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**IDAPA 21
TITLE 01
CHAPTER 02**

21.01.02 - RULES GOVERNING EMERGENCY RELIEF FOR VETERANS

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. (3-30-01)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 21.01.02, "Rules Governing Emergency Relief for Veterans". (3-30-01)

02. Scope. These rules contain the provisions for accepting, evaluating, granting, and denying requests for emergency relief and provisions related to Veterans Service Officers. (3-30-01)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of the rules of this chapter, or to compliance with the rules of this chapter. Any such documents are available for public inspection and copying at cost at the Idaho Division of Veterans Services' office. (4-6-05)

003. ADMINISTRATIVE APPEALS.

Contested case appeals shall be governed by Division of Veterans Services Rules, IDAPA 21.01.01, "Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure," Sections 982, et seq. (3-30-01)

004. 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 veterans service officers is required to ensure that destitute and disabled veterans and dependents are receiving earned United States Department of Veterans Affairs benefits thus lessening the demand for veterans emergency relief or other welfare programs. (3-30-01)

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Office of the Idaho Division of Veterans Services is in Boise, Idaho. The office is located at 320 Collins Road, Boise, Idaho and is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is: 320 Collins Road, Boise, Idaho 83702. The telephone number of the office is (208) 334-3513. The facsimile number of the office is (208) 334-2627. (3-15-02)

006. PUBLIC RECORDS ACT COMPLIANCE.

The rules contained herein have been promulgated according to other provisions of Title 67, Chapter 52, Idaho Code, and are public records. (3-15-02)

007. -- 010. (RESERVED).

011. SUBMISSION OF APPLICATION.

Persons authorized to submit emergency relief applications on behalf of applicants include post and county service officers and public welfare employees. Additionally, any person in need of emergency assistance may submit an application on his own behalf. (3-30-01)

012. BASIC ELIGIBILITY.

The applicant must prove that he or she meets each of the following eligibility criteria: (4-6-05)

01. Bona Fide Resident. The applicant maintains, at the time of application, a principal or primary place of abode in the state of Idaho and has the present intent to remain at that home or abode and return to it after any

period of absence.

(4-6-05)

02. Wartime Armed Forces Veteran. Pursuant to Section 65-203, Idaho Code, the applicant is a person who served on active duty in the United States armed forces at some time during any period of war recognized by the United States Department of Veterans Affairs for the purpose of awarding federal veterans benefits as may be defined in Title 38, U.S. Code, Chapter 1, Section 101(11), who was separated or discharged under honorable conditions, after ninety (90) days of continuous active duty or was separated or discharged earlier under honorable conditions because of a service-connected disability. (4-6-05)

03. Idaho as Home of Record. Idaho was the applicant's home of record while completing his or her wartime service. The Division Administrator may waive the home of record requirement if the applicant has resided in Idaho for a minimum of five (5) years. (4-6-05)

013. 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: (3-30-01)

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, unless such ninety (90) day period is waived by the division administrator. (5-3-03)

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, unless such ninety (90) day period is waived by the division administrator. (5-3-03)

03. Surviving Spouse and Dependent Children. Surviving spouses and dependent children of once eligible veterans who meet the criteria of Subsections 013.01 or 013.02. (3-15-02)

014. -- 020. (RESERVED).

021. 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 residents of domiciliaries or long-term care facilities or 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. (5-3-03)

022. 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. (3-30-01)

023. PAYMENT PROCESS.

When it has been verified that a request for relief is valid, the request for funds is processed for payment by the State Controller's Office, and a state warrant is issued to the individual. (3-30-01)

024. PROPORTIONATE GRANTS.

A grant amount will be determined in proportion to the extent of the emergency and the length of time assistance is required. (3-30-01)

025. 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). (3-30-01)

026. 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 or destitution must be clearly shown in the investigator's report. Incorrect or falsified information may constitute basis for denial of grant including future relief. (3-30-01)

027. VETERANS SERVICE OFFICER SUPPORT.

Veterans service officers, whether of the counties or the recognized veterans service organizations, must have a current knowledge and understanding of United States Department of Veterans Affairs programs to adequately serve the citizens of the state in the recovery of earned veterans benefits. (3-30-01)

01. Training. The Division of Veterans Services will conduct a minimum of one (1) regional training conference each year in support of the statewide service officer program. (5-3-03)

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. (3-30-01)

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. (3-30-01)

04. Requests for Reimbursement. All requests for reimbursement must be submitted from an official county service 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. (5-3-03)

05. Validation. Request for reimbursement shall be validated by cross-referencing attendance lists from service officer training conferences. (3-30-01)

028. -- 999. (RESERVED).

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