

## NOTICE TO ALL CITIZENS OF ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA TOWNSHIP ASSISTANCE STANDARDS, ELIGIBILITY, AND PROCEDURES

It is the legal duty of Aboite Township within the State of Indiana, provide for the poor and needy. Not only is the Aboite Township Trustee's Office charged with the responsibility of assisting all of the poor, needy, and their families, it is our commitment to provide prompt courteous service providing the necessary relief to the eligible residents of Aboite Township.

We are dedicated to the important role of providing temporary emergency assistance to those whose personal efforts have not enabled them to meet life's challenges on their own, based upon the applicant's total situation as determined in the application process. The Trustee's Office is charged with both assisting those in need and countering cycles of poverty and maintaining careful guardianship of taxpayer's resources. We are guided by the laws of the State of Indiana and the established Township Assistance Standards and Procedures.

All decisions of eligibility will be based on the following Aboite Township Standards. These standards are posted in the office of the Aboite Township Trustee and any member of the public will be permitted to inspect and copy.

Copies of these standards are also available to public and private social welfare agencies and are maintained on file with the Allen County Board of Commissioners. These standards will be periodically revised by the Office of the Aboite Township Trustee to reflect changes in laws, resources available and the cost of living.

The Aboite Township Trustee's office is dedicated to forming strong working relationships with other government agencies, and community resources that share knowledge and resources along with a commitment to assisting the less fortunate citizens of this township.

1.00.00 OFFICE HOURS: MONDAY 09:00 A.M. TO 2:00 P.M.  
TUESDAY 09:00 A.M. TO 2:00 P.M.  
THURSDAY 09:00 A.M. TO 2:00 P.M.

OFFICE ADDRESS: 11321 Aboite Center Road  
Fort Wayne, Indiana 46814

TRUSTEE: Kimberly Mills

PHONE: 260-432-0970  
FAX: 260-436-9747  
www.aboitetownship.com

The Aboite Township Trustee's Office is closed on special holidays and at other times when it is necessary for the township staff to participate in educational programs or seminars conducted by the Indiana Township Association or other State governmental agencies. A twenty-four hour notice shall be posted prior to closing the office for holidays and other above mentioned occasions. **(IC 12-20-5.5)**

**1.00.01 TELEPHONE LISTING** –The phone number for the Trustee, Clerk, and Township Assistance is (260) 432-0970. The township telephone numbers are listed in the government pages under the Aboite Township's name. The township's voice mail service will provide you with additional information and record your message. We will try to return your call within 24 hours (excluding weekends and holidays). **(IC 12-20-5.5-4)** Calls of an emergency nature outside of business hours can be made to the Aboite Township Fire Department business number of (260) 436-1449.

**2.00.00 APPLICATIONS** – An Individual desiring to make an initial application for assistance from the Township should call or come in to make arrangements during the hours and one of the days the township office is open. Individuals will be informed of the services available, the criteria used in determining eligibility, and the process to apply for assistance. They will be given a list of the documents and/or information necessary for determining eligibility and information needed to complete an application / affidavit. It is the ultimate responsibility of the applicant and / or members of applicant's household, to furnish all necessary documentation. Failure to keep an appointment or bring all the necessary documents, may cause an unnecessary delay in the applicant receiving assistance. Persons requesting township assistance are required to complete and sign necessary township forms and waivers. Each application affidavit and copies of other documents of verification shall be retained in the Trustee's office. Except under special emergency conditions, no application will be accepted at any time except by a personal request at the Trustee's office. Every adult in the household must provide valid federal or

state issued photo identification before an application will be accepted. The application is valid for 180 days from the date received by the Trustee.

**2.00.01 COMPLETED APPLICATIONS** – An application for Township Assistance is not considered complete until all adult members of the requesting household have signed: (1) the Application for Township Assistance Form TA-1 (Schedule A); and (2) any other form, instrument, or document required by law, or determined necessary for investigative purposes by the trustee, as contained in the township Trustee’s guidelines. **(IC 12-20-6-8 (c))**

**2.00.02 DISCLOSURE AND RELEASE OF INFORMATION** – Each applicant and each adult member of the applicant’s household must sign a “Disclosure and Release of Information” and any other form, instrument, or document that is required by law or determined necessary for investigative purposes by the trustee and as contained in these standards. **(IC 12-20-6-8 (c))**

**2.00.03 ASSISTANCE WITH COMPLETION OF APPLICATION** - Applicants will be required to complete the application by their own hand. If applicants cannot read and/or have difficulty completing this process, they may have a friend or relative assist them. Upon request, the township trustee shall assist an applicant in completing an Application for Township Assistance if the applicant: 1) has a mental or physical disability, including mental disability, cerebral palsy, blindness, or paralysis; 2) has dyslexia; or 3) cannot read or write the English language. **(IC 12-20-6-1(e))**

**2.00.04 RESIDENCY** –It is necessary for the township to make some determination as to an applicant’s living arrangements and whether they are physically living in the township, and whether or not they intend to make the township in which they are requesting assistance their permanent place of residence. The township may consider the conduct of the applicant, both active and passive, as it may reveal an intent to reside within given household and within the respective township. Except for verified emergencies affecting applicants who are temporarily in the township for reasons other than Township Assistance, they must be residents of the township in which they apply. The following items may be used to determine residency or the person’s intent to make the township their permanent place of residency. **(IC 12-20-8)**

- Mailing address
- Telephone listing
- Driver’s License
- Voter registration card
- Utility bill
- Motor vehicle registration
- Addresses given to former employers and others
- USPS change of address notices

- Landlord housing information verified statement signed and properly completed
- If temporary or transient location (sleeping in a car or hotel) where the last permanent residence was located
- Any other item, documentation, or verification requested from the applicant

**2.00.05 PERMANENT RESIDENCY** – All applicants for Township Assistance must be residents of the township as verified by the provisions of Section 2.00.04 of these standards. In case of emergency, however, the township may provide temporary assistance to applicants who are temporarily in the township unless the applicant is specifically in the township for Township Assistance benefits or has come from another Allen County Township to stay in temporary / transient shelter within the past thirty days. This will not be interpreted or construed to mean that individuals living in adjoining townships should come to the larger urban township for shelter assistance. The township in which they presently reside or are found to be in distress is still obligated to investigate the circumstances of the distressed person(s) and render whatever assistance is necessary. The township may refer individuals falling in this category to the appropriate township

**2.00.06 TEMPORARY LIVING IN ANOTHER TOWNSHIP** –Individuals temporarily living in another township when their immediate past residency was in Aboite Township will not be denied benefits on the grounds of residency. Nor will Aboite Township provide assistance, other than that which is required by law for transients, to individuals who are temporarily living in Aboite Township when their immediate past residency was outside the boundaries of Aboite Township. Individuals living or spending time in a charitable or benevolent institution, or in a hospital located in Aboite Township will not be considered an Aboite Township resident unless their immediate past residency was within the boundaries of Aboite Township **(IC 12-20-8-5)**

**2.10.00 RECERTIFICATION** – During the 180-day period that the application is in effect, there may be several different requests for assistance and eligibility may change during that time. Therefore, the township trustee may not extend additional or continuing aid to an individual or a household unless the individual or household files an Application for Additional or Continuing Assistance Form TA-1B (Schedule A) affirming how, if at all, the personal condition of the individual or the household has changed from that set forth in the individual's or household's most recent application. **(IC 12-20-6-1 (d))**

**2.10.01 FREQUENCY OF REQUESTS** – The Trustee shall not be obligated to provide assistance to an applicant or a member of an applicant's household within 30 days from the date assistance was last provided, with the exception of prescription or burial assistance.

