



GUIDELINES FOR THE ADMINISTRATION OF GENERAL ASSISTANCE

Town Welfare Department
Gorham, NH

Adopted June 1, 2026

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II. INTRODUCTION

General Assistance is a complex and formable task. Those tasked with determining if applicants are eligible under the law are working with individuals who are often in situations where they are facing high levels of stress, trauma, and anxiety. These emotions, and the situations they occur in, can often make it difficult for individuals to focus and do things that would normally be much easier so situations can become harder to move through. It is on the General Assistance officer to be empathetic and aware of trauma responses while at the same time adhering to the laws of the State, the written guidelines, and verifying what is being presented. It is necessary to determine if the applicant's basic needs can or cannot be covered by their income and assets, what programs they may be eligible for and what partners in the community may be able to help and then what conditions are to be recommended after assistance is issued. RSA 165:1 states "whenever a person finds themselves poor and unable to support themselves" but it allows for the towns and cities to determine what that means through the process of eligibility. "Whenever" is defined as being no time limit on the eligibility unlike some welfare assistance programs such as those regulated by the Federal government for example. General Assistance is based on the financial eligibility and following through with the required conditions. A person must qualify for the assistance financially. General Assistance is not an automatic entitlement due to an individual because they are a resident, a Veteran, a homeless individual or someone with a disability. Each person who applies has the same standard to meet; can their income and assets provide for their basic needs. The courts have determined that towns and cities are not required to provide "whatever" assistance is requested of them but instead can use discretion to provide at least the minimum and more if it is felt there is need. This simple statement imposes substantial responsibilities. The word "whenever" means there is no time limit to the duty to assist. The word "shall" means that no municipality may treat the program as optional, even when the local budget for the task has been fully expended. The duty includes all persons, not just those who are "residents." The local welfare program truly constitutes the "safety net" for all persons in the state of New Hampshire. However, although the duties imposed by the statute are broad, they are not unlimited. A person is not entitled to assistance simply because he or she has filled out an application or feels they have a need because they are struggling to pay expenses.

The Town Welfare Department is one component of a large and complex social welfare system which operates at every level of government. Its relationships with other welfare agencies and programs as well as the scope of its responsibilities are complicated. Briefly, two basic subsystems of public welfare are in operation in the state of New Hampshire:

- 1) Categorical assistance programs which are partially federally funded and administered by a central state agency and;
- 2) The locally funded and administrated general assistance programs, such as the Town of Gorham Welfare Department, are mandated by state law.

In general, the Town Welfare Department aids needy people who require temporary help whether or not they have a residence as defined under New Hampshire law RSA 165. People are found to be in need when they are poor and unable to support themselves. This is defined by if someone lacks the resources to provide themselves with the basic requirements of life in our society, such as food, shelter, heat and electricity. In the language of the field, welfare provided by city and town welfare departments is known as general assistance.

The Department's responsibilities are of a dual nature:

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- 1) It is responsible to the members of the community who are poor and unable to support themselves to see that they receive that financial support;
- 2) It is also responsible to the same members of the community and to all taxpayers in the community who are paying for that assistance through a portion of their taxes to ensure that it goes only to those who are truly needy.
- 3) It is the Department's responsibility to expend as much money as is necessary on the one hand and to expend as little as is necessary on the other. In effect, the department succeeds in fulfilling its ethical and legal obligations to the extent that these two interests are made to coincide.
- 4) The Department has an additional responsibility to both the welfare recipients and the community as a whole to try to overcome the causes of the need for General Assistance to the point that it is no longer required. The steps needed to help individuals/families re-establish themselves financially vary and different approaches are dictated in different instances. Case management therefore becomes an integral part of assisting families in once again becoming more independent financially. Each applicant/recipient's needs are considered. Recommendations are made based on those needs. There are often needs that are beyond just financial needs as trauma, mental health, physical health, disability, housing instability, food insecurity and more often all work together to create a situation where families find themselves "poor and unable to support themselves."

The Department must continue to adhere to practices which ensure all applications for assistance are treated according to the same objective standards and that the legal and constitutional rights of all applicants/recipients are protected. Therefore, each general assistance office is required to have written guidelines as a standard for determining its decisions. Central to the prescriptions of fairness and equal treatment is the right of all applicants and recipients to appeal any decision of the Department with which they are dissatisfied.

These guidelines for the administration of General Assistance by the Town Welfare Department:

- I.** Delineate responsibilities to be met by the Town and by applicants/recipients in the general assistance process. The Department establishes a policy and procedure for hearing appeals of departmental decisions. Such hearings and guidelines are not to be constructed as superseding any laws of the State of New Hampshire or the United States. If any provision of these guidelines is held at the law to be invalid or inapplicable to any person or circumstance, the remaining provisions will continue in full force and effect. The guidelines contained herein are intended to be advisory, and as such, the Welfare official or designee, shall not exercise this discretion unreasonably. The responsibility for the day-to-day administration of the General Assistance Program shall be vested in the appointed Welfare officer of the Town of Gorham. The Welfare Officer may be assisted in such duties by the Finance Officer as needed. The local governing body (Town Manager & Board of Selectman) is responsible for the adoption of the Guidelines relative to General Assistance under RSA 165.
- II.** The Welfare officer is required by law to keep complete records of General assistance. Part of the duties of the Welfare Department are to keep records of what type of assistance is issued, who receives assistance, and how much is received:
 - a. In addition to general statistical records concerning the number of persons given assistance and the cost of such support, a separate case record shall be established for each individual or family applying for General Assistance (RSA 41:46)
 - b. The purpose of keeping complete records of General Assistance is:
 - i. To provide a valid basis of accounting for expenditure of the municipality's funds
 - ii. To support decisions concerning the applicant's eligibility

- iii. To assure availability of information if the applicant or recipient seeks administrative or judicial review of the Welfare Officials decision.
- iv. To provide social welfare agencies with accurate statistical information, including the number of people assisted, amount of money spent on their support, so that taxpayers and officials may be aware of the scope of the General Assistance Program. RSA 165:2-c requires an itemized account of all General Assistance furnished (without recipient's names" be released to any citizen requesting it.
 - 1. Information given by or about an applicant or recipient of General Assistance is confidential and privileged and is not a public record under the provision of RSA 91:-A by law, commonly known as the "Right to Know Law." Such information will not be published, released, or discussed with any individual except when law requires disclosure or when necessary to carry out the purpose of RSA 165. A signed and dated release will be required for communications concerning the case such as collaborating on housing, sheltering, finding resources, etc.
- v. To provide a complete history of an applicant's assistance that might aid a welfare agency in the effort to assist the applicant (subject to the confidentiality of such information) in a long-term way.

III. The Welfare Office shall maintain case records containing, as a minimum, the following information:

- a. The completed application for assistance
- b. Written grounds for approval or denial of an application contained in a Notice of Decision
- c. A narrative history recording need for relief, the results of home visits if any, collateral information,
referrals, changes in status, etc.
- d. A sheet that has a complete history of data concerning the type, amount and dates of assistance
- e. A signed authorization by the applicant allowing the Welfare official to release, exchange, obtain, verify any pertinent information in the course of determining eligibility of an applicant/recipient and in determining whether or not they are able to keep the assistance based on meeting requirements and income/assets v. basic needs. Also, to have the ability to negotiate payment plans, lower amounts and other arrangements.
- f. Additional information requested by the Welfare Official pertinent to the applicant/recipient's case.

It is the recipient's responsibility to provide accurate information. They must provide updated information whenever they receive letters or changes in their cases from any agency (Federal, State, County). Applicants and recipients must provide paystubs and proof of all household income and assets. They must provide proof of any assistance they are receiving from any charitable organizations, friends and family, or other sources. They must also provide prompt notification of any changes in the household. Under NH RSA 165:1-b, I(d), it is a recipient's responsibility to apply for and accept any benefits or resources, public or private, that will reduce or eliminate the need for general assistance within the timeframe set by the General Assistance Officer on the Notice of Decision. Once a recipient has received assistance, they may be required to complete a job search and accept reasonable offers of employment within the limitations of RSA 165:31; under RSA 165:1-d and be scheduled to work on the Work Program per RSA 165:1-b, 1(b), RSA 165:31, III.

III. DEFINITIONS

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As used in these guidelines the following terms have the indicated meaning:

Applicant: A person who expresses a desire to receive General Assistance, or to have their eligibility for assistance reviewed, and has submitted a completed application.

Apply: Action by which person requests assistance from the Welfare office through a completed written application obtained from the Town and have all the required documentation as listed in said application.

Arrearage(s): Past due amounts on bills for basic needs (i.e. rent, utility bills): debts that remain after part of an overdue debt have been paid.

Assets: All real property, cash, real estate, personal property, future interests and anything else of value owned by an applicant. This includes but is not limited to annuities, insurance awards, expectancies such as inheritances, and retroactive government and insurance settlements/payments, child support, social security, etc.

Assistance (General Assistance): Support issued to applicants through a voucher program administered and funded by each city/town in New Hampshire.

Available Liquid Assets: Amount of liquid assets after exclusions enumerated herein, includes, but is not limited to, cash on hand, checking accounts, bank accounts, credit union accounts, insurance that can be borrowed against, 401(k) and other retirement funds that can be borrowed against, stocks, bonds, securities, IRA, collectables, and non-essential personal property shall all be considered as available as assets that can be liquidated for cash. Income tax refunds, gambling winnings, awards and any lottery winnings can also be counted as liquefiable assets.

