Chapter Fifteen

PUBLIC ASSISTANCE

State and federal governments have many public assistance programs available through various agencies. Applicants must meet eligibility requirements for each program and are accorded basic rights under all programs.

FEDERAL BENEFITS

The federal government provides many different types of assistance through various agencies such as the Social Security Administration, the Department of Veterans Affairs, and the Bureau of Indian Affairs. These benefits are too detailed to list here, but the federal government provides booklets on public assistance rights under federal law. One particular program will be highlighted here: Social Security.

Social Security Disability

The federal government offers a disability benefits called either Disability Insurance Benefits (DIB) or Supplemental Security Income (SSI). Both programs use the same medical rules to establish disability, but Disability Insurance Benefits are based upon a person’s work history and have no income limits. SSI benefits are available to low income disabled persons with little work history. In order to qualify for benefits, a person must have a medical condition that prevents them from participating in any sustained work activities. The rules used to qualify for disability benefits are very complex and the process can take several months to several years to qualify.

STATE BENEFITS

The State of Alaska’s Department of Health and Social Service, Division of Public Assistance (DPA) operates several state and federal assistance programs, including:

- Food Stamps;
- Alaska Temporary Assistance Program;
- Medicaid;
- Adult Public Assistance (APA); and
- Chronic and Acute Medical Assistance (CAMA)

These programs are available to everyone who qualifies based on need and other eligibility factors such as state residency, disability, and age.

The Division of Public Assistance has offices throughout the state. In rural areas, fee agents help people fill out application forms and verify necessary information. The fee agents then forward the forms to the Division of Public Assistance. Fee agents are not salaried employees, but are paid for each application they process. If your community does not have a Public Assistance office, you can call the nearest office for the name of the village fee agent in your location.

More information on the programs available and eligibility factors can be found at the Division of Public Assistance website: www.hss.state.ak.us/dpa.
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RIGHTS OF PUBLIC ASSISTANCE APPLICANTS AND RECIPIENTS

You have the same basic rights under all State administered public assistance programs. They include the right to “due process”, which typically includes the right to:

- Receive an application form when you ask for it.
- File an application form the same day you receive it with only your name, address, and signature on it. (With some public assistance programs, e.g., temporary assistance and food stamps, it is important to file an application as early in the month as possible because you will only receive benefits from the date you file your application).
- Have a face-to-face interview.
- Receive a written notice telling you if you are eligible (time limits for how soon these notices must get to you vary by program).
- Have your benefits on the way within 30 days for most programs (emergency food stamps should be paid within seven calendar days).
- Receive fair and equal treatment regardless of age, sex, race, color, handicap, religion, national origin, or political belief.
- Be notified in writing in advance of any changes in your benefits; however, there may be instances when notice arrives after the benefit change.
- Request and have a fair hearing whenever the DPA takes an action on your case with which you do not agree, or if DPA fails to take action on your case within the required time frame. If you are already receiving benefits, you can request that benefits be continued pending a fair hearing decision if you request a fair hearing in a timely manner.
- See the manual for the program about which you have a question.

Federal programs (such as Social Security’s Supplemental Security Income (SSI) program) offer similar due process protections, but each program has its own process.

FAIR HEARINGS

Fair hearings are informal proceedings offered by the State of Alaska that you can request if you are dissatisfied with an action on your case that affects your benefit amount or eligibility. You have the opportunity to tell an independent Administrative Law Judge (ALJ) why your benefits should be granted, reinstated, or recalculated. You have the right to represent yourself or have someone else represent you at the fair hearing (a friend, neighbor, relative, or an attorney from Alaska Legal Services Corporation if you qualify). However, you do not need an attorney to represent you. If you have legal fees as a result of the fair hearing, DPA is not responsible for them. The hearing is tape-recorded and held before an ALJ, who makes a decision about the case.