**2.20.00 COOPERATION** – All household members 18 years of age and older will be

required to sign the Application for Township Assistance – Form TA-1 (**IC 12-20-6-1 and IC 12-20-6-8 (c)**). Individuals pending a determination for Supplemental Security Income benefits will be required to sign a Social Security Reimbursement Authorization Form (Schedule A) for interim assistance reimbursement. Applicants may be required to sign a Subrogation Agreement providing for repayment to the Township of assistance provided if, at the time of application, have a present right to pursue a recovery or payment from a third party (Schedule B). (**IC 12-20-27-1.5**) Examples of a right of recovery or payment include, but are not limited to, pending law suits, settlements, pending disability claims, etc. All household members 18 years of age or older must also consent to a disclosure and release for information about the applicant and the applicant's household before Township Assistance may be provided (**IC 12-20-7-1**).

The household will be required to cooperate with an investigation of all finances, family responsibilities, and their eligibility to receive other types of governmental assistance. The investigation may include a home visit and/or contact with their relatives who may be able and willing to assist them. An applicant may be denied Township Assistance services when they, or an adult member of their household, fail to cooperate or provide the township with the necessary information for determining eligibility, including failure to provide required information / documentation to other tax supported public assistance programs. The township does not require an applicant to obtain verifications when the township already has, or can readily obtain, the needed information. A "relative" is defined as the parent, stepparent, child, stepchild, sibling, grandparent, step-grandparent, grandchild, or step grandchild of an applicant for township assistance. (**IC 12-20-6-9 and IC 12-20-6-10**).

**2.20.01 DEFINITION- “AGE”** Any individual or household where the head of the household is eighteen (18) years of age or older, or where the individual or household head is legally and completely emancipated at an earlier age, will be eligible for assistance from the office of the Township trustee. Un-emancipated youth requesting township assistance will automatically be reported to the FSSA – Family and Social Service Administration.

**2.20.02 DEFINITION “HOUSEHOLD”** – for the purposes of these guidelines, means an individual living alone, a family related by blood, or a group of individuals living together at one (1) residence as a domestic unit with mutual economic dependency.

**2.20.03 DEFINITION “RELATIVES”**- For the purposes of these Standards and Guidelines, the term “relative” shall include only the parent, stepparent, child, stepchild, sibling, stepsibling, grandparent, stepgrandparent, grandchild, stepgrandchild of the applicant for Township Assistance.

**2.20.04 DEFINITION “EMERGENCY ASSISTANCE”** –The term “emergency” means an unpredictable circumstance or a series of unpredictable circumstances that: (1) placed the health or safety of a household or member of a household in

jeopardy; and (2) cannot be remedied in a timely manner by means other than Township Assistance. **(IC 12-7-2-76.5)**

**2.30.00 APPLICATION ONLY UPON NECESSITY** - A township trustee, as administrator of Township Assistance, may provide and shall extend Township Assistance only when the personal effort of the applicant fails to provide one (1) or more basic necessities. This shall include expending the household's available financial resources for basic necessities in the sequence they come due or considered necessary and reasonable at the time the expenditure is made. The township, before continuing Township Assistance is provided, may require, in writing on the Form TA-1A, (Schedule B) that then recipient expend substantial portion of their monthly financial resource(s) on a specific recurring basic necessity. **Failure to comply may result in a denial for a period not to exceed sixty (60) days. (IC 12-20-16-1)**

**2.40.00 APPLICATION REVIEW** – The township trustee shall process all applications for township assistance according to the uniform written standards and without consideration of the race, creed, nationality, or gender of the applicant or any member of the applicant's household. **(IC 12-20-5.5-1)** The trustee shall act on a completed application not later than 72 hours from receiving the application, excluding weekends and legal holidays. In a non-emergency, the trustee may leave the decision pending (listed as pended or pending) for an additional 72 hours, excluding weekends and legal holidays. **(IC 12-20-6-7)** The trustee may also grant or deny assistance.

**2.40.01 NOTICE OF ACTION** – The applicant will be given a written notice of the Township's decision on Form TA-1A. The township may mail the notice of Action (Form TA-1A) or provide personal service. If assistance is granted – either wholly or partially – the notice will state the type and amount of assistance granted. If assistance is denied – either wholly or partially – the notice will state the type and amount of assistance denied, and the reason for the denial(s). The TA-1A may be presented to the applicant or sent to them, at their last known address. The notice will also contain information advising the applicant of the right to appeal and procedure to appeal. **(IC12-20-6-8)**

An applicant may appeal the Trustee's decision not more than fifteen (15) days from the date of issuance of the notice of action by the Trustee. This appeal must be made in writing or orally to the Office of the Allen County Board of Commissioners, Citizens Square, 200 East Berry Street Suite 400, Fort Wayne, IN. **(IC 12-20-15-2)**

**2.50.00 REFERRALS, EMERGENCY** – If the Trustee authorizes assistance on an emergency basis and refers the applicant or a member of the applicant's household to make application for another governmental program, the applicant or household member has fifteen (15) working days after the date the township assistance is authorized to make application for public assistance and comply with all the requirements necessary for completing the application process. An applicant or member of the household who fails to make such application, or show evidence that the application, as referred by the township trustee, was filed not more than fifteen (15) working days after the township trustee's referral will NOT be granted township assistance for sixty (60) days following the authorization of Township Assistance. **(IC 12-20-6-5).**

**2.50.01 REFERRALS, NON-EMERGENCY** – If, before granting Township Assistance in the absence of an emergency, the township determines that an applicant or a member of an applicant's household may be eligible for public assistance other than that of the township's, the applicant or household member shall make an application and comply with all necessary requirements for completing the application process for public assistance administered by (1) Family and Social Service Administration (FSSA); (2) any other federal or state governmental entity, before assistance will be granted **(IC 12-20-6-3)**. Failure to apply within fifteen (15) working days after the Township's referral will result in a **denial period not to exceed sixty (60) days. (IC 12-20-6-5.5)**

**2.60.00 DENIALS** – Denial of assistance for an applicant, household, or member of the applicant's household is automatic for one or more of the reasons listed in this section. As used in this section, "member of the applicant's household" includes any person who lives in the same residence as the applicant.

**2.60.01 FALSIFYING APPLICATION / AFFIDAVIT and / or PROVIDING FALSE INFORMATION TO GAIN ASSISTANCE.** This includes, but is not limited to, failure to report income, or under reporting income. If the Trustee finds that an individual has obtained Township Assistance from any township by these actions or means of conduct described in **IC 35-43-5-7 (Welfare Fraud) or IC 35-43-5-7.1**, the Trustee may refuse to extend aid for sixty (60) days from the date aid was last extended to the individual based on the improper conduct or from the date of the improper conduct. (The township may also make a criminal referral to the Allen County Prosecutor's Office. Individual applicants convicted of "Welfare Fraud" shall be denied Township Assistance" in accordance with the provisions of **IC 12-20-6-6.5)**.

**2.60.02 FAILURE TO ACTIVELY SEEK EMPLOYMENT AND / OR ACCEPT GAINFUL EMPLOYMENT** when offered, whether the compensation for the work will be payable in money, house rent, or in commodities consisting of the necessities of life. Before granting assistance, the trustee shall require all able-bodied adult members of the household to actively seek employment, per the Employment

Search Form (Schedule C). The trustee shall require documented evidence that they are actively seeking employment by providing verification of registration with the Indiana Department of Workforce Development and by completing Employment Contract Forms (Schedule C). Applications are not considered valid if there are unnecessary restrictions or have a wage preference that exceeds the Federal Minimum Wage. Willful failure to actively seek employment per the Employment Form, or to provide such verification will result in a sixty (60) day denial. (IC 12-20-10-1) and (IC 12-20-10-2).

**2.60.03 VOLUNTARILY TERMINATING EMPLOYMENT** An applicant, or an adult member of an applicant's household, voluntarily terminating gainful employment, or being involuntarily terminated for just cause will be denied for wasting resources. The trustee shall not be obligated to provide Township Assistance to, or for an applicant's household for a period of sixty (60) days. (IC 12-7-2-200.5). The trustee shall not be obligated to provide Township Assistance to, or for an applicant's household for a period of six (6) months, if an able-bodied adult member of the household voluntarily leaves employment for reasons other than just cause, as determined by the trustee. (IC 12-20-10-1, IC 12-20-6-0.5, IC 12-14-2-20, and IC 12-20-16-1).

