mail. The decision shall state the reasons for the action together with any statute or ordinance applied. The decision of the Webster County Board of Supervisors shall be final.

Adopted by the Webster County Veteran Affairs Commission on 12 day of January 2010.



Thomas Dorsey, Chairman
Webster County Veteran Affairs Commission

Approved by the Webster County Board of Supervisors on 12 day of January 2010.



Keith Dencklau, Chairman
Webster County Board of Supervisors