- 1) The Welfare Officer will allow a reasonable time to convert liquid assets such as stock, bonds, IRA and 401(k) into usable assets as it is understood that there is often a process that one must go through to access the funds.
- 2) Tools of trade, livestock, farm equipment and necessary and ordinary household goods are essential items of personal property and are not considered tools of the trade.
- 3) Automobile ownership. The ownership of one automobile by an applicant/recipient or their dependents does not affect eligibility if it is essential for medical or rehabilitation services, transportation to and from employment, or it is essential for use necessary to the maintenance of the individual or the family. Essential means that there is no other transportation available. Car payments will not be considered a justifiable expense when determining eligibility. The cost of purchase and maintenance of a necessary vehicle must be appropriate to the applicant's income. Ownership of more than one vehicle may be considered a liquid asset by law and may be required to be converted to cash.
- 4) The ownership of insurance policies in and of itself does not affect eligibility. However, when a policy has a cash or loan value, the applicant will be required to obtain and/or borrow all available funds, which then shall be considered available assets. Premium payments shall not be included as "need" in determining eligibility or amount of aid except in the case of health insurance.
- 5) Real estate owned and occupied by the applicant as a primary residence shall be considered in the same manner as a rent. The type and amount of real estate does not affect eligibility, although rent or other such income from property will be considered as available to meet need as a liquid asset. Applicants owning real estate, other than that occupied as their home, shall be expected to make reasonable effort to dispose of it at fair market value.
- 6) Applicants shall be informed that a lien covering the amount of general assistance that they receive shall be filed at the registrar of deeds for any general assistance and will begin to accumulate interest at a rate of 6% after a year. It shall remain in effect until such time as it is repaid or until the property is sold and the debt is repaid.

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- 7) The Welfare Officer shall not make mortgage payment if there is a co-signer on the mortgage. Generally, any mortgage payment made shall be applied to principle only. App applicants will be required to execute any and all documents necessary to perfect the Town's lien interest as aforementioned, however, failure of applicant or recipient to do so does not limit the Town's ability to place a lien on such property. The Welfare officer shall not make a payment if the mortgage is in the name of a business.
- 8) Property transfers: no person who is otherwise eligible shall receive such assistance if they have made an assignment, transfer or conveyance of property for the purpose of rendering themselves eligible for assistance within (3) three years immediately preceding their application RSA 165:2b.E Standard of Need the Basic Financial Requirement for General Assistance.

Case Record: Official files containing forms, correspondence and narrative records pertaining to the application including determination of eligibility, reasons for decisions and actions by the Welfare Officials and types of assistance.

Client: A person utilizing the services of a social agency

Compliance: Conformity in fulfilling official requests for information and requirements of the Welfare Official.

Confidentiality: All documents, materials and other information, including, but not limited to, all working papers, and copies thereof, created, produced or obtained by or disclosed to the Welfare Department are considered by law to not be required to be released under the "Right to Know" law of RSA 91-A unless under specific and direct order from a judge in a court of law. Information may be shared as needed in the prevention of a crime such as abuse and neglect as required of all mandated reporters but limited to the information needed to show abuse and neglect only and identifying information. The same goes for any other crimes, only the information that needs to be given to report the crime and identifiers is to be given without subpoena or court order.

In order to assist those in the Town's employ to do specific functions, such as processing payments for bills, identifying information will be as limited as possible and struck out or hidden if not absolutely necessary to fulfill the need for which someone may be applying. It is understood that in all other cases, all information is kept under strict confidentiality as required by law and that only what information is needed to perform a requested service, determine eligibility or help someone qualify for another program will be exchanged.

Eligibility: Determination by the Welfare Official, with the assistance of the Guidelines and State laws, of whether or not an individual is indigent and unable to support their basic needs as defined by the use of the eligibility formula (If income/assets are greater than basic needs they do not qualify; if income/assets are less than basic needs they qualify for assistance with the difference).

Fair Hearing: A hearing which the applicant may request, in writing, within five days of receiving a Notice of Decision, to contest said decision if they believe the Welfare Official did not follow the law or guidelines in denying, terminating, reducing or the amount of assistance issued.

Fair Hearing Officer: An impartial individual who shall have no knowledge of the case who shall hear all the details of the case and make a determination as to whether the laws and guidelines were followed and as to whether or not the decision of the Welfare Official shall be upheld.

Household: The total number of individuals (related or unrelated) living together who share in or benefit from shelter/food expenses. The individuals share living quarters but are not financially liable for each other unless they request to be treated as such or are considered by law to be financially responsible. Expenses which are shared (rent, utilities, etc.) are divided on a pro rata scale for the purposes of calculating the applicant's need based on the total number of people in the household (unless one of the individuals is financially responsible for some of those individuals such as in the case of minor children). In this case said individual will be responsible for a greater number of shares.

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Liability for Support: Those individuals deemed by New Hampshire law to have financial responsibility for anyone applying for General Assistance, for example, adult children for parents; parents for adult children and husbands and wives for each other.

Minor: A person who has not attained the age of 18 years. Note that a minor's residence is always that of the custodial parent.

Need: The basic maintenance and support requirements of a person, as determined by a Welfare Official under the standards of Section IX of the Guidelines.

Non-Resident: A person temporarily in Gorham while their residence is elsewhere. Non-residency does not preclude General Assistance eligibility. However, assistance will be of a temporary and reasonable nature given their temporary status. Duplication of resources will be avoided by communication with the town/city wherefrom they originated.

Notice of Decision: Written grounds for approval or denial of an application detailing the amount of assistance, if any, an applicant will be eligible to receive, what requirements are expected of them and by what time they must complete said requirements. It will also include the date of the next appointment, any additional verification needed and any further social services they will be required to apply to receive and show proof of application for as well as to bring in any record of if they receive mail from.

Permanent Residence: Abode or domicile occupied by the applicant. Permanent residency does not include temporary stays in shelters, hospitals, prisons or other residences not intended to be permanent (motels are an exception only if the person has supported themselves in the motel without help of a Town/City or agency for 30 days) (RSA 21:6-a, RSA 165-1-C)

Real Estate: Land, structures and the fixtures attached to it.

Recipient: A person who is receiving General Assistance

Reimbursement: Each recipient who becomes financially able must reimburse a town/city for assistance rendered. A schedule of repayment will be determined by the Town of Gorham Welfare Department, in conjunction with the recipient, taking into consideration all necessary current and future obligations. The Welfare official may also place a lien on real estate or civil judgments in the amount of the assistance rendered (RSA 165:28, 28-a). If physically abled and not a property owner an individual may be scheduled to work on the work program as a means to repay the Town. The rate of exchange will be equal to an amount that is the same as the summer workers hired by the Town and will be divided into the amount of assistance the recipient has received to determine the number of hours they need to be scheduled for and complete.

Residence: Residence or residency shall mean a person's place of abode or domicile. The place of abode or domicile is that place designated by a person as their principal place of physical presence for the indefinite future to the exclusion of all others. Such residence or residency shall not be interrupted or lost by temporary absence from it, if there is intent to return to such residency as the principal place of physical presence. RSA 165:1(I); 21:6-a. If another municipality moves a client into the Town of Gorham, they should help with the first 30 days according to RSA 165:1-C.

- 1) Under NH RSA 165:1-C II. in addition to emergency housing governed by RSA 126-A:30, a person does not change his or her residency status while in a hospital, a correctional facility, a treatment program center, or a hotel/motel paid for by a municipality or other service provider, except as provided in RSA 165:1-C
- 2) Under NH RSA 165:1-C III. A person who leaves emergency housing of their own free will and remains in a situation of homelessness or is removed from emergency housing for non-compliance or policy violations of emergency housing or local welfare regulations, shall not be considered to have changed his or her residency status for 30 days.

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- 3) Under NH RSA 165:1-C V. Temporary urgent assistance may need to be provided to meet basic needs of transient individuals or residents of other municipalities. Municipalities shall communicate and coordinate assistance options with each other, including reimbursement from municipalities of origin pursuant to RSA 165:2-a.

Resident: A person who has a residence within the Town of Gorham

- 1) Under NH RSA 165:1-C I. any person, poor and unable to support themselves, who is temporarily in a town or city, which is not their residence, and who does not intend to make it their residence, shall be provide such temporary assistance as is reasonable and necessary by such town or city and such town or city may, if requested, cause such person to be returned to their residence.
- 2) Under NH RSA 165:1-C IV. A person assisted by a municipality, or by other assistance providers, with emergency housing assistance in a hotel or motel in another municipality, who then pays for a consecutive 30 days without municipal or other provider's help, shall, for local welfare purposes, transition residency to the new municipality.

Roommate: A person who is/are financially responsible for themselves(s) and living with a recipient(s) of general Assistance. Persons living together as domestic partners may be responsible for each other to the extent that they are willing and able if not legally married.

Suspension: Cessation of benefits (7 days (14-days if more than once in a 6-month period) and until such time as come into compliance) due to non-compliance until such time as come into compliance.

Voucher system: The system whereby a Welfare Official issues vouchers (authorization for payment) directly to the recipient's vendors and creditors rather than cash to the recipient. This is in accordance with RSA 165:1 (III).