**2.60.04 FAILURE TO ACCEPT ADEQUATE, FREE OR LOW COST SHELTER ARRANGEMENTS** provided by relatives or others. The township is not required to provide shelter assistance to an otherwise eligible individual if the individual's most recent residence was provided by the individual's parent, guardian, or foster parent, and the individual without just cause, leaves that residence for the shelter for which the individual seeks assistance. (IC 12-20-16-17(g))(IC 12-7-2-200.5 and IC 12-20-6-10)

**2.60.05 FAILURE TO ACCEPT ADEQUATE FREE OR LOW COST SHELTER ARRANGEMENTS** to be currently provided by relatives or others may result in a denial of up to sixty days. (IC 12-7-2-200.5)

**2.60.06 EXCESS INCOME** Income guidelines are based on the Federal Poverty Guidelines determined by the United States Department of Health and Human Services. Income in excess of the amounts found on Income Guidelines Chart (Schedule D) may be the basis for denial. However, individual applicants may have unpredictable circumstances or unusual expenses which would, when reviewed, indicate a necessary expenditure from the Township Assistance fund.

**2.60.07 FAILURE OF AN APPLICANT OR APPLICANT'S HOUSEHOLD TO PARTICIPATE IN A WORK TRAINING PROGRAM** offered by a federal, state, or local government entity or Act, or nonprofit agency (IC 12-20-12-1). The Trustee shall not be obligated to provide assistance to a household if any adult member of an applicant's household is registered as a student (IC 12-20-10-1).



**2.60.08 FAILURE OF AN APPLICANT OR APPLICANT'S HOUSEHOLD, WITHIN FIFTEEN (15) DAYS OF THE TRUSTEE REFERRAL TO MAKE AND COMPLETE THE APPLICATION PROCESS FOR OTHER GOVERNMENTAL PROGRAMS** for which they may qualify or failure to participate or comply, after being referred by the Township, in a program offered by any other public or private agency. **Denial will be up to sixty (60) days. (IC 12-20-6-5) and (IC 12-20-6-5.5)**

**2.60.09 VIOLENCE, THREATS OF VIOLENCE, OR ABUSIVE LANGUAGE** used in or around the Trustee office or premises, or any other improper conduct will result in a **denial of up to sixty days**. The Trustee will also not provide assistance to an individual who at the time assistance is requested is: {1} under the influence of drugs or alcohol; or {2} incapable of self-care. Furthermore, the Trustee may, at no cost to the Township, refer an individual described above, to an appropriate agency or facility located in the county or in an adjoining county that has a program or charter specifically addressing the programs of substance abuse, mental illness, or self-care **(IC 12-20-17-2)**.

**2.60.10 WASTING RESOURCES** which could and should have been applied to the household's basic necessities. "Wasted Resources" is defined as follows: {1} the amount of money or resources expended by an applicant or an adult member of an applicant's household seeking township assistance during the thirty (30) days before the date of application for items or services that are not basic necessities; {2} income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application for township assistance by an adult member of an applicant's household unless the adult member can establish a good reason for the act; or {3} lump sum amounts of money or resources from tax refunds, lawsuits, inheritances, or pension payments of at least four hundred dollars (\$400) that are expended by any adult member of a household seeking township assistance during the one hundred eighty (180) days immediately preceding the date of application for items or services that are not basic necessities if, at the time of the expenditure, there were amounts due and owing for items or services constituting basic necessities. **(IC 12-7-2-200.5 and IC 12-20-16-1)**

**2.60.11 BEING EVICTED FROM SUBSIDIZED HOUSING** for violation of regulations and/or guidelines; voluntarily terminating housing assistance without just cause (as established by the township trustee); eviction from present living quarters because of an act which caused verifiable damage to a rental unit by the applicant or any adult member of the applicant's household; or the applicant invites or allows other adults to use or move into their household. **(IC 12-7-2-200.5 and IC 12-20-16-1)**

**2.60.12 FAILURE TO LIQUIDATE NON-ESSENTIAL ASSETS** With notice given by the trustee, households must liquidate nonessential assets within the time frame prescribed by the township trustee's office. Denial will be up to 60 days. **(IC 12-20-16-1)**

**2.60.13 REFUSING TO SIGN THE REQUIRED “REIMBURSEMENT AUTHORIZATION” FORM** for township assistance received during the interim period an individual is awaiting a determination of eligibility from the Social Security Administration for Supplemental Security Income benefits. Refusing to sign the required “Subrogation Agreement” for township assistance received during the interim period an individual is awaiting a settlement or other claim. Also listed in 2.20 COOPERATION. **(IC 12-20-27-1.5)**

**2.60.14 FAILURE TO COMPLETE ASSIGNED WORKFARE** or to comply with the Workfare requirements as outlined by these standards **(see 3.10.00 - 3.10.07)**. Denial may be for a period not to exceed one hundred eighty (180) days. **(IC 12-20-11-1 (h))**

**2.60.15 FAILURE TO COMPLETE AND MAINTAIN MONTHLY REPORT FORMS** as required by governmental programs offering assistance for the basic necessities of living; failure to make application; or not cooperating with the agency by doing everything necessary to qualify and maintain public assistance. Denial will be up to sixty (60) days. **(IC 12-7-2-200.5, IC 12-20-6-3)**

**2.60.16 FAILURE TO COOPERATE** with, or to provide the Trustee's office with the necessary information for determining eligibility. **(IC 12-20-6-1)**

**2.60.17 ASSIGNMENT OR TRANSFER OF ASSETS** an applicant may be denied Township Assistance if the applicant or another member of an applicant's household, makes an assignment or transfer of assets during the sixty (60) day period immediately prior to the filing of an affidavit and application for Township Assistance. Assets considered must be of sufficient value to have rendered the applicant ineligible for Township Assistance. **(IC 12-7-2-200.5)**

**2.60.18 REPORTING THE LOSS OR THEFT OF MONEY OR FOOD STAMPS** under questionable circumstances, as determined by the Trustee. The Township shall not be obligated to provide assistance when the emergency was due to lost or stolen money. Applicants who frequently report the loss or theft of money or food stamps will be denied Township Assistance. Applicants claiming loss or theft must file a police report. **(IC 12-7-2-200.5 and IC 12-20-16-1)**

**2.60.19 FAILURE TO FILE PATERNITY ACTIONS** when necessary and appropriate, or failing to take the necessary legal action to pursue child support. **(IC 12-20-6-5 and IC 12-20-6-0.5)**

**2.60.20 FAILURE OF THE APPLICANT OR MEMBER OF APPLICANT'S HOUSEHOLD TO APPLY “ONE TIME” MONETARY AWARDS** toward the household's monthly basic need expenses. One time monetary awards may include but are not necessarily limited to the following: Energy Assistance, retroactive Social Security payments, Workmen's Compensation, inheritances, pensions, insurance settlements, income tax returns, or any cash award. **(IC 12-**

**7-2-200.5 and IC 12-20-16-1)**

**2.60.21 PREVIOUS ABILITY TO PAY.** The township shall not be obligated to pay for services, or the cost of goods incurred by an applicant or member of an applicant's household during the period the applicant or member of the applicant's household had sufficient income or resources to have paid for either goods or services. **(IC 12-20-16-1)**

**2.60.22 MOVING INTO OR COMING TO THE TOWNSHIP FOR SOLE PURPOSE applying for and/or receiving Township Assistance services.**

**2.60.23 DENIED ASSISTANCE OR SANCTIONED BY FAMILY AND SOCIAL SERVICES ADMINISTRATION** The Township will not extend aid to an applicant or any member of an applicant's household, except for burial assistance, if any member of that household has been denied assistance or sanctioned by the local office of Indiana Family and Social Services Administration for non-compliance of / or violations of **Title 12 Article 14 of the Indiana Code**. The Township may continue to refuse Township Assistance until the sanction or denial has been lifted or rectified. **(IC 12-20-6-0.5 and IC 12-7-2-200.5)**

The Trustee shall not extend aid to an otherwise eligible applicant or member of the applicant's household if any adult member of the household:

- 1) has been denied TANF assistance due to the 24-month time limitation on TANF assistance, per **IC 12-14-2-5.1**
- 2) has not been gainfully employed within the previous six (6) months
- 3) has received TANF for 3 of the 6 months immediately preceding the date of application. If any applicant has been denied TANF due to the 60-month time limit, the trustee shall not extend aid if the denied applicant has not been gainfully employed within the previous six (6) months. **(IC 12-20-6-0.5, IC 12-20-10-1, and IC 12-20-16-1)**

In regards to the 24-month clock: Each applicant will be granted three exceptions to this reason for denial in their lifetime. Proper documentation regarding employment must be on file with the FSSA. Employment that has had no effect on TANF benefits will not be counted.