You should request a hearing as soon as possible if you are dissatisfied with an action in your case. Generally, you must ask for a hearing within 30 days of the date the notice of decision was mailed to you. If you want to keep receiving your benefits while your hearing is being decided, you must ask for a hearing within the time frames described in the notice. If you decide to continue receiving your benefits while the hearing decision is being made, you may have to pay the benefits back if you lose the fair hearing.
INDIVIDUAL PROGRAMS

What are food stamps?

The Food Stamp Program provides low-income households benefits that can be used to purchase food, some kinds of subsistence hunting and fishing gear, and seeds and plants used to grow food. Food stamp benefits also may be used to purchase meals on wheels and group meals for the elderly.

In order to be eligible for food stamp benefits, a household must meet specific income and resource guidelines. In general, households must meet both a gross income (before deductions) and net income (after deductions) test. The rules are more liberal for the elderly and disabled. The income limits for the Food Stamp Program are set by the federal government and are updated annually. The amount of income the household may have and still be eligible depends on the number of people in the household. For precise eligibility information, check with the nearest public assistance office. See the Resource Directory at the end of this handbook for contact information.

If you are destitute and in immediate need of assistance, you may be entitled to emergency food stamp benefits. If you are eligible for emergency food stamp benefits, the state must make them available to you no later than seven days after you apply. If you are not entitled to emergency food stamp benefits, the Division has 30 days to process your application and give you food stamps if you are eligible.

What is the Alaska Temporary Assistance Program?

The Alaska Temporary Assistance Program (ATAP) is available to low-income families with dependent children under age 18, whether or not both parents are in the household. It is also available to low-income women in their last trimester of pregnancy. Minor parents are not eligible for Temporary Assistance unless they are living with their own parents or guardians or in an approved adult-supervised setting. Also, instead of regular Temporary Assistance payments, some families may be able to get a short-term “diversion” payment to help them start or remain working.

Under Temporary Assistance, the family must make a “family self-sufficiency plan” with their DPA case worker to help them find employment to become self-supporting without welfare. The Temporary Assistance program is focused on work. Participants must engage in activities designed to develop their skills and get them employed. Child care assistance is also available for most working families on Temporary Assistance.

Temporary Assistance has a 60 month lifetime limit on assistance for most families, requires families to participate in work activities within 24 months of receiving benefits, and penalizes individuals who refuse to develop a Family Self Sufficiency Plan, participate in work activities, or refuse to cooperate with Child Support Services. Other policies include no extra payment amount for a second parent and seasonal benefit reductions of 50 percent for two parent families during July, August, and September. There is also a reduction in benefits for families with no housing costs.

For a family to meet eligibility requirements for Temporary Assistance, their income must be low enough to meet criteria set by the State of Alaska. However, not all the money you earn will count against your Temporary Assistance income limit. You get to deduct some of it as work incentive. Check with your local DPA office for more information.
Domestic Violence Policy for ATAP

Alaska has chosen the Family Violence Option that allows victims of domestic abuse temporary respite from welfare-to-work requirements while obtaining needed services. Alaska is responsible for implementing three special provisions for victims of family violence:

- screening applicants and recipients for past or current domestic violence;
- referring victims to specialized community-based services; and
- waiving program requirements including work activities and child support cooperation for victims and survivors when compliance with these requirements would:
  - endanger the safety of the adult victim and/or dependent children;
  - interfere with the ability of the victim to escape domestic violence; or
  - unfairly penalize individuals who have been harmed by domestic violence or are at risk of further domestic violence.

There is a “good cause” exception for program requirements, including refusal of, or voluntary separation from, suitable employment, failure to comply with a condition of the Family Self-Sufficiency Plan, or failure to participate in work activities when participation would interfere with the recipient’s attempt, or the attempt by a member of the recipient’s immediate family, to escape domestic violence or its escalation. [7 AAC 45.261.] There is also a “good cause” exception for failure to cooperate with Child Support Enforcement Division (CSED). You will be provided information about your right to request non-disclosure of information by CSED in the child support packet you will be requested to complete. You also may be allowed additional time beyond the 60 month time limit if as a result of domestic violence, you are unable to participate in work activities or to accept or retain employment at a level that allows your family to be self-sufficient.

MEDICAID

Low income families with children and people who are elderly, blind, and/or disabled can get health insurance (medical assistance) through Medicaid. Medicaid covers:

- All children through age 18 and pregnant women under the Denali KidCare program. The income limit for insured children to qualify for Denali KidCare is 177 percent of the Federal Poverty Limit for Alaska.
- The income limit for uninsured children and pregnant women is approximately 200 percent of the Federal Poverty Limit for Alaska.
- “Transitional Medicaid” for families who work their way off public assistance (for up to 12 months) or who cannot get regular Medicaid anymore because they are receiving more child support (for up to four months).
- Elderly, blind, or disabled people who receive Adult Public Assistance (state benefit) or Supplemental Security Income (federal benefit) or whose income is below $2,163 per month and who are in nursing homes or getting home health services under a program called the Home and Community Based Waiver Program (“Choice Waiver”).

Medicaid eligibility, like most public assistance eligibility guidelines, is complicated and it is wise to contact your local Public Assistance Office for more information. See the Resource Directory at the end of this handbook for contact information.
It is possible to get Medicaid stickers for the three months before the month you actually apply for Medicaid if you would have been eligible had you applied earlier. This can be very helpful if you need Medicaid to cover unexpected medical bills.

Medicaid covers a wide range of medical services, including prescription drugs, doctor’s services, hospital charges, and long-term care.

**ADULT PUBLIC ASSISTANCE**

Adult Public Assistance (APA) is a 100 percent state funded program that provides assistance to three categories of people:

- the elderly, (those who are 65 or older);
- the blind; and
- the physically or mentally disabled.

To qualify for assistance under any of the three sub-programs, an applicant household must meet income and resource guidelines. More information about eligibility should be obtained from the Division of Public Assistance. *See the Resource Directory at the end of this handbook for contact information.*

**CAMA (Chronic and Acute Medical Assistance)**

The Chronic and Acute Medical Assistance program (CAMA) is a state funded program designed to help needy Alaskans who have specific illnesses get the medical care they need to manage those illnesses. It is a restricted benefit program primarily for people age 21 through 64 who do not qualify for Medicaid benefits, have very little income, and have inadequate or no health insurance.

To be eligible for CAMA, you must have a diagnosis of:

- Terminal illness
- Cancer requiring chemotherapy
- Diabetes
- Diabetes insipidus
- Chronic hypertension
- Chronic mental illness
- Chronic seizure disorder.

A CAMA recipient with one of the conditions listed above is considered to have a “CAMA covered medical condition.” Alaska Medicaid will cover the following services provided to eligible CAMA recipients:

- Physician services for a CAMA-covered medical condition. (Physician services provided in an inpatient hospital or nursing facility are not covered).
• Three (3) prescriptions filled or refilled in a calendar month. Prescriptions cannot exceed a 30-day supply.

• Limited medical supplies necessary for monitoring or treating a CAMA-covered medical condition. CAMA does not cover durable medical equipment (such as wheelchairs and walkers).

• Prior-authorized outpatient hospital radiation and chemotherapy services for cancer treatment.

FEDERAL HEALTH INSURANCE EXCHANGE

The Affordable Care Act authorized each state to create an internet based health insurance market place called an exchange. The State of Alaska chose to not establish its own exchange. However, Alaska residents can still shop for health insurance policies through a federally managed exchange (www.healthcare.gov/marketplace). Depending upon a person’s income, subsidized insurance premiums are available for individuals up to 400% of federal poverty guidelines.

OTHER BENEFITS

The State of Alaska has other benefits for its residents such as tax rebate programs, alternative energy loans, business loans, student loans, cash or prescription drug benefits for seniors, day care assistance, heating assistance programs, low income housing, and Permanent Fund dividends. For up-to-date information on all programs, write to the Governor’s Office in Anchorage, Fairbanks, or Juneau. See the Resource Directory at the end of this handbook for contact information.