Welfare Officer/General Assistance Officer/Overseer of the Poor: The Welfare Officer is charged with operating the Welfare Department in accordance with municipal, state and federal legislation.

Welfare Official: The official of the town or city, or their designee, who performs the function of administering General Assistance. Such person has the authority to make all decisions regarding the granting of assistance under RSA 165, subject to the overall fiscal responsibility vested in Town Manager and Board of Selectman. The term includes "overseer of the poor" or "Overseer of Public Welfare" (RSA 165:1) and "Administrator of town or city welfare" (RSA 165:2).

Work Program: Program that requires abled-bodied recipients to work for the Town at any job within the person's capacity in return for assistance. There are no wages paid. The recipient reimburses the Town of Gorham at the going rate for the particular job they are doing for General Assistance provided by the Town (RSA 165:31).

IV. JURISDICTION

The Division of Human Services of the New Hampshire Department of Health and Human Services administers several welfare programs under the authority of the laws of the state. Assistance provided under these categorical assistance programs is known as Public Assistance. Programs now administered include:

- Temporary Assistance to Needy Families (TANF)
- Family Assistance Program (FAP)
- Temporary Assistance to Needy Families-Incapacitated (TANF-INCAP)
- Aid to the Needy Blind (ANB)
- Aid to the Permanently and Totally (APTD)

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-Medical Assistance (Medicaid)

-The Food Stamps Program (SNAP)

-Old Age Assistance (OAA)

-Title IX Childcare Scholarship

-Programs of social and rehabilitation services which are provided directly by the Division of Human Services or purchased under the provisions of Title XX of the Social Security Act as amended in 1975.

The County unit of government pays a share of assistance provided to people under some of these programs as well (additional information on these programs can be found in Appendix B).

General Assistance may be provided by a city or town until a person receives public assistance. As stewards of public resources, the Town exerts much effort in determining who is eligible for General Assistance based on family resources versus basic needs. Only in extraordinary circumstances will a person receiving public assistance also be considered eligible for general assistance.

Residence: Residence or residency shall mean a person's place of abode or domicile. The place of abode or domicile is that place designated by a person as their principal place of physical presence for the indefinite future to the exclusion of all others. Such residence or residency shall not be interrupted or lost by temporary absence from it, if there is intent to return to such residency as the principal place of physical presence. RSA 165:1(I); 21:6-a. If another municipality moves a client into the Town of Gorham, they should provide assistance for the first 30 days according to RSA 165:1-C.

- 4) Under NH RSA 165:1-C II. in addition to emergency housing governed by RSA 126-A:30, a person does not change his or her residency status while in a hospital, a correctional facility, a treatment program center, or a hotel/motel paid for by a municipality or other service provider, except as provided in RSA 165:1-C
- 5) Under NH RSA 165:1-C III. A person who leaves emergency housing of their own free will and remains in a situation of homelessness or is removed from emergency housing for non-compliance or policy violations of emergency housing or local welfare regulations, shall not be considered to have changed his or her residency status for 30 days.
- 6) Under NH RSA 165:1-C V. Temporary urgent assistance may need to be provided to meet basic needs of transient individuals or residents of other municipalities. Municipalities shall communicate and coordinate assistance options with each other, including reimbursement from municipalities of origin pursuant to RSA 165:2-a.

Resident: A person who has a residence within the Town of Gorham

- 3) Under NH RSA 165:1-C I. any person, poor and unable to support themselves, who is temporarily in a town or city, which is not their residence, and who does not intend to make it their residence, shall be provided such temporary assistance as is reasonable and necessary by such town or city and such town or city may, if requested, cause such person to be returned to their residence.
- 4) Under NH RSA 165:1-C IV. A person assisted by a municipality, or by other assistance providers, with emergency housing assistance in a hotel or motel in another municipality, who then pays for a consecutive 30 days without municipal or other provider's help, shall, for local welfare purposes, transition residency to the new municipality.

Non-Resident: A person temporarily in Gorham while their residence is elsewhere. Non-residency does not preclude General assistance. However, assistance will be of a temporary and reasonable nature given their temporary status. Duplication of resources will be avoided by communication with the town/city wherefrom they originated.

2022 New Hampshire Revised Statutes Title XII - Public Safety and Welfare

Title 165 - Aid to Assisted Persons Section 165:1 - Who Entitled; Local Responsibility

165:1 Who Entitled; Local Responsibility. –

- I. Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town, whether or not he has residence there. For the purposes of this chapter the term "residence" shall have the same definition as in RSA 21:6-a.

XX. The local governing body, as defined in RSA 672:6, of every town and city in the state shall adopt written guidelines relative to general assistance. The guidelines shall include, but not be limited to, the following:

- A. The process for application for general assistance
- B. The criteria for determining eligibility.
- C. The process for appealing a decision relative to the granting of general assistance. The process for the application of rents under RSA 165:4-b, if the municipality uses the offset provisions of RSA 165:4-a
- D. A statement that qualified state assistance reductions under RSA 167:82, VIII may be deemed as income, if the local governing body has permitted the welfare administrator to treat a qualified state assistance reduction as deemed income under RSA 165:1-e.
- E. Whenever a town provides assistance under this section, no such assistance shall be provided directly to a person or household in the form of cash payments.

Source. RS 66:1. CS 70:1. GS 74:1. GL 82:1. PS 84:1. PL 106:1. RL 124:1. RSA 165:1. 1979, 243:1; 351:2. 1985, 380:2. 1986, 5:2. 1991, 355:56. 1992, 184:1. 1996, 175:2, eff. Aug. 2, 1996.

Any Aid given to a non-resident, including the cost of transportation in order to return home may be recovered from their community of residence (RSA 165:20.)

2022 New Hampshire Revised Statutes Title XII - Public Safety and Welfare

Title 165 - Aid to Assisted Persons Section 165:20 - Recovery of Expense.

Universal Citation: NH Rev Stat § 165:20 (2022)

165:20 Recovery of Expense. – If a town, city, or county acting as agent for a town under RSA 165:34 spends any sum for the support, return to his home, or burial of an assisted person having a residence in another town or city, or for an assisted person having relations able to support him under RSA 165:19, such sum may be recovered from the town, city or relation so chargeable or from a county acting as agent for the town under RSA 165:34. In any civil action brought under this section to recover such sum, the court shall award costs to the prevailing party.

Source. RS 66:9. CS 70:9. GS 74:9. 1875, 7:4. GL 82:10; 269:21. PS 84:13. PL 106:23. RL 124:19. RSA 165:20. 1967, 192:3. 1977, 152:2; 367:1. 1985, 380:12, eff. Jan. 1, 1986.

V. APPLICATION FOR ASSISTANCE

A person may apply for General Assistance by appearing either themselves or through another party, who has been given legal authority with proper documentation, at the office of the Town Welfare Department in the Gorham Town Hall by making an appointment after completing the application and gathering all documentation needed. The Department is open for General Assistance, Monday through Friday from 8:30 - 4:30 p.m. unless otherwise noted. Applications may be picked up in the office and online at Gorhamnh.gov under the department tab.

The application form contains space for the applicant's signature attesting to the accuracy of all information provided and space for his or her signature, or both signatures in case of a married couple, authorizing verification of information by the Department. The application form states the type of assistance available and also contains a statement of the applicant's right to appeal any decision with which they are dissatisfied. Applications can be found online at Gorhamnh.gov and in the office.

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Information given by an applicant for, or recipient of, general assistance or information concerning an applicant or recipient, is considered confidential and privileged information. The Department neither releases such information to nor discusses it with any person, organization, or agency without written permission of the applicant or recipient except when disclosure is required by law or is for purposes directly connected with the administration of welfare.

The Administrator of Welfare or other departmental official, will help the applicant complete the application form if the applicant is illiterate or otherwise unable to complete the application unassisted.

At the time application is made for general assistance, the Administrator or other official will inform the applicant of the following:

- A. The requirement of submitting a written application.
- B. Eligibility requirements, including general descriptions of guideline amounts and the eligibility formula outlined in Section VII.
- C. The applicant's right to a review of decisions with which they are dissatisfied, and the way in which they may go about making an appeal.
- D. The applicant's responsibility of reporting all facts necessary to determine eligibility and of presenting records or documents to support their statements
- E. The types of verifications needed.
- F. The fact that an investigation will be conducted in an effort to substantiate information provided by the applicant and that this investigation may take place prior to, during, or following the applicant receiving General assistance.
- G. Any other programs or assistance or services that the official may know of that may be of use to the applicant and for which they should apply.
- H. The requirements of placing a lien on any real property owned by the recipient for any assistance they are given and the amount of interest it may accrue after twelve months and until such time it is repaid.
- I. The applicant's continuing responsibility to provide accurate, complete, and current information concerning their needs and resources and the whereabouts and circumstances of responsible relatives as well as those who are living in their household. (NH RSA 165:19).
- J. The applicant's continuing responsibility to notify the Department when a change in needs and/or resources may affect his or her eligibility for assistance.
- K. The applicant's responsibility, within one week of application, to apply for and utilize any benefits and/or resources, public or private, that will reduce or eliminate the need for general assistance.
- L. The responsibility of every applicant and every adult member of his or her household to register with the Department of Employment Security within one week of being granted assistance for the purpose of finding work or gaining skills and, of conducting an adequate works search, except for good cause.
- M. The fact that recovery from an applicant is possible if he or she becomes able to repay the amount of assistance given.
- N. The requirement of participating in a welfare work program if physically and psychologically able or to provide a doctor's note to excuse from work if physically or psychologically unable to do so with

modification or at all.