The Trustee shall not extend full aid to an otherwise eligible household if an applicant or member of the applicant's household has been denied TANF assistance because a dependent child was born more than ten (10) months after the date the family qualified for TANF assistance ("Cap child"), per **IC 12-14-2-5.3**. Aid will be limited to the household members listed as actively receiving benefits of TANF. The Township will not make up for any expenses the household incurs on behalf of any cap children.

**2.60.24 IF A PERSON IS CONVICTED** of an offense under **IC 35-43-5-7 (Welfare Fraud)** or **IC 35-43-5-7.1 (Medicaid Fraud)**, the trustee will not extend aid to or for the benefit of the individual for the following periods: one (1) year if convicted of a misdemeanor; ten (10) years if convicted of a felony (**IC 12-20-6-0.5 (d)**). A person who is convicted of Township fraud is denied Township Assistance for thirty (30) years (**IC 12-20-1-4 (d)**).

**2.60.25 PLANNED LAYOFFS** The Trustee is not obligated to provide assistance to clients who experience a reduction or loss of income due to planned layoffs of 90 consecutive days or less that are ordinary and customary for the employer and/or industry. Clients are expected to use personal effort and prepare for their period of reduced income (IC 12-20-16-1). For consideration of township assistance during planned layoffs, the Trustee may use annual income guidelines to determine eligibility.

**2.60.26 CABLE TV, INTERNET, TELEPHONE SERVICES-** Payment for Cable TV, Internet Services and payment over \$45 telephone service in the residence of an applicant (regardless of who has made the payment) are considered a wasted resource as defined in **IC 12-7-2-200.5**

**2.60.27 PREVIOUS APPLICATION AND DENIAL** A Trustee may not extend aid to or for the benefit of an individual if that aid would pay for goods or services provided to or for the benefit of the individual during a period of time that the individual has previously applied for and been denied Township Assistance. (**IC 12-20-6-6.6**)

**2.70.00 INCOME DEFINED** - "Countable income" means a monetary amount either paid to an applicant or a member of an applicant's household not more than thirty (30) days before the date of application for Township Assistance, or accrued and legally available for withdrawal by an applicant or member of an applicant's household at the time of application for not more than thirty (30) days after the date of application for township assistance. The term includes the following: (**IC 12-7-2-44.7**)

- 1) Gross wages before mandatory deductions
- 2) Social Security benefits, including Supplemental Security Income.
- 3) Temporary Aid for Needy Families (TANF)
- 4) Unemployment compensation
- 5) Worker's compensation (except compensation that is restricted for the payment of medical expenses).
- 6) Vacation pay
- 7) Sick benefits
- 8) Strike benefits
- 9) Private or public pensions

- 10) Taxable income from self-employment
- 11) Bartered goods and services provided by another individual for the payment of non-essential needs on behalf of an applicant or an applicant's household if monetary compensation or the provision of basic necessities would have been reasonably available from that individual.
- 12) Child support
- 13) Gifts of cash, goods or services
- 14) Private or public loans as countable income (loans; personal or commercial).
- 15) Other sources of revenue or services that the Trustee may reasonable determine to be countable income; such as (but not limited to) tax refunds and any "one time" monetary award(s) or settlements.

**2.70.01 ELIGIBILITY** Upon application of Township Assistance, the Trustee shall determine the applicant's legal residence and cause of the applicant's condition (**IC 12-20-6-9**). An applicant's and members of an applicant's household's "countable income" will be used to determine eligibility. Income guidelines to be used for determining the eligibility of a given household may be found on the Income Guidelines Form. (Schedule D.

Any applicant or household seeking assistance must comply with the "action" plan and budget outline with the investigator. The "Supplemental to Action Form" (Schedule B) and budget will be mutually agreed upon by the applicant and the investigator. The household's total gross monthly income in the previous month will be projected for the coming month including only income that is reasonably certain to be received within the coming month. Uncertain income will not be counted. A household's income must fall within the township's financial guidelines to be eligible for Township Assistance. The township shall provide necessary aid only when it does not violate any local, state or federal law.

**2.80.00 RECEIPTS** - When an applicant applies for township assistance, both initially and on a continuing month-by-month basis, all members of the household must verify how their income was expended. Each household will be required to complete a monthly Household Budget Form (Schedule B). Hand-written receipts provided by friends or relatives are considered unacceptable, unless notarized. Only receipts for the basic necessities of living shall be recognized. Receipts from expenditures for court related expenses, such as: attorney fees, probationary fees, Drug and Alcohol program fees, fines, court costs, bail, user fees for an In-home Detention program, restitution, judgments, or any other expenditures directly or indirectly associated with the applicant or a member of the applicant's household because of their involvement with the courts will not be recognized as a legitimate expense. Expenditures for items not considered "basic necessities" will be

considered "wasted resources". Expenditures undocumented by receipts will be counted as unexpended income. Excessive spending for items technically defined as basic needs will not be considered as necessary. **(IC 12-7-2-200.5 and IC 12-20-16-1))**

**2.80.01 BASIC NECESSITIES DEFINED** - "Basic necessities" includes those services or items essential to meet the minimum standards of health, safety, and decency, including the following: {1} medical care described in **IC 12-20-16-2**; {2} clothing and footwear; {3} food; {4} shelter; {5} household essentials; {6} essential utility services; {7} other services or items the Trustee determines are necessities. **(IC 12-7-2-20.5)** The Township shall not be obligated to provide assistance towards services or items that are necessary for home-based or self-employment businesses.

**2.80.02 EXPENDITURES** – Only receipts for the basic necessities of living will be recognized as an acceptable expenditure. The Township will require receipts for all expenditures of income / benefits received by any and all members of the household. Undocumented expenditures will be counted as income available for the household's basic necessities. Expenditures for items not considered "**basic necessities**" will be recognized. Receipts must closely balance with reported income. At a minimum, applicant must provide a printout for the last thirty (30) days of expenditures when using a bank account or other debit card (i.e. unemployment benefits, Social Security income, etc.)

**2.80.03 SPECIAL CONDITIONS / TEMPORARY AID**- Exceptional financial obligations, emergencies, and / or extraordinary expenses or circumstances, as may be determined, documented, and approved by the Trustee, may give justification to TEMPORARILY waive certain provisions of these guidelines and grant temporary aid.

**2.90.00 COUNTABLE ASSETS** - Households requesting assistance must also report all assets belonging to any member of the household. Countable assets are non-cash property that is not necessary for the health, safety, or decent living standard of a household that:

1. are owned wholly or in part by the applicant or a member of the applicant's household;
2. and the applicant or the household member has the legal right to sell or liquidate; and
3. includes:
  - a. real property other than property that is used for the production of income or that is NOT the primary residence of the household

- b. savings and checking accounts, certificates of deposit, bonds, stocks, or other intangibles that have a net cash value,
- c. boats, motorcycles, other vehicles, or any other personal property used solely for recreational or entertainment purposes other vehicles or any other personal property used solely for recreational or entertainment purposes.
- d. tools, power equipment, etc.
- e. camping trailers and / or recreational vehicles
- f. jewelry (gold chains, rings, etc.)
- g. guns and /or hunting equipment
- h. any other item of value which the trustee may determine as a non-essential asset  
**(IC 12-7-2-44.6) and (IC 12-20-7-3.5)**

**2.90.01 LIQUIDATION** - All members of the household will be expected to liquidate any of the "countable assets" listed in 2.90.00, or other unnecessary items of a similar nature, as soon as possible, but no longer than sixty (60) days from the date that their initial application is filed. However; nonessential assets purchased by any member of a household after having applied for township assistance, must be liquidated immediately before further assistance can be authorized. This may also include items that have been rented or leased. The township highly recommends, or in some cases insists, the termination of any and all credit cards in the name of any adult member of an applicant's household. The following factors will be taken into consideration by the township when it is necessary to require an applicant to liquidate assets. **(IC 12-20-16-1) (IC 12-7-2-44.6)**

**2.90.02 MARKETABILITY OF THE ASSET**- The true monetary value of the item to be liquidated may not be realized because of existing market conditions, i.e. sale of a boat or motorcycle during the colder winter months.

**2.90.03 EXPECTED DURATION** -The length of time that the applicant / household may be reasonably expected to remain on township assistance. The threshold is often at greater than sixty (60) days.

**2.90.04 LEASED / RENTED ITEMS** -The Trustee can determine whether or not the items rented or leased are necessary for basic living. Or, if needed, whether the same items could have been purchased or secured more economically. Example: An individual may rent a stove or refrigerator from a "rent to own" facility. These are of course basic needs items, but the cost of renting will probably be greater than the direct purchase of a used item. Other examples: storage units / garages and other monthly reoccurring items.

**2.90.05 EXEMPTIONS** - Assets which are exempt from liquidation will include one house OR mobile home in which the household resides, and one automobile, so long as the equity does not jeopardize the household from qualifying for other state or federal assistance programs. However, an applicant or household member may be required to liquidate and retrieve the equity in a house if their expected duration of needing Township Assistance exceeds a reasonable time frame (approximately 60 days) as these written Standards. Whenever the township funds are used directly or indirectly to pay the household's mortgage payment, the township may place a lien against the property in order to recover the equity value of such payments after the property has been sold. (See Schedule H- Lien against Property.) (State, ex rel., Van Buskirk v. Wayne Township)

**3.00.00 EMPLOYMENT** - If an applicant and/or any member of the applicant's household is in good health, the Trustee shall require that those able to work to seek employment. The Trustee shall refuse to furnish any assistance until the trustee is satisfied that the applicant or members of the applicant's household is endeavoring to find work. Furthermore, if the applicant or household member is offered employment, regardless of whether the compensation is in the form of money, rent, or other necessities, or refuses employment at a reasonable compensation offered by any other individual, governmental agency, or employer; the trustee shall not furnish assistance to the applicant until they perform the work or show just cause for not performing the work. All able-bodied adult members of the household will, at a minimum, be required keep their registration active and updated with the Indiana Department of Workforce Development and be willing (registered) to accept employment at the federal minimum wage level. The trustee will also require all adult members of an applicant's household to complete eight (8) employment referrals (Employment Form) and submit them to the trustee on a regular weekly basis. Any adult member of a household, who fails to apply for employment in a timely manner, when directly referred by the Township or any other governmental entity, any non-profit agency, or any employment agency, will be denied for failure to actively seek employment. **(IC 12-20-10-1) and (IC 12-20-10-2).**

**3.00.01 LIMITATION FOR UNEMPLOYED ABLE-BODIED ADULTS WITHOUT DEPENDENTS** – The Trustee shall not be obligated to provide assistance to unemployed able-bodied adults without dependents for more than three (3) months in 12 month period. The same rule shall apply to able-bodied adults without dependents whom are underemployed, defined as working less than 20 hours per week, or earning less than the federal minimum wage.

**3.00.02 MEDICAL EXEMPTION FROM WORK** – If an applicant or a member of an applicant's household claims an inability to work due to health, the Trustee may require a current physician's statement indicating whether the applicant or household member is able to perform work. **(IC 12-20-10-3.5)** The trustee shall not be obligated to assist households with a work exempted adult if such adult is not complying with his or her physician's health plans, if that plan is to aid in self-



sufficiency or to return to work.

**3.10.00 WORKFARE** – The Trustee shall obligate any adult member of a household receiving township assistance to participate in Workfare. Suitability to perform available work shall be determined by the Trustee. (Schedule E) **(IC 12-20-10-3.5)** and **(IC 12-20-11-1)**. The trustee shall require any adult member of a recipient household to do any work needed to be done within the county or an adjoining township in any other county for any non-profit agency or governmental unit, including the state, having jurisdiction in those townships **(IC 12-20-11-1)**.

**3.10.01 WORKFARE CRITERIA** – Minimum criteria for satisfactory participation in the Workfare program is 16 hours per week, unless otherwise scheduled or excused by the Trustee. Unexcused absences for scheduled Workfare assignments, or not following through with all requirements, will result in the reduction or discontinuance of Township Assistance for one-hundred eighty (180) days. Any Workfare obligations incurred in another township will be carried forward to the gaining township, unless the applicant or household member failed to comply with the former township's guidelines for Workfare participation, at which point they will be denied. **(IC 12-20-11-1)** and **(IC 12-20-11-4)**

**3.10.02 WORKFARE PARTICIPATION** – The recipient is required to maintain the minimum criteria that are necessary for the fulfillment of his/her work detail responsibility until such time as his/her obligation with the township is satisfied. Recipients shall not be permitted to voluntarily work in advance of receiving township assistance in order to accrue work detail credit. It is the sole responsibility of the recipient to meet the criteria of Workfare participation. In satisfying this obligation, only the recipient or members of the recipient household shall be allowed to perform the required work.

**3.10.03 WORKFARE COMPENSATION** – Work performed is considered a satisfaction of a condition for Township Assistance and is not considered as services performed for remuneration or as repayment for Township Assistance. The recipient shall be required to do an amount of work that equals the value of assistance already received by his/her household. The recipient shall receive credit for the work performed as assigned by the Trustee at a rate not less than the federal minimum wage. **(IC 12-20-11-1 (c))** and **(IC 12-20-11-5)**

**3.10.04 WORKFARE EXCEPTIONS** – Recipients may be excused from Workfare only for the following reasons: **(IC 12-20-11 (a))**

- a) The obligated individual(s) is not physically able to perform the proposed work and provides medical evidence.
- b) The obligated individual is a minor or is at least sixty-five (65) years of age.
- c) The obligated individual has full-time employment at the time the recipient

- receives Township Assistance.
- d) The obligated individual is needed to care for an individual as a result of the individual's age or physical condition.
  - e) The trustee determines that there is no work available for any adult member of the recipient's household.
  - f) The individual obligated to perform work is, **at the direction of the trustee**, attending educational or self-help courses.

**3.10.05 WORKFARE RESTRICTIONS** – A recipient shall not be assigned to work which would result in the displacement of governmental employees or in the reduction of hours worked by those employees

**3.10.06 WORKFARE WORKER'S COMPENSATION** – The Township will carry medical and burial coverage on all individuals performing work under the provisions of **IC 22-3-2 and IC 22-3-6. (IC 12-20-11-5 (a))**

**3.10.07 WORKFARE REIMBURSEMENT** – The Trustee may not seek federal or state reimbursement, foreclose a lien, or otherwise seek re-payment of assistance for which a recipient or an adult member of the recipient's household has satisfactorily completed a Workfare requirement. **(IC 12-20-11-5 (b))**

**4.00.00 FOOD ORDER ALLOTMENTS** – Food allotments provided to an eligible household, are determined by the household size and other criteria as established by these standards. Food orders can only be purchased directly from a combined grocery and meat market. The food allotment each household may receive is contained in Schedule F. The Trustee will administer food allotments on a weekly basis. **(IC 12-20-16-5)**

**4.00.01 FOOD ORDER LIMITATIONS** – It shall be unlawful for the trustee to issue a food purchase order for more than thirty (30) days unless the individual filed an application with the trustee that includes evidence of an application for the Federal Food Stamp program through the Family Social Service Administration (FSSA) and the amount of assistance received or reason for denial of assistance. The only conditions under which the trustee may purchase food for an eligible food stamp family are: **(IC 12-20-16-6)**

- a) During the interim period when an applicant or a household is awaiting a determination of eligibility from the food stamp office and ending not more than five (5) days after the day the applicant or household becomes eligible to participate in the federal food stamp program.
- b) Upon loss of the family's food supply by spoilage, fire or the act(s) of nature.

- c) Upon a household's verified loss of food stamps by theft. The requesting applicant or household must file a report with the local police department before any assistance will be given. The trustee will not replace food stamps lost or stolen more than once in a period of sixty (60) days.
- d) Upon a written statement from a physician indicating that at least one (1) member of the household needs a special diet, the cost of which is greater than can be purchased with the household's allotment of food stamps.
- e) When the Trustee determines that an applicant or a household is in need of supplementary food assistance, provided, however, that the household has participated in the food stamp program to the fullest extent allowable and that such supplementary food assistance is given solely upon circumstances in each individual case.

**4.00.02 FOOD ORDER ISSUED IN ANOTHER NAME** – If the Trustee determines that an applicant or a household is considered to be incompetent or irresponsible to select food or make proper use of food stamps, the trustee shall issue the food purchase order in the name of another adult member of the household, another relative living in another household, or another individual.

**4.00.03 NON-FOOD ITEMS** – Necessary household supplies which is referred to as "paper products" may be administered according to the table found in Schedule F. Other household necessities may be furnished directly or indirectly by the township when a need is determined. **(IC 12-7-2-20.5)**

**4.10.00 SHELTER** – The Township shall provide aid in whatever form is necessary to provide shelter or prevent the loss of shelter so long as such aid constitutes the most economical and practical method of relieving the applicant and does not violate any local, state or federal law. The Township shall not be obligated to authorize payment to a landlord if such payment will not prevent the imminent loss of shelter. Shelter payments for safe and decent housing will be based on the fair market value in Aboite Township and will comply with the amounts contained in Schedule G. Clients will not be denied shelter assistance merely because they are buying their home. However; the amount paid on behalf of a client may not exceed {1} the shelter allowance standards contained in Schedule G or {2} the combined total of principle and interest, and must still meet the test of being the "most economical and practical" method of relieving the applicant.

**4.10.01 SHELTER DEFINED** – "Shelter" means a house, a mobile home, an apartment, a group of rooms, or a single room that is occupied or is intended for occupancy as separate living quarters where the occupant or intended occupant: {1} does not live and eat with any other individual in the building; and {2} has direct access to the occupant's living quarters from the outside of the building or through a common hall. Exceptions to the definition of "shelter" may include temporary group

homes and/or shelters. **(IC 12-7-2-177) and (IC 12-20-17-2)**

**4.10.02 LANDLORD DEFINED** – “Landlord” is defined as a person who is both legally entitled to collect rent and is responsible for the property tax bill, as listed with the assessor’s office.

Whenever an applicant requests assistance from the Trustee's office, a written information statement from the landlord (“Landlord Statement” see Schedule H) will be required. This statement will include the full name of the landlord (and the landlord's agent, if applicable), and a mailing address and telephone number for the landlord, as well as other data necessary to determine the eligibility of the household for Township Assistance. The statement will indicate whether the landlord will (or will not) accept payment from the Trustee's office for shelter, the amount of rent to be charged, the due date, what appliances are furnished, what utilities are provided, and the number of individuals residing in the household, and other necessary information. **The landlord must agree not to evict the applicant during the period covered by the Township's purchase order.** Landlords must also provide IRS Form W-9 (Request for Taxpayer Identification Number and Certification) in order to receive any payment from the township. A lease or rental agreement must be provided, or other verification of tenancy, as determined by the Trustee. The lease or rental agreement must be in the name of an adult member of the applicant's household. The Township will not consider shelter assistance to an otherwise eligible applicant if the applicant's lease or rental agreement is signed by an individual who does not reside in the household. The township will only pay the current month rent not to exceed the shelter allowance in Schedule G.

**4.10.04 SHELTER RESIDENCY** – It is necessary for the trustee to make some determination as to the applicant's living arrangements and whether they are physically living in the township, or whether they intend to make Aboite Township of Allen County their permanent place of residence. In cases of emergency, however, the Trustee may provide temporary assistance to applicants who are temporarily in the township unless the applicant is specifically in the township for township benefits. This should not be interpreted or construed to mean that individuals living in the adjoining townships may come to Aboite Township for emergency shelter assistance or for help to move into Aboite Township. The township in which they presently reside is still obligated to investigate the circumstances of the distressed person(s) and render whatever assistance is necessary. **(IC 12-20-6-9 (1))**

**4.10.05 SHELTER LIMITATIONS** – The Trustee will not use township funds to pay the cost of an applicant's shelter with a relative who is the applicant's landlord if the applicant lives in: {1} the same household as the relative; or {2} housing separate from the relative and either housing is unencumbered by mortgage, or the housing has not been previously rented by the relative to a different tenant at reasonable market rates for at least six (6) months **(IC 12-20-6-10)**. A current mortgage statement must be provided. The Trustee’s payment may not exceed either the amount of the mortgage, or the maximum set forth in the shelter allowance standards

(Schedule G). The trustee will also not pay for shelter assistance for circumstances listed in **2.60.04** or **2.60.05** of these standards. **(IC 12-20-16-17(g))** and **(12-20-6-10(C))**. The township will not be obligated to pay the shelter cost of an otherwise eligible applicant if the landlord resides at the same address (boarders or roommates).

**4.10.06 SHELTER LIEN (RELATIVE)** – If shelter payments are made to a relative of an applicant for Township Assistance on behalf of the applicant or a member of the applicant's household, that are not in conflict with **4.10.05** of these Standards, the trustee may file a lien against the relative's real property (Schedule H) for the amount of shelter assistance granted. **(IC 12-20-6-10(d))**

**4.10.07 SHELTER LIEN (APPLICANT)** – Applicants will not be denied shelter merely because they are buying their home. However, the decision to provide a house payment will be based on whether it is the most economical and practical method of relieving the applicant. In addition, if the applicant has equity in his/her real estate that could provide a means of repayment, the trustee shall require the applicant to execute documents granting a lien against the real estate (Schedule H). The township will not consider payment of second mortgages or loans for consolidated debt against the applicant's shelter.

The township shall not be obligated to pay directly or indirectly, the cost of mortgage payments when the property in question is part of a potential property settlement in a pending court proceeding, such as divorce or probate.

**4.10.08 SHELTER MOVING** – Applicants moving, within sixty (60) days immediately preceding their application for Township Assistance, from shelter provided by relative, or any form, kind, or type of subsidized shelter, will be declared ineligible for Township Assistance due to wasting resources. The burden of establishing good, just, and reasonable cause for having moved shall be upon the applicant. **(IC 12-7-2-200.5)** The township shall not be obligated to provide rental assistance for sixty (60) days when applicants move into a residence which costs exceed their ability to pay, without prior authorization from the township.

**4.10.09 SHELTER EMERGENCY PROGRAMS** – Emergency shelter assistance (shelter defined here as a facility that provides temporary emergency assistance) may be provided to an individual or household which has the likelihood of spending the night in the immediate future, in an environment considered to be unsafe or unhealthy. However, the trustee is not obligated to enter into a contract with, or to pay shelter costs to, a shelter that is supported by federal or state funds. **(IC 12-20-17-2)**

**4.10.10 SHELTER INSPECTION** – The trustee may employ the services of a housing inspector to inspect all housing units. A township housing inspector shall use HUD standards, local building codes, and municipal ordinances in determining a housing structure's suitability for habitation. Substandard housing that does not

meet minimum standards of health, safety, and construction is not eligible for shelter payments. If the trustee determines that a housing unit is substantially below minimum standards, the trustee, when necessary, shall assist the applicant in obtaining appropriate alternate shelter. **(IC 12-20-16-17)**

**4.10.11 SHELTER DEPOSITS** – The Tis not required to spend township funds for a shelter damage or security deposit for an eligible township applicant or household. **(IC 12-20-16-17 (f))**

**4.20.00 UTILITY SERVICE AND/OR HEATING FUELS** – The Trustee may, in cases of necessity, authorize the payment of water, gas or fuels used for heating or cooking and electric services; including the payment of delinquent bills for such services, when necessary to prevent disconnection or to restore terminated services. The township will not be obligated to pay more than \$500.00 per utility. There are, however, some limitations: **(IC 12-20-16-3)**

- 1) The Township will only consider assistance with actual utility service used (no deposits, taxes, late fees, trip charges, reconnection fees, return check fees).
- 2) The utility service must be in the name of an adult member of the requesting household or provide verifiable evidence which justifies having the utility service in the name of another person.
- 3) The Township will not pay for illegally secured utility service, such as placing the service in the name of a child or tampering with a utility meter.
- 4) The Township will not consider the payment of utility bills if such aid requested would pay for services provided to or for the benefit of the individual or household during a period that the individual or household had previously applied for and been denied Township Assistance. **(IC 12-20-6-6.6)**
- 5) The Township will not consider the payment of "master metered" utility service when more than one household is served by the same meter, or for any time period when the household was not financially eligible for assistance.
- 6) The Township will not consider the payment of estimated utility bills.
- 7) The Township will not pay or consider the payment of utility bills, during the period the state's energy assistance program is in effect, until after the state's energy assistance is credited to the applicant's account.
- 8) The Township is not obligated to consider the payment of utility service if an applicant or member of the applicant's household receives a utility reimbursement check or utility allowance and has not used the full amount toward the payment of essential utilities each month.
- 9) The Township has no obligation to pay a delinquent bill for services if the delinquency has lasted more than twenty-four (24) months. **(12-20-16-3)**

**4.20.01 ENERGY PROGRAMS** – During the part of the year when applications for assistance are accepted by the state's Energy Assistance Program, the township will not provide assistance or make any part of a payment for heating fuel or electric services for more than thirty (30) days unless the individual files an application for assistance, and shows evidence of this application, for heating fuel or electric services. The trustee will either refer the applicant to the state's Energy Assistance Program, or the trustee may certify the township applicant as eligible using the criteria established for this purpose by the state. The certification shall be on an application form prescribed by the Indiana State Board of Accounts. The trustee will not certify nor process Energy Assistance applications for individuals who are not applying for Township Assistance. **(IC 12-20-16-3 (d, e))**

**4.20.02 ENERGY PROGRAMS/APPLICANT'S RESPONSIBILITY** – During the time the applicant or member of the applicant's household has been approved for the Energy Assistance Program, the applicant and/or member of the applicant's household must continue to make payments on their utility bills as reasonably determined by the trustee. Once the Energy Program has ended, the trustee will not authorize utility assistance if payments have not been made by the applicant or member of the applicant's household, unless they have evidence of other emergency payments that prohibited them from making utility payments.

**4.30.00 TELEPHONE SERVICES** – The Trustee does not recognize the telephone as essential utility service and will not authorize payment of telephone service unless such service has been ordered by a licensed physician and is deemed medically necessary in a life threatening situation. When deemed necessary, the trustee will authorize payment of current local service only.

Long distance calls, pagers, voice mail, call waiting, cellular phones, or other services or accessories will not be recognized by the Trustee as a necessity. Unless phone service is ordered by a licensed physician, all phone payments made will be deducted from eligible assistance. All phone payments over \$30.00 will be deducted from eligible assistance regardless of who has made the payment.

**4.50.00 FUNERALS AND BURIAL OR CREMATIONS** – The Trustee shall provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual who resides in Aboite Township. If the Trustee determines that the deceased individual is a resident of another township in Indiana, the trustee shall notify the trustee of that township. Payment of benefits from any other source, including any monetary benefits that the deceased individual is entitled to receive from a state or federal program, will be deducted from the allowable maximum. **(IC 12-20-16-12)**

**4.50.01 BURIAL "SUPERINTEND" DEFINED** – The legal definition of "superintend" means to take charge, to supervise, to manage, or to direct. Therefore, the person the trustee provides to superintend shall be responsible for 'taking charge and supervising', among other things, both the selection of the funeral home and, if necessary, the cemetery for the deceased individual.

**4.50.02 FUNERAL AND BURIAL OR CREMATION REQUEST** – A surviving family member of the deceased individual or the funeral director shall apply for burial assistance. Per **IC 25-15-9-18**, the priority of persons authorized to determine final disposition and interment are the decedent’s surviving spouse, adult child or children, or parents. In the absence of such person, the township may designate the Funeral Director to make application directly to the trustee. The formal request will involve the completion of the Affidavit and Application for Township Assistance (TA-1) which will include a special “Burial Supplement” form. (see Schedule I)

**4.50.03 BURIAL EXPENSES ALLOWED** – The trustee will utilize the burial assistance grid (Schedule K) when providing funeral and burial or cremation assistance. Schedule K outlines the details of what services and merchandise is permitted. Additional merchandise or services are not permitted, and therefore no monetary additions, cash advances, or payment arrangements can be made by anyone on behalf of the decedent. Any payment additions, either past or pending, will be deducted from the trustee payment. The Township will not pay for the cost of transporting the remains of any deceased indigent person back to Aboite Township or to any place outside of Aboite Township, nor will the Township pay for the transportation to attend funerals. The township will not supplement the cost of services nor supplement other means of payment for services such as insurance policies. (**IC 12-20-16-12 (c)**)

**4.50.04 REIMBURSEMENT FOR BURIAL COSTS** – A Trustee who provides funeral and burial or cremation benefits to a deceased individual is entitled to a first priority claim, to the extent of the cost of the funeral and burial or cremation benefits paid by the township, against any money or other personal property held by the coroner under **IC 36-2-14-11**. (**IC 12-20-16-12 (f)**)

**4.50.05 CREMATION** – The Trustee will not cremate a deceased individual if the deceased individual, or a surviving family member of the deceased individual, has objected in writing to cremation. (**IC 12-20-16-12 (g)**)

**4.60.00 MEDICAL SERVICES** – The Township shall, in cases of necessity, promptly provide medical assistance for qualifying township applicants who are NOT provided for in public institutions, or presently receiving or qualifying for Medicaid. Medicines and/or medical supplies that are prescribed by a physician will be properly furnished, unless the medical services being sought are available through another governmental, insurance, or private program, such as Matthew 25 Health Clinic. All applicants will be required to make an application with Medicaid, HCI, or any other program including patient assistance programs. The township shall not be responsible for the payment of "Co-payments". (**IC 12-20-16-2**)

**4.60.01 1 MEDICAL EXEMPTIONS** – The Trustee will NOT provide to an individual medical assistance under the township program, if the individual could qualify for medical assistance for the same service under **IC 12-16**, Medicaid, or



other governmental medical programs. **(IC 12-20-16-2 (b))**

**4.60.02 MEDICAL SERVICES PROVIDED** – The Township shall pay for medical services for the eligible and qualifying township applicant: **(IC 12-20-16-2 (c))**

a. Prescription drugs or over the counter drugs as prescribed by a local physician (prescribed within the prior thirty (30) days) provided the applicant is eligible for Township Assistance, has obtained prior authorization from the trustee, and cannot obtain the prescription or over the counter drug through Matthew 25 Health Clinic, or any other program providing a similar service.

b. Office calls to a physician, provided the individual could not be treated at Matthew 25 Health Clinic, or any other program providing a similar service, and having obtained prior authorization from the trustee. The cost of visits to a medical specialist cannot be paid by the township, unless the applicant was first referred to a specialist by their attending physician.

c. Dental care needed to relieve pain or infection or to repair cavities, provided the individual could not be treated at Matthew 25 Health Clinic, or any other program providing a similar service. ADAMS

The township may pay the cost of denture replacements and / or repair not covered by other tax supported programs. However, the township will NOT pay the initial cost of dentures.

d. Emergency room treatment that is of an emergency nature, provided a proper request for the service is made to the township office by the applicant or a member of the applicant's household, within fifteen (15) working days of the time the services are rendered. However; a medical emergency does not exist in situations where the illness/injury could have been treated during a routine office call by a family doctor, and the applicant could have made contact with the township office before such visit.

- a) Pre-Op testing prescribed by a licensed physician.
- b) X-rays and laboratory testing as prescribed by a licensed physician.
- c) Physical therapy prescribed by a licensed physician.
- d) Eyeglasses, provided the applicant has exhausted all other programs providing a similar service.
- e) Repair or replacement, NOT initial cost, of a prosthesis not provided for by other tax supported, state or federal programs.
- f) Insulin and items needed to administer insulin. A township is not responsible to pay if the trustee has evidence that the individual has the financial ability to pay for the biologicals. When a trustee is presented with a legal claim for insulin being furnished to an individual, the trustee may require the individual

to complete and file a standard application for Township Assistance in order to investigate the financial condition of the individual claiming to be indigent. For purposes of the section, the township shall consider an adult individual needing insulin as an individual and not as a member of a household requesting Township Assistance. **(IC 16-41-19-7)**

**4.60.03 MEDICAL PAYMENT SCHEDULE** – In accordance with the provisions of IC 12-20-16, the township shall utilize the Indiana Medicaid Payment Schedule for determining the amount to be paid by the Township for medical services rendered. The township is under no obligation to provide for medical services and/or prescription drugs that are excluded for payment by the Indiana Medicaid Program. **(IC 12-20-16-2 (d))**

**4.60.04 INTERIM MEDICAL ASSISTANCE AND REIMBURSEMENT** – During the application pending period for Medicaid **(IC 12-15)** or other governmental medical programs, the trustee may provide interim medical services, if the individuals are reasonably complying with all requirements of the application process. Unless prohibited by law, the township will seek reimbursement for the payment of medical services from township funds, provided the individual for whom the services were rendered is eligible for medical services under a state medical plan. **(IC 12-20-16-2 (b, e))**

**4.70.00 TRANSPORTATION** – The township may provide transportation to individuals seeking employment within or outside the township only when there is reasonable evidence provided by the applicant and verified by the township that employment is available. The applicant or household seeking employment must submit employment forms as outlined in 3.00.00 of these standards.

**4.70.01 TRANSPORTATION / NON-RESIDENTS** – The township will not furnish a nonresident of Aboite Township with transportation at the cost of the township until the trustee determines the legal residence of the individual applying for assistance. Transportation provided to a nonresident of this township must be in the direction of the nonresident's legal residence unless it is shown that the individual in need has a valid claim for support or a means of support in some other place to which the individual asks to be sent. Residency status, and criminal records will be checked prior to any assistance for transportation. **(IC 12-20-16-11)**

**4.70.02 TRANSPORTATION AND RE-APPLICATION** – Any individual who has been sent to a place of settlement, by court order, or is transported there at public expense (township assistance), and who again reapplies for assistance in the township from which the individual or member of the individual's household was sent, may be denied Township Assistance for a period of one hundred-eighty (180) days. **(IC 12-20-9-6)**

**4.80.00 ESTATES** – Subject to **IC 12-20-11-5 (b)** (Workfare assignment and

satisfaction see **3.10.07** of these Standards), a trustee who furnishes township assistance, may file a claim against the estate of a township recipient who: {1} dies, leaving an estate; and {2} is not survived by a spouse, disabled adult dependent, or dependent child less than eighteen (18) years of age; for the value of Township Assistance given the recipient before the recipient's death. The estate of a township recipient includes any money or other personal property in the possession of a coroner under **IC 36-2-14-11. (IC 12-20-27-1)**

**5.00.00 FUTURE THIRD PARTY BENEFITS** – If a trustee anticipates that a Township Assistance applicant or a member of the applicant's household is likely to receive a judgment, compensation, or a monetary benefits from a third party, the trustee may require the applicant or the affected member of the applicant's household to enter into a subrogation agreement for repayment of any township benefits provided by the township during the interim period. Failure of an applicant or member of an applicant's household to sign the necessary authorizations for reimbursement to the township shall result in a denial of township assistance. **(IC 12-20-27-1.5 (b))**

**5.00.01 INTERIM PERIOD DEFINED** – "Interim period" means the period beginning when a township trustee obtains from a Township Assistance applicant, or member of the applicant's household, an agreement or authorization and ending when the applicant or household member receives the judgment, compensation, or monetary benefit or leaves the household. **(IC 12-20-27-1.5 (a))**

**5.10.00 SUPPLEMENTAL SECURITY INCOME** – An applicant or member of an applicant's household must make an application with the Social Security Office when referred by the trustee. Individuals must sign a Social Security Administration's Reimbursement Authorization form (see Schedule C) for the repayment of any Township Assistance benefits provided by the township during the interim period. Individuals awaiting a determination from the Social Security Administration for SSI benefits will not be required to perform workfare as long as their initial SSI application remains active. Once the initial application for SSI benefits has been denied by the Social Security Administration, a determination will be made for the individual to perform workfare. Failure to sign the Reimbursement Form will result in denial of Township Assistance benefits. **(IC 12-20-27.1.5 (b))**

**6.00.00 CONCLUSION** – All decisions regarding eligibility will be based on these standards and the Indiana statutes governing Township Assistance. The trustee shall always consider whether the applicant or household's needs can be relieved by means other than an expenditure of township money **(IC 12-20-17-1)**. The township shall not be obligated to pay for services or the cost of goods incurred when an applicant's household had sufficient income or resources to have paid for either the goods or services. These standards will be adopted by the Aboite Township Board and posted at the Aboite Township Trustee's Office. Additional copies will be furnished to the Allen County Commissioners Office, and recorded in the Office of the Allen County Recorder. Any member of the public will be permitted to inspect

and copy these standards at their own expense. The Standards will be reviewed and updated annually to reflect changes in the cost of basic necessities in the township and changes in law (**IC 12-20-5.5 (b)**). Periodically addendums may be added in the forms of memorandums or notices. These addendums will be Recorded and provided to the County Commissioners Office.

**06.10.00 SEVERABILITY** - Should any of these standards be declared unconstitutional or unenforceable by a court of competent jurisdiction, all other parts shall be separate from such and remain in full force and effect until duly amended, revised or replaced according to law.

**06.20.00 COURTESY**- Every applicant who comes into the Aboite Township Trustee office will be treated in a courteous and respectful manner. Likewise, we expect each applicant to treat the staff in a similar manner. The township is dedicated to assisting eligible households in their emergency situations and will strive to provide assistance within the limits of the law and these standards.

**SCHEDULE A**

Application for Township Assistance – Form TA-1  
Application for Additional or Continuing Assistance TA -1B  
Aboite Township Cover letter  
Social Security Reimbursement Authorization Form  
Requirements for Help Form  
Authorization to Release

**SCHEDULE B**

Notice of Township Assistance Action TA-1A  
Appeals Rights and Procedure  
Appeal Request Form  
Supplemental to Action Form

**SCHEDULE C**

Employment Search Form  
Employment Contract

**SCHEDULE D**

Income Eligibility  
100% Federal Poverty Guidelines

**SCHEDULE E**

Workfare Policies  
Workfare Assignment Sheet

**SCHEDULE F**

Food Order and Paper Products Allotments

**SCHEDULE G**

Shelter Payment Grid

**SCHEDULE H**

Landlord Statement  
Shelter Deposit Agreement  
Lien against Property Form  
Mortgage Form

**SCHEDULE I**

Burial Assistance Grid  
Application for Burial Assistance

**SCHEDULE "D"**

**INCOME ELIGIBILITY**

120% of Federal Poverty Guidelines

<b>PERSONS IