

Table of Contents

16.07.04 - RULES GOVERNING EMERGENCY RELIEF FOR VETERANS

000. LEGAL AUTHORITY.	2
001. POLICY.	2
002. SUBMISSION OF APPLICATION.	2
003. BASIC ELIGIBILITY.	2
004. PERSONS TO RECEIVE RELIEF - CLASSIFICATIONS.	2
005. PURPOSE OF GRANTS.	2
006. PERMISSIBLE RELIEF.	3
007. PAYMENT PROCESS.	3
008. PROPORTIONATE GRANTS.	3
009. ACCUMULATION OF GRANTS.	3
010. INVESTIGATION.	3
011. VETERAN SERVICE OFFICER SUPPORT.	3
012. -- 995. (RESERVED).	3
996. ADMINISTRATIVE PROVISIONS.	3
997. CONFIDENTIALITY OF RECORDS.	4
998. INCLUSIVE GENDER.	4
999. SEVERABILITY.	4

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000. LEGAL AUTHORITY.

The Idaho Legislature has given the Administrator of the Division of Veterans Services the authority to promulgate rules governing the standards pertaining to the Veterans Services Emergency Relief Program, pursuant to Sections 65-201, 65-202, 65-203, 65-204 and 65-207, Idaho Code. (7-14-88)

001. POLICY.

There exists in this state a need to provide assistance in the way of the actual necessities of life such as food, fuel, shelter, and clothing in a time of temporary emergency need to honorably discharged veterans meeting basic eligibility criteria and their dependents. A statewide network of qualified veteran service officers is required to insure that destitute and disabled veterans and dependents are receiving earned Department of Veterans Affairs benefits thus lessening the demand for veterans emergency relief or other welfare programs. (6-1-93)

002. SUBMISSION OF APPLICATION.

Persons authorized to submit emergency relief applications on behalf of applicants include post and county service officers, and Department of Health and Welfare and city-county welfare employees. Additionally, any person in need of emergency assistance may submit an application on his own behalf. (6-1-90)

003. BASIC ELIGIBILITY.

The applicant must be a(n): (6-1-95)

01. Bona Fide Resident. At the time of application, the applicant must provide proof that he maintains a principal or primary place of abode in the state of Idaho coupled with the present intent to remain at that home or abode and return to it after any period of absence. (6-1-95)

02. Armed Forces Veteran. Pursuant to Section 65-203, Idaho Code, a person who actually served during any war or conflict officially engaged in by the government of the United States and was discharged, under honorable conditions, after ninety (90) or more days of military service or was separated from military service earlier because of service connected disability. (6-1-95)

004. PERSONS TO RECEIVE RELIEF - CLASSIFICATIONS.

Emergency relief grants may be made by the Idaho Division of Veterans Services to veterans and their dependents who come under the following classifications: (7-14-88)

01. Destitute Veterans. Those persons meeting the basic eligibility criteria who demonstrate a state of extreme emergency need resulting from an accident or catastrophic event which has occurred within ninety (90) days of the date of the application for emergency relief. (6-1-95)

02. Disabled Veterans. Those persons meeting the basic eligibility criteria who demonstrate a state of extreme emergency need who are unemployed as the result of a disabling condition which has occurred within ninety (90) days of the date of application for emergency relief. (6-1-95)

03. Widows and Orphans. Widows and dependent children of once eligible veterans who meet the criteria of Subsections 004.01 or 004.02. (6-1-95)

005. PURPOSE OF GRANTS.

Relief grants are provided to eligible individuals for the purchase of food, fuel, shelter and other necessities of daily living in a time of temporary emergency need. No grants will be made to a potential recipient who refuses to take advantage of available government benefits, or federal-state-local relief. Applicants will be required to obtain certification that they have applied for available assistance programs. Emergency relief funds may not be used to duplicate assistance from other sources. (6-1-95)

006. PERMISSIBLE RELIEF.

Amounts of grants will depend upon facts and conditions as shown on the application submitted. In no case will a grant exceed one thousand dollars (\$1,000). All grants are subject to the availability of funds. (7-14-88)

007. PAYMENT PROCESS.

When it has been verified that the request for relief is valid, the request for funds is processed for payment by the state auditor's office and a state warrant is issued to the individual. (6-1-93)

008. PROPORTIONATE GRANTS.

A grant amount will be determined in proportion to the extent of the emergency and the length of time assistance is required. (6-1-95)

009. ACCUMULATION OF GRANTS.

Grant recipients may receive only one (1) grant in a six (6) month period. The total of all grants awarded to a veteran and his dependents shall not exceed one thousand dollars (\$1,000). (6-1-95)

010. INVESTIGATION.

Applicants must agree to permit investigation of their financial, domestic and employment status as may be related to the emergency need. Personal and private information on an application is confidential and the applicant must sign the application if he is available and capable. A relative may file an application on behalf of the petitioner, if the petitioner is not available or is unable to file the application. Each application should include a full report on the financial and home conditions pertinent to the applicant, together with recommendations of the investigator making the report. Temporary emergency and/or destitution must be clearly shown in the investigator's report. If information on the application is found to be incorrect or falsified, this may constitute basis for denial of grant or future relief. (6-1-90)

011. VETERAN SERVICE OFFICER SUPPORT.

Veteran service officers, whether of the counties or of the recognized veterans service organizations, must have a current knowledge and understanding of Department of Veterans Affairs programs to adequately serve the citizens of the state in the recovery of earned veterans benefits. (6-1-90)

01. Training. The Division of Veterans Services will conduct a minimum of three (3) regional training conferences each year in support of the statewide service officer program. (7-14-88)

02. Reimbursement. Eligible counties and service organizations sending service officers to scheduled training sessions may apply to the Division of Veterans Services for reimbursement of travel expenses for one (1) participant. Payment will not be provided for expenses reimbursed by other sources and shall be limited to one (1) regional training conference per year. (6-1-93)

03. Rate of Reimbursement. Reimbursement of travel expenses shall be for mileage and meals and at the same rate as established by the State Board of Examiners. (7-14-88)

04. Requests for Reimbursement. All requests for reimbursement must be submitted from an official county officer or from an administrative officer of a congressionally chartered veterans service organization. Requests for reimbursement shall be submitted in a format as prescribed by the Division of Veterans Services. Requests must be submitted within thirty (30) days after the conclusion of a training conference. All reimbursements are subject to the availability of funds. (6-1-90)

05. Validation. Request for reimbursement shall be validated by cross-referencing attendance lists from service officer training conferences. (7-14-88)

012. -- 995. (RESERVED).

996. ADMINISTRATIVE PROVISIONS.

Contested case appeals shall be governed by Idaho Department of Health and Welfare Rules, IDAPA 16, Title 05, Chapter 03, Sections 000, et seq., "Rules Governing Contested Cases and Declaratory Rulings." (12-31-91)

997. CONFIDENTIALITY OF RECORDS.

Any disclosure of information obtained by the Department of Health and Welfare is subject to the restrictions contained in the Idaho Department of Health and Welfare Rules, IDAPA 16, Title 05, Chapter 01, "Rules Governing Protection and Disclosure of Department Records." (6-1-90)

998. INCLUSIVE GENDER.

For the purposes of these rules, words used in the masculine gender include the feminine, or vice versa, where appropriate. (6-1-90)

999. SEVERABILITY.

Idaho Department of Health and Welfare Rules, IDAPA 16, Title 07, Chapter 04, are severable. If any rule, or part thereof, or the application of such rule to any person or circumstance, is declared invalid, that invalidity does not affect the validity of any remaining portion of this chapter. (7-1-93)