- O. The requirement of reporting to the Welfare office each week on an assigned day to determine continued eligibility and to keep appointments as scheduled or face losing assistance for those days and/or possible suspension.
- P. An applicant shall be denied assistance if they fail to fulfill any of these responsibilities without reasonable justification.

VI. TYPES and AMOUNTS OF ASSISTANCE

The Town Welfare Department provides assistance in the form of a voucher system made out to a particular person, business, or company for the specific monetary value of acquired goods or service (RSA 165:1(III).) The Department does not provide cash assistance nor is a check issued directly from the Welfare office. Tobacco products, alcoholic beverages, gasoline, soda, candy, and pet food/care items cannot be purchased with vouchers. In addition, the amount shown on the voucher is the amount to be used for payment. The department and the vendors it works with do not provide change and cannot put the vouchers aside for “second use” The amount on the voucher is what needs to be used when the recipient goes to use the voucher, or the amount is lost to them. If there is an unused amount the vendor will write the corrected amount on the voucher when they bill the Town. If the voucher is not returned within 60 days, it is void and will not be paid out to the vendor. Vouchers are non-transferable to other individuals and may be used only by the individual named on the voucher and with the specified vendor. The department does not accept responsibility for any service rendered before application to the Town Welfare Department nor for services rendered without the issuance of a voucher from this department listing the type of service, amount of payment, complete with signature of recipient, and the Welfare Official. Vouchers are non-transferable and must be used by whom it was issued. Payment will not be issued to a vendor who accepts a voucher from someone to whom it was not issued or for services/products not specified on the voucher, for amounts over the voucher amount nor for any change they may provide.

A. Food- The amount of assistance granted for food is determined in accordance with the most recent standard food stamp allotment as put forth by the Federal Food Stamp Program administered by the New Hampshire Department of Health & Human Services Division of Family Assistance. Additional allowance may be allowed if recipient’s physician specifically prescribes a special diet. The Department requires that anyone applying for assistance with food first avail themselves of the food pantries within the Town. The Welfare Department may disqualify from receiving further assistance any applicants/recipients who refuse to apply for and comply with requirements to remain eligible for food stamps, WIC, or to use any other food program available in the community, including but not limited to food pantries and soup kitchens.

They must also apply for and follow through with all requirements for food stamps, WIC, the free and reduced lunch program and Commodity if the department thinks they may be eligible for any.

<u>HOUSEHOLD SIZE</u>	<u>MONTHLY</u>	<u>WEEKLY</u>	<u>DAILY</u>
1-person	\$298	\$ 69.53	\$9.93
2-person	\$546	\$127.40	\$18.20
3-person	\$785	\$183.17	\$26.17
4-person	\$994	\$231.91	\$33.13
5-person	\$1183	\$276.03	\$39.43
6-person	\$1421	\$331.57	\$47.37
7-person	\$1571	\$366.59	\$52.37
Above 7	Add \$220 a person for each over 7	\$51.33 a week for each person over 7	\$7.33 a day for each over 7

B.

Rent- It is the department's policy to assist with only the cost of rent necessary to actually provide shelter. Such costs may be determined by local market factors and the aid of the most recent United States Department of Housing & Urban Development published fair market rents. The Department reserves the right to negotiate with landlords and their agents on behalf of the recipient. The department assists with rent on a weekly basis in most cases. The formula used to determine weekly voucher amounts for rent is the amount of the monthly rent multiplied by twelve months and then divided by fifty-two weeks. For example: A monthly rent of \$1200/month x 12months/52 weeks = \$276.92/week. The Department must receive a completed verification of rent form from the landlord or their agent before rent assistance can be issued. No monies can be released to the landlord until the Town has a signed W-9 on file as rent is a taxable income and must be reported to the Federal government. In the case of eviction, the landlord or their agent will be required to verify in writing on the verification of rent form that eviction proceedings will be terminated while the individual is receiving assistance from the Town. The applicant/recipient must be on the lease or rental agreement. In cases where a rental unit is shared with other adults, to whom the applicant/recipient is not married, rent will be calculated on a pro rata scale.

- i. Whenever a relative of an applicant is also the landlord, the landlord will be expected to assist his/her relative pursuant to RSA 165:19 and Federal laws. Otherwise, the landlord must prove an inability to assist before any assistance payment for rent is made to him/her.
- ii. Under RSA 165:4-a, whenever the owner of a property rented to a person receiving General Assistance is in arrears in sewer, water, electricity, or tax payments to a municipality, the municipality may apply the assistance which the property owner would have received in payment on behalf of the assisted person to the property owner's delinquent balances. This is regardless of whether such delinquent balances are in respect to the property occupied by the assisted person. The Town chooses to apply the payments first to taxes, then sewer, then water. Rent payments will be withheld from landlords who are not in compliance with the Town's housing ordinances, fire ordinances and health ordinances until such time as they come into compliance. At this time payment will be released. Landlord's may be asked to present proof that they either have a certificate of compliance, an interim certificate of compliance, have applied for a transfer of certificate upon the sale of a property, or are otherwise in compliance with requirements of the building inspector, housing inspector, health officer, and fire department if they have been notified of a problem. Under state law landlords may not penalize tenants if rent is withheld in a legally done manner, until such health and safety issues are in compliance. Applicants/recipients must apply with all other agencies that offer assistance with rent and comply with their requirements. Refusal to do so will lead to denial of assistance until compliance is met.

- iii. In the case of homeless applicants, or those facing eviction, it is not the department's responsibility to find permanent housing. If a homeless applicant/recipient refuses to contact shelters or go to a shelter when one is available or refuses to allow the Town to contact homeless outreach or shelters, they will be denied assistance with other rent/sheltering as the Town has done what is required to meet its obligation in attempting to have the individual find shelter space and work with homeless services and they refused to do so.

The Town will work with the individuals to brainstorm possible solutions such as friends and family they may not have thought of as resources and help them negotiate fair board and care in exchange for being allowed to stay with someone they know. In some cases, they may be eligible for the Town to assist with such payments.

If there are no resources available, motel space may be a last resort if there is availability. Efforts need to be made daily to see if shelter space is available. They also need to use their own resources first. The applicant needs to take the first available housing/rental unit that fits their income level, family size, and meets health and safety standards. Refusal to do so will lead to denial of continued assistance. All recipients will be required to apply for HUD at the Berlin Housing Authority and to follow through with whatever steps are required to become eligible for section 8 vouchers. If the recipient(s) refuses to apply or does not comply with the necessary steps needed to receive or maintain the voucher once issued the Welfare Office will no longer be responsible for assisting the recipient with rent. The Town is not responsible for sheltering livestock or pets. If minors are part of the make-up in a homeless situation the Welfare official is required to make a report to DCYF if abuse or neglect is suspected. (RSA 169:C) If an elderly or adult individual is suspected of being abused or neglected a report is required to be made to Adult & Elderly services by law.

	<u>HUD FAIR MARKET RENT</u>	<u>CENSUS MEDIAN</u>
Efficiency	\$988	--
1-Bedroom	\$1093	\$944
2-bedrom	\$1351	\$1200
3-bedroom	\$1702	\$1362
4-bedroom	\$1793	--
5-bedroom	\$1964	\$1349 and up
6-bedroom	\$2220	--

The department will not place someone in an apartment that they cannot afford as this sets them up to be evicted, put in a situation of constant stress and in many cases into apartments that HUD will not fund because they are not within the median they can assist with.

C. Mortgage Payments: The Town Welfare Department may be able to assist with interest charges as agreed upon by the mortgage holder and the welfare official to prevent foreclosure. The applicant/recipient's name must be on the mortgage in order for assistance to be granted. It must also be on the deed. The Welfare Department, under RSA 165:28 reserves the right to place a lien on any real estate owned by an assisted person. The liens are effective until enforced or until discharged by the department; provided that there shall be no enforcement of the lien so long as the real estate is occupied as the sole residence of the assisted person, surviving spouse, or surviving children under age 18 or blind or permanently disabled. Interest at the rate of six percent per year shall be charged after twelve months on the amount constituting the lien. The lien may be placed on any real estate property owned in New Hampshire even outside the Town of Gorham. The lien can be placed on any property purchased within six years of the client having received assistance. If the recipient refuses to comply with referrals to programs that can help with refinancing, forbearances, deferment, etc. they may make themselves ineligible for further assistance.

D. Personal / Household Needs or Supplies: Assistance may be granted for personal care and household needs and supplies. These vouchers are to be used for personal cleansing/hygiene items and household cleansing, storage, laundry items not including cigarettes, tobacco, rolling papers, food, drinks, candles, incense, pet food, alcohol, candy/dessert items, electrical appliances, knick-knacks, prepaid phone cards, phones, etc. Misuse of the vouchers may lead to suspension from receiving this type of assistance. These vouchers cannot be used for cable bills, telephone bills or other utilities.

<u>FAMILY SIZE</u>	<u>MONTHLY AMOUNT</u>	<u>WEEKLY AMOUNT</u>
1	\$33.00	\$8.25
2	\$39.00	\$9.75
3	\$45.00	\$11.25
4	\$52.00	\$13.00
5	\$58.00	\$14.50
6	\$62.00	\$15.50
\$1.50 per each additional person/week for families with over 5 people		

E. Medical/Medication: Generally, the department will consider providing medical, dental, or optical services only if sources of assistance designed to fill such needs have been investigated and have failed to produce a solution. Such sources include State and Federal programs, local and area clinics that provide free and reduced cost care, service organizations that provide free items such as eyeglasses and discounted dental, and area hospital programs such as Hill-Burton Act Funding and clinic help such as Medication Bridges. In such instances, the department will pay Medicaid rate only. Further, an applicant must provide written documentation from a doctor, dentist, or optometrist, indication the services are absolutely necessary and cannot be postponed without running significant risk and placing the applicant's well-being in serious jeopardy. Any services received before application to this department and without prior approval of this department will not be paid for or reimbursed. As of 2024, there are no pharmacies in the area that are willing to take vouchers. The Department will work with the applicant to see if they can qualify for assistance with another item such as food, rent or electric so they can use their own resources to purchase the medication and will help them find resources such as prescription discount cards or programs through the company that make the drug that may help with discounts or in some cases even free medications. If at some point in time a pharmacy is once again willing to accept vouchers the prescriptions need to be current (within a week) and cannot be filled more than once in a 30-day period. It cannot be an over-the-counter medication. Naturalistic, Homeopathic, experimental, and non-medical treatments or therapies will not be considered basic need as well as those that are currently against federal law. Should a recipient be eligible for free medical service and/or prescriptions through the Veteran's Association, free clinic, or any other public or non-profit agency or assistance group and refuse to apply for such services or to make use of such services if available the Welfare Department may disqualify said recipient from receiving further medical assistance until they are in compliance with the guidelines. If the applicant/recipient has health insurance which requires a co-pay for the prescriptions, they may apply with the Welfare Department to meet this need.

F. Clothing-Assistance may be granted for the actual cost of necessary items only and then only if said items are not available at used clothing outlets or through social service agencies that provide clothing and outerwear free to the public. The Department will assist with the least expensive item of the needed size if the applicant is eligible. The clothing allowance used in the eligibility worksheet uses \$46 a person a month as the amount counted for basic need.

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G. Footwear- Assistance may be granted for the actual cost of necessary items only if the items are not available at used clothing outlets or through social service agencies which provide clothing and outwear free to the public. The department will assist with the least expensive item of the needed size if the applicant is eligible.

H. Household Goods- Assistance may be granted for the actual cost of items such as mattress, kitchen tables and chairs, stoves and refrigerators if they cannot be found through a social service agency or are not provided by the landlord. Washing machines and dryers will not be considered basic needs as there are public laundry facilities available and public transit available by which to reach them. Used items are first choice of the department. Rental plans and charge accounts are not considered a basic need. Applicants/recipients must contact agencies such as Good Shepherd Thrift store which assists with household goods when such items are available through their community outreach efforts in conjunction with Catholic Charities.

I. Current Utility (for health and safety only electric, 100 gallons oil, minimum propane/kerosene/natural gas for heat, water if going to be disconnected (min. payment)). The Town will negotiate under what is allowed by the PUC to pay the smallest amount of the current bill to keep the service on or to have a delivery made if the person qualifies for general assistance (amount based on actual usage unless there are unusual circumstance in the home such as keeping exotic pets that need heaters or someone operating a business from the home, at which point negotiating a portion of expenses will be done)

J. Cremation/Burial Expenses- Under RSA 165:3 assistance may be granted for burial or cremation. No assistance can be granted or reimbursed for services rendered prior to approval from the Welfare office. The Town of Gorham has agreed upon a rate of up to \$1250.00 for burial or cremation, whichever is more cost effective. This rate is set by the State of New Hampshire and surrounding municipalities. It is the responsibility of the surviving relatives to make contact with the funeral home after having applied for the assistance and to let them know of the financial status of the deceased and surviving relatives. The exception is unclaimed bodies. RSA 611-B:25 states that if a dead body is unidentified or unclaimed for a period of not less than 48 hours following the view thereof, the medical examiner shall deliver the body to the overseer of the public welfare in the town of the county commissioner, who shall decently bury the same or the body may be sent to the medical department of Dartmouth College, to be used for the advancement of the science of anatomy and surgery, as provided by the law. Assistance is only granted when the individual does not have liquid assets to cover the expense of burial or cremation or where relatives, other people, the State, or other resources will not cover the entire expense of the burial or cremation and only if the expense does not exceed \$1250. The Welfare Department is not responsible for providing prearranged services, special arrangements, religious services, flowers, grave markers, or cremation urns. The Town is not responsible for both cremations and burials. Assistance may be given with either cremation or burial, not both. It will be whichever is most cost effective.

K. Telephone- An applicant/recipient may apply for assistance with the basic service only if absence of a telephone would create an unreasonable risk to the recipient's health or safety verifiable in writing by a physician. The recipient must apply for the "link up" discount offered to individuals receiving any type of public assistance. Refusal to do so may lead to disqualification until such time as the recipient complies. Applicants must also apply for the free cell phone SIM through Safelink available online. Cell phones are not included in this category and are not considered a basic need nor is long distance service or any "optional" services the telephone or long-distance provider may offer. Payments to "bundle" services are also not considered necessity.

L. Home Repairs- Assistance is granted only in case-by-case bases where the repairs are essential to health and safety. Only the actual cost of the repair will be granted. Welfare is not responsible for bills or repairs done prior to the applicant applying for assistance or for contracts signed before the applicant had approval for assistance from the welfare department for assistance. The home in question must be the primary residence of the applicant and must be in Gorham. The property cannot be owned by a business or be used for business purposes.

M. Property Taxes- Only the actual amount owed would be considered for assistance and only for the recipient's residence in Gorham and then only to prevent foreclosure or issuance of tax deed. In the case of foreclosure, taxes would only be paid if the mortgage holder will not provide for the taxes themselves as generally taxes can be added to the loan agreement. The applicant's name must be on the deed and the mortgage. All other financial possibilities must have been sought out. If the property is held jointly each party is responsible for a pro rata

share and only this amount will be considered. A welfare lien would be placed upon the property and interest would accrue after the first year at 6% per year as per RSA 165:28.

N. Property Insurance Premiums- Assistance may be granted only if necessary to prevent foreclosure on property which is the sole residence of the applicant/recipient and only if the mortgage holder will not provide said insurance as part of the escrow package.

O. Medical Insurance Premiums- Assistance may be given for the actual cost of the medical insurance premium if it is deemed that to assist would be cost-effective. The applicant/recipient must also apply for all programs that provide free or discounted medical/medication services. If the insurance will not accept vouchers the Town may assist with rent or another basic need so that the applicant/recipient can pay for the insurance.

P. Past Due Utilities- Assistance will be issued only if necessary to prevent imminent termination of services and no other agencies or programs are available, there is no income/assets of any type that can be applied to the back bill, there are no other avenues that can be negotiated with the utility. Only the amount for one month of service will be issued along with guarantee of future bills for as long as the applicant/recipient is eligible as is required per P.U.C. 303.08 ©(1)(d). The applicant/recipient must apply to social service agencies which assist with cutoffs and discount programs or to the State if applicable and to the Utility Service for any discount programs they provide, including payment plans.

iv. PUC. Special Rules for Utility Payments: when helping with applicants who have had their utility service disconnected, or where disconnection has been threatened, there are special rules issued by the New Hampshire Public Utilities Commission that govern deposits and payment of arrearages:

1. In lieu of a deposit, a utility must accept the written guarantee of a municipal welfare agency. N.H. Admin Code Puc 1203.03 (i)(1).
2. A utility cannot disconnect a residential customer's service, and a notice of disconnection shall not be sent to a residential customer if a municipal welfare office has guaranteed payment of current bills on behalf of the customer and the customer agrees to enter into a reasonable arrangement for repayment of the amount in arrears. A municipality is obligated to pay the current bill only and is not required to pay any arrearages in order to maintain utility service. N.H. Admin Code Puc 1203.11 (h) (3).
3. When a utility customer has sought assistance from the welfare office and the utility is made aware of that fact, the utility must continue to provide service for 4 business days while the welfare office processes the application and confirms payment will be forthcoming from the municipality. N.H. Admin Code Puc 1203.14.
4. These rules apply to any public utility providing electric, gas, sewer, steam, telephone, or water service to the public in the state of New Hampshire, excluding limited electrical energy producers as defined in RSA Chapter 362-A. N.H. Admin Code Puc 1201.02.

Q. Past Due Rent- Assistance may be granted for the actual amount needed if necessary to prevent imminent eviction and only when adequate alternative housing or funding is not available. The applicant/recipient must apply with all other social service, State, and Federal agencies that assist with past-due rent as well as make effort to make payment with their own income as directed by the Welfare Official. The Department reserves the right to negotiate on the applicant/recipient's behalf with the landlord or their agent to stop the eviction and to make a payment arrangement.

VII. DISALLOWED TYPES OF ASSISTANCE

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There are certain types of assistance which the Department will not provide. Some common examples are:

- a. Automobile or other vehicle payments and or expenses such as repairs.
 - i. Public transportation is available in Berlin and Gorham for \$3.00 a day through the North Country Transit system, as well as a \$5.00 pick up at your door feature through NCT, and through at least one private fee for hire system.
- b. Repairs may be considered in basic needs if the family works somewhere that is not walkable, is not somewhere that many other locals work, so ride sharing is not an option, etc.
- c. Cable television charges, cell phone, internet or satellite dish payments **are not considered basic needs** as anyone on public assistance can get a sim card for a cell phone from Safelink, anyone on public assistance can receive \$10 off a landline from link-up, internet can be accessed at any public library.
- d. Payments for furniture and appliances, including weekly rental amounts for furniture and appliances as there are social services that give away furniture to those in need.
- e. Life insurance premiums or **auto insurance premiums**.
- f. Moving expenses, including **storage unit** rental fees, except the expense of returning a person to their residence at his/her request pursuant to RSA 165:1-c.
- g. Security deposits on utilities and under most circumstances' surety deposit on rental units as other resources exist in the community which can be used for this purpose.
- h. Legal expenses except those specifically required by statute.
- i. College expenses such as tuition, books, etc. (Families will be directed to scholarship programs, Financial Aid programs, Pell Grants, Perkin Loans, and other resources in the community)
- j. Daycare costs when not at work (People will be directed to apply for Title IX daycare assistance to see if they may qualify for help with some of the costs for when they are working or attending a college class as the state may cover a portion of that time and some of the travel time. They will also be directed to apply for Head Start for children aged 3-5 who are not enrolled in a full-time education program or daycare and for an afterschool program available through the school systems from after school gets out and until 5p.m. Monday through Friday.) The after-school program also provides a dinner for the children and homework assistance which is very helpful for many families as well as transportation.
- k. Business expenses
- l. Gasoline for vehicles
- m. Gas for work will be considered a basic need
- n. Credit cards, loans, etc.
- o. For any item or service for which a person signed a contract prior to seeking assistance obligating themselves for payments such as a pre-bought funeral plan, phone plan, internet plan, cable tv contract, dental work, medical bills, and other back bills.

VIII. **TIMING of DECISIONS**

Unless an application is withdrawn or there are circumstances that need to be further researched, the Department will reach a decision on each application within 72 hours following the completion of the written application and all required documentation being submitted and the appointment being made. In the event of urgent need, a decision will be made as soon as possible. However, it is important to note, that while most individuals who apply for general assistance feel they are in emergent circumstances and need an urgent decision, an appointment is necessary as is a completed application with all the documentation, it is also important to note that other individuals who made appointments will not have their appointments moved to accommodate another's need as they made their appointment in advance to accommodate their emergencies. Although the official may go through the application with someone verbally to explain things, all decisions will be issued in writing unless an applicant states they do not wish to go further in the process and want to withdraw the application. The Notice of Decision will be gone over

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with an applicant so they will know what is expected of them and they can determine if they want to continue to apply for the assistance. If someone is denied they also will be notified in writing. Notice includes the reason why someone is denied and their right to appeal the decision and will outline the steps they must take to do so.

An application will be considered withdrawn if:

- a. The Welfare official cannot complete the interview because the applicant has failed to cooperate in fulfilling their responsibilities under these guidelines.
- b. The applicant avails themselves of other resources in place of assistance.
- c. The applicant requests that the application be withdrawn.
- d. The applicant does not contact the Welfare official following the initial interview after being requested to do so.
- e. The applicant dies before assistance is rendered.
- f. The applicant refuses to complete any section of the application.
- g. The applicant refuses to provide any of the documentation requested.

IX. BASIS of DECISIONS

A person is considered poor and unable to support themselves when they lack sufficient funds or material possessions to meet their or their family's basic needs. Basic needs can, by law, be determined in the guidelines by each town and Town to be slightly different but are those things that prevent one from suffering harm from lack of basic human needs being met for sanitation, basic public health and safety such as lack of food, a roof over one's head where there is heat in winter, working sewer, potable water, the basic of the basics.

In general, the department decides on an application on the basis of a comparison of an applicant's basic needs and their resources. Needs which the Department will consider are outlined in Section VI. Resources include income from all sources and available assets and are outlined in Section XI. Income and assets are added together for the last four weeks. If there are assets that can be quickly liquified, they are considered as well. If they need time to be liquified applicants are, on the Notice of Decision, directed to start the process and keep the department abreast of the process and are told where to apply the assets once they are cashed. If there are additional people in the home who are not on the application the expenses will be divided on a pro rata scale. Basic needs are then deducted from income and assets to determine if income and assets can cover the basic needs in full. If they cannot cover the entirety the Department can use Town funds to cover the difference between those items which the Town counts as basic needs with a voucher. The Town will direct the recipient to pay specific amounts to the rest of the basic needs with the funds they have coming into the household, so the rest of the basic needs are covered. They will be directed to provide proof for items such as electric, rent and other utilities so the department knows that these items will not be disconnected and an eviction will not be served.

If the applicant or recipient shares expenses of shelter and utilities with a non-applicant or recipient, then need will be determined on a pro rata share based on the total number of persons in the residential unit. A receipt for rent and utilities paid on a pro rata share by the household members will need to be seen. All members will need to be on the rental agreement and the utilities.

College students refusing to engage in full-time employment will be suspended from receiving additional general assistance if they do not perform a job search, refuse employment, or refuse to do the work program. Individuals who are self-employed refusing to engage in additional employment will be suspended from receiving additional general assistance if they do not perform a job search, refuse employment, or refuse to do the work program. Individuals who choose to homeschool children, who would otherwise be in school full-time, and are refusing to engage in full-time employment will be suspended from receiving additional general assistance if they do not perform a job search,

refuse employment, refuse to do the work program as there is a public-school program available in Gorham as well as an after-school program and they could also choose to work evenings or overnights.

The Town is not responsible for meeting “special” circumstance that individuals may have in their personal lives as the RSA is specifically about meeting basic needs in regard to public health and safety in the regard of having basic needs met. What this means is that should an individual come to the Town and want to apply for help housing themselves but refuse what shelter space there is in the state that is open because they cannot take pets or farm animals for example, the Town is not responsible for rehoming the pets or farm animals nor for providing a place for the individual to go with the animals. It is the responsibility of the individual to contact agencies that assist with fostering animals or those who take animals and rehome them. Another example is if an individual has issues that involve courts and legalities it is their responsibility to work with the legal system on how they can report to another area or contact people from where they will be as the Town is not responsible for keeping them local for court under the RSA.

In some cases, when people are homeless, space can be found in two different shelters. The Town would not be responsible for keeping the individuals together as there is space available to keep them housed safely, which is the purpose of the RSA. The Town is not responsible under RSA 165 to locate housing or shelter; the Town is charged with assisting individuals who are poor and unable to support themselves financially. The purpose is to cover the cost of those basic items that adults must have in order to be relatively safe and healthy by public health standards. Individuals must, therefore, qualify financially and take responsibility for applying for all programs they are directed to apply for, making all calls they are asked to make, paying the balance of the basic needs with what income they receive and to show proof to the Town in order to receive any ongoing help they may be eligible to receive.

No person who is otherwise eligible for assistance under these guidelines shall receive such assistance if they have made an assignment, transfer or conveyance of property for the purpose of rendering themselves eligible for such assistance within 3 years immediately preceding their application for such assistance (RSA 165:2-b).

Any person eligible for assistance who voluntarily terminates employment within the 60-day period before filing an application for assistance shall be ineligible to receive assistance for 90 days from the date of employment termination provided the conditions of RSA 165:1-d are met. Also, if a “suitable” job, for example one within traveling distance, within one’s physical capacities and one within your education capacities, is refused, aid may be discontinued. If the recipient is able to complete work searches and/or work on the Work program, but refuses, aid will be discontinued until the conditions are met. The Town also had the right to require the applicant to apply for any programs or public assistance that could help with the immediate and/or long-term needs. The Town can also negotiate on the applicant’s behalf to arrange for a payment arrangement for basic needs that would allow the applicant to cover their own basic needs with their current income and assets. If assistance can be found through other sources or through negotiation of an affordable payment plan that fits within the applicant’s basic needs versus income/assets formula the need will have been found to be met.

X. HOME VISITS

A home visit may be made to each applicant’s place of abode. The applicant shall be informed that a visit will be made within specified hours, typically 8:30a.m. and 4:00p.m. At the applicant’s request a specific appointment may be made if the Welfare Official is available at the requested time and date. A home visit may be necessary for the Welfare Official to understand the unique service needed by the applicant. This is a rare situation and happens only in unique situations.

XI. RESOURCES

Resources include available income, deemed income under RSA 165:1-e and available assets. Income is defined as all monies received from any source, including but not limited to:

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- a. Earned income: Income in cash or in-kind earned by the applicant or recipient and any member of their household, including wages, tips, salaries, commissions, or profits after expenses, whether self-employed or as employees. The amount computed is that remaining after all income taxes, social security, and other mandated payroll deductions are taken out. Court-ordered support payments, childcare costs, work-related clothing costs, required deductions such as pensions, etc. will also be deducted. Income from underage individuals living in the household will also be included in the available household income, as well as all savings accounts for all members of the household.
- b. Income or support from relatives or other people.
- c. Court-ordered support payments.
- d. Income from any and all other assistance or social insurance programs, including state welfare benefits, OASDI payments, Social Security, VA benefits, Unemployment benefits, Public or General Assistance benefits for all members of the household.
- e. Rent Income.
- f. Pension and trust fund payments, 401K payments and other retirement payments.
- g. Interest, Dividends, inheritance, trust fund payments, bank/credit union account funds.
- h. Tax refunds or rebates.
- i. Gambling winnings.
- j. Court settlements or Annuities.
- k. Gifts
- l. Loans
- m. Illegally derived income.
- n. House share income, Airbnb, vacation home income.

Deemed Income for any qualified state assistance reduction made pursuant to RSA 167:82, VIII. The Town treats a qualified State assistance reduction as deemed income under RSA 165:1-e. As such, the amount of any reduction will be considered as if it were actually received by the applicant/recipient.

Available Assets include but are not limited to:

- a. Cash on hand
- b. Bank deposits, including CDS
- c. Credit union accounts
- d. Bank deposits including CDs
- e. Securities (Stocks and Bonds)
- f. Individual Retirement Accounts (IRA, 401-K, Pension plans with cash out value or that have loan value)
- g. Insurance policies with cash out or loan value.
- h. Real estate other than that occupied as a main home
- i. More than one automobile or similar vehicle
- j. A second home, vacation property
- k. Recreation vehicles (i.e. snowmobiles, ATV, boats, trail bikes, campers)
- l. Other non-essential property

The Department will allow time for an applicants or recipient to convert non-liquid available assets into cash, and such property will not be considered part of a person's resources for purposes of determining need for assistance until it has been converted into cash.

Available assets do not include:

- a. A home and the lot which it occupies, if it is the primary residence.
- b. One automobile or similar vehicle for ordinary use.
- c. Tools of a trade.

- d. Livestock and farm equipment.
- e. Equipment used for the production of income.
- f. Necessary and ordinary household goods.

XII. LEIN on REAL PROPERTY & CIVIL JUDGMENTS

As required by law under RSA 165:28, the Town will place a lien on any real property owned by a recipient on General Assistance except for just cause. Such a lien will remain in effect during the recipient's lifetime or until the amount of General Assistance provided by the Town Welfare Department is repaid. Interest will accrue at 6% per annum after the first twelve months. The property does not need to be primary residence of the recipient or located in Gorham for the Town to place a lien on it.

The Town is also entitled to a lien for the amount of assistance granted to a recipient of General Assistance upon property passing under a will or by interstate succession, a property settlement or a civil judgement awarded for personal injury. The Town is entitled to the lien only if the assistance was granted no more than six years before the receipt of the inheritance or award under RSA 165:28-a.

XIII. WORK PROGRAM

The Town Welfare Department may require a recipient of general assistance to participate in the Town's Work program for all or any portion of assistance it provides, at a job that is within their capacity, as a condition of continued eligibility for assistance. The person will not be paid cash wages for such work, but rather will work of the cash value of assistance given at the rate of exchange equivalent to the prevailing wage for the kind of work performed in the Town as determined by the municipality's wage schedules prevailing at the time of the application for assistance. The amount an assisted person may be required to reimburse the Town for aid received shall be reduced by the credits received from participation in the Work Program as per RSA 165:31.

- a. All individuals are made aware that there is a work program that every person who does not own a property, and is able physically and mentally to work, is assigned to work on to repay their assistance to the Town. That they have the right to refuse to work on the work program or to conduct a job search if they must care for a child under the age of 5 who is not in a school program if you are a single parent without childcare options.
- b. That they have the right to, if you are disabled or ill and can provide a doctor's note stating your limitations or the fact you are unable to work, refuse to work on the work program or to conduct a job search, or if you must provide care for a family member who is disabled or ill.
- c. If there is another person over the age of 16 living in the household, they will be considered a childcare option; unless they can produce a doctor's, note stating they are incapacitated or they are working full time at night (the 11-7a.m. shift); even if they are not the other parent of the child.

The work program is not voluntary community service but is a required, scheduled program of the Town as allowed under the law.

- a. Welfare Work Program Rules:
 - i. Workers are expected to report to work on time and be dressed appropriately for the job.
 - ii. Workers are expected to perform the tasks assigned to them by the Supervisor and do a good job.
 - iii. Workers must report to work sober and physically able to perform the tasks assigned by the supervisor.
 - iv. Workers are expected to complete the hours as per their work schedule and report to the supervisor before leaving.
- b. Departments who use timecards workers must punch in at the start and punch out at the end of the work period.

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- c. Workers should not leave the job site without authorization from the Supervisor.
- d. If workers take only a 20-minute lunch break, no work time will be added.
- e. If for a valid reason, workers are unable to report to work as scheduled, they must call the Welfare Office at (603) 466-9454 between the hours of 8:30 a.m. to 12:00 noon.
 - i. Workers must provide documentation of their attendance at a conflicting interview or appointment in order to be rescheduled by the Welfare clerk.
 - ii. Absences for medical reasons, lasting more than 2 days, must be documented by a doctor and a note from the doctor must be brought into the Welfare Office to be excused. The recipient will owe whatever hours were not worked and will be rescheduled upon being deemed able to return to work by the physician.
- f. Individuals working on the work program are held by the same standards of confidentiality as those who work for the Town by law. They must understand that any information they may hear or see while at a work site or working on the work program may be confidential in nature and therefore protected by confidentiality laws. Plus, they must acknowledge that they understand that if they share that information with anyone, they may be punished to the fullest extent of the laws that cover such breach of confidentiality. This is in reference to any information seen, heard or observed.
- g. The Work Program is a required activity under the law that is scheduled by the Welfare office, only hours scheduled by the Welfare office are deducted from what is owed. Please understand that if you do not show up or show up late to scheduled hours you will be suspended from receiving additional assistance until compliance is met.
- h. The Welfare Department asks that you list any allergies or medical issues that we may need to know about if you were to become ill while working on the work program and not be able to communicate such things to emergency responders.
- i. Workers must make up any unexcused time before their reporting day in order to prevent being suspended for not completing work program hours.
 - i. Valid reasons for asking to be rescheduled are:
 - 1. A doctor's appointment.
 - 2. A job interview that cannot be scheduled before or after you scheduled work program time.
 - 3. A day off from school for minor children.
 - 4. Not having the tools or materials needed to do the job and the Town failed to provide them.
- j. Show up on time and ready to work. Treat it as you would a paid position as it may lead to someone telling you of a position they think you would be a good fit for based on the skills and attitude they see displayed.
- k. Failure to abide by the rules will mean suspension of assistance for 7 days and fourteen days thereafter if repeated within six months.

XIV. GROUNDS FOR DENIAL, TERMINATION, REDUCTION or SUSPENSION of ASSISTANCE

A person's application for assistance may be denied or a recipient's assistance may be reduced, suspended, or terminated for the following reasons:

- a. Failure to complete an application or to provide requested verification of information.
- b. Determinations by the Department that resources are equal to or exceed need.
- c. An applicant or recipient obtains or attempts to obtain assistance by means of an intentionally false statement or intentional misrepresentation, or by impersonation or other willfully fraudulent act or device.
- d. An applicant or recipient fails to report all income or available assets at any time.
- e. An applicant or recipient fails to notify the Department of any change in needs and/or resources which may affect eligibility for continuation of assistance.
- f. An applicant or recipient fails to apply for another form of assistance within one week of having been advised to do so by the department.
- g. An applicant or recipient refuses a job offer or referral to suitable employment without good cause or who voluntarily terminates employment without good cause. Factors to be considered in determining whether

- there is good cause for such refusal include the person's ability, physical and mental capacity, transportation problems, lack of adequate child care, and unsafe working conditions.
- h. A recipient or any adult member of the household failing to register with the Employment Security Office for the purpose of finding work within one week of being directed to do so on the Notice of Decision after receiving assistance. Exceptions are: a person who is gainfully employed for thirty-five hours a week or more; a dependent 16 years of age or older who is regularly attending high school (or any schooling under college); if not attending school or a training program they will be required to complete a job search; a person unable to work due to disability, a person who is required to be home to care for a disabled person; a single person who is required to be home to care for a person under the age of 5 who is not enrolled in a daycare or school program (RSA 165:31).
 - i. A recipient fails to make reasonable efforts to convert available assets into cash.
 - j. A recipient fails to participate in the Town work program or fails to comply with the work program rules given to and acknowledged by the recipient.
 - k. A recipient, who is unable to work on the work program fails to comply with his treatment plan for substance abuse as referred by their physician and that is being counted as their work program hours by the Welfare Department (i.e. does not go to the meetings, counseling, other activities that they are scheduled to attend in lieu of being scheduled on the work program).
 - l. An applicant or recipient refused to allow the Department to seek or to verify information leaving the Department unable to substantiate information in regard to whether or not they are eligible for assistance or refuses to provide requested information/documentation.
 - m. A recipient refuses to grant a home visit without reasonable justification.
 - n. A recipient refuses to pay certain expenses and/or show proof of said expenses as requested while the Welfare Department is assisting with certain other expenses.
 - o. A recipient or any adult member of the recipient household refuses to complete a work search.
 - p. A recipient who is homeless fails to make a documented apartment search, fails to contact homeless shelters.
 - q. A recipient who does not report on a weekly basis as scheduled or does not keep scheduled appointments.
 - r. A recipient misuses a voucher, such as giving the voucher to someone else to use, exchanging the voucher for cash, changing the amount on the voucher, etc.
 - s. A recipient who knowingly falsifies their application, or information they provide on the application, in order to receive an amount of assistance they would otherwise not have been eligible for will be suspended until such time as they come into compliance by providing the correct information and receipts reflecting payment for the amounts they should have covered given their income and assets.

XV. PROCEDURE for SUSPENSION for NONCOMPLIANCE with GUIDELINES

Procedure according to RSA 165:1-b will be followed if a recipient fails to comply with guidelines relating to:

- a. Disclosure of income, resources, or other financial data.
- b. Participation in the work program.
- c. Reasonable work search.
- d. Application with other public assistance agencies.

A written First Notice shall be given at the time of the granting of assistance stating the requirements in order to be eligible for assistance for the following week. Each recipient will be given a 7-day period within which to comply after receiving such notice.

The period of ineligibility of suspension shall be 7 days or 14 days if the recipient has had a prior suspension within the past six months. If upon the expiration date of the 7-day or 14-day disqualification period, the recipient continues

to fail to carry out the specific actions set forth in the suspension notice, the disqualification shall continue until the person complies.

The welfare official shall not be required to accept an application for general assistance from a person who is subject to disqualification or suspension under this section (RSA 165:1-b).

In the event such disqualification or suspension continues beyond 7-days or 14-days due to continued non-compliance and there is a dispute over whether or not the recipient has satisfactorily complied with the requirements set forth in the suspension notice, such person shall be given, per the RSA, an opportunity to request a hearing to determine that they have satisfied the terms of the requirements but the ability to receive assistance pending the outcome of the hearing shall not apply.

XVI. RIGHT to APPEAL DECISION

All people have a constitutional right to be free of unfair, arbitrary or unreasonable action taken by government on any level. This includes applicants for and recipients of general assistance whose aid has been denied, terminated, suspended, or reduced. Any applicant for or recipient of general assistance who receives a decision denying, reducing, suspending, or terminating such assistance will be informed of the action in writing within three working days of the time the decision is made. This notice will include:

- a. A statement of the reasons for the decision
- b. A statement advising the person of his or her right to appeal the decision by requesting, in writing, a fair hearing.
- c. A form on which a Fair Hearing may be requested.
- d. A statement advising the person of the time limits which must be met in order to receive a Fair Hearing
- e. The person will have five (5) days from the mailing of the Notice of Decision to return the form requesting a hearing (RSA 165:1-b(III).)

XVII. FAIR HEARING OFFICER

There shall be a Fair hearing committee for the Town of Gorham which shall hear and decide appeals of decisions rendered by the Town Welfare Department. The Fair Hearing Officer shall be the Town Manager or their designee.

XVIII. FAIR HEARINGS

All hearings requested by applicants, or recipients, will be held within five (5) business days of the receipt of the request. The Department will notify the person requesting the hearing of the time and place of the hearing. The client will be contacted at least 72 hours in advance of the hearing.

One postponement of a scheduled Fair hearing will be granted if the claimant has a valid reason for not being able to attend. Otherwise, if the claimant does not appear at the second scheduled hearing the claimant will lose their right to a Fair Hearing.

The hearings are not subject to formal requirements or rules of courts of law. However, they shall be conducted in such a manner as to ensure that the claimant has the opportunity to be fully heard and to maximize the fairness of all proceedings and all decisions arising out of such proceedings. The hearing is to determine if the Welfare Department Officials followed all laws and guidelines in making their decision.

The appellant may designate counsel or another person to represent themselves. The appellant or their representative has the right to examine all materials in the appellant's case file and any materials relevant to the Department's decision prior to the Fair Hearing.

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The Administrator of Welfare or their authorized representative has the right to examine all materials and documents on which the appellant plans to rely prior to the hearing. The Administrator will attend the hearing and testify as to their actions and reasons for them.

The burden of proof is on the person challenging the status quo. Both parties may present witnesses on their behalf. Both parties have the right to cross examine all witnesses.

The Fair hearing officer will reach their decision solely on the basis of the evidence presented at the hearing and the laws in regard to General Assistance. The Fair Hearing Officer will not examine the case record of a case prior to hearing it. The Fair hearing Officer has the right to adjust the amount of assistance. Fair hearing decisions are rendered in writing within seven (7) working days of the hearing. The Fair Hearing Officer will set forth the reasons for their decision and the facts relied on. A copy will be mailed or delivered to the appellant and to the Town Welfare Department.

Fair Hearing decisions are rendered on the basis of the Fair hearings Officer's findings of fact, these guidelines, as well as state and federal laws. Each decision will set forth an award or denial of appropriate relief. Fair Hearings in no way limit any right of a recipient to seek subsequent court action to review or challenge a Welfare Department decision. A recipient may continue to receive assistance until the fair hearing if they request to do so.

XIX. PROCEDURE for BILLING and RECOVERING from GOVERNMENTAL UNIT of RESIDENCE or LIABLE RELATIVES

The amount of money spent by the Town to support a person who has a residence in another municipality may be recovered from the municipality of record. Per RSA 165:1 C:

- I. Any person, poor and unable to support himself, who is temporarily in a town or city which is not his residence, and who does not intend to make it his residence, shall be provided such temporary assistance as is reasonable and necessary by such town or city. Such town or city may, if requested, cause such person to be returned to his residence.
- II. In addition to emergency housing governed by RSA 126-A:30, a person does not change his or her residency status while in a hospital, a correctional facility, a treatment program center, or a hotel or motel paid for by a municipality or other service provider, except as provided in this section.
- III. A person who leaves emergency housing of their own free will and remains in a situation of homelessness or is removed from emergency housing for non-compliance or policy violations of emergency housing or local welfare regulations, shall not be considered to have changed his or her residency status for 30 days.
- IV. A person assisted by a municipality, or other assistance providers, with emergency housing assistance in a hotel or motel in another municipality, who then self pays for a consecutive 30 days without municipal or other provider assistance shall, for local welfare purposes, transition residency to the new municipality.
- V. Temporary urgent assistance may need to be provided to meet basic needs of transient individuals or residents of other municipalities. Municipalities shall communicate and coordinate assistance options with each other, including reimbursements from municipalities of origin pursuant to RSA 165:2-a.
RSA 165:1-c

Amended by 2023, 161:1, eff. 9/26/2023.
1985, 380:4, eff. Jan. 1, 1986.

The municipality that someone presents at to ask for assistance should take into consideration whether or not the individual has transportation, how far away the other town is and if it makes sense for them to reach out to the other

town to facilitate assistance. In many cases individuals did not realize that the town they had been in had assistance available and a call to the municipality to set up a time for the person to go in to apply helps.

If there is a mother, father, step-mother, step-father, husband, wife or child who can afford to assist in some way financially but who refuses to do so they municipality may seek recovery from the liable relative. Sufficient ability shall be deemed to exist when the relative's weekly income is more than sufficient to provide a reasonable subsistence compatible with decency and health. Written notice of money spent in support of an assisted person will be given to the liable relative. The Welfare Official shall make reasonable efforts to give such a written notice prior to giving of aid, but aid to which an applicant is entitled under these guidelines, shall not be delayed due to inability to contact possible liable relatives. Should a relation refuse to render such aid when requested to do so by an overseer of public welfare, such person or persons shall upon complaint of the official be summoned to appear in court. If, after a hearing, it is found that the alleged poor person is in need of assistance and that the relative is able to render such assistance, the court shall enter a decree accordingly and shall fix the amount and character of the assistance which the relation shall furnish. If a poor person has no relation of sufficient ability, the Town shall be liable for their support (RSA 165:19 and 20.)

The amount of money spent by the Town to support a person, who has made an initial application for SSI and has signed an Interim Assistance Program Reimbursement Form, shall be recovered through the Social Security Administration and the Department of Human Services. Any amount not recouped from Social Security or the Department of Health and Human services (through Medicaid reimbursement) will still be the responsibility of the recipient to repay.

A former recipient who is returned to an income status after receiving assistance may be required to reimburse the Town for the assistance provided, if such reimbursement can be made without financial hardship (RSA 165:20-b.)

Appendices

APPENDIX A: Model Fair Hearing Rules of Procedure

The hearing [may] [shall] be tape-recorded.

1. Any party may make a recording.
2. Parties may, but need not, be represented by counsel.
3. The Applicant has the burden of proof by a preponderance of the evidence.
4. Strict rules of evidence shall not apply, but the Hearing Officer may exclude hearsay and irrelevant, immaterial or unduly repetitious evidence.
 - a. Each party may give a brief opening statement prior to the submission of evidence
5. Testimony shall [not] be under oath.
 - a. Parties may cross-examine witnesses, and the party who called the witness may re-examine the witness concerning matters raised in cross-examination.
6. The Hearing Officer may question witnesses.
7. Documentary evidence will be received when properly authenticated.

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- a. Evidence shall be offered in the following order:
 - i. Welfare Officer's witnesses and documentary evidence
 - ii. Applicant's witnesses and documentary evidence
 - iii. Rebuttal by Welfare Officer
 - iv. Rebuttal by Applicant
8. The Record shall be closed at the conclusion of the hearing unless there is good cause to keep the record open for a specified time for the claimant to submit additional information.
9. A written decision will be rendered within seven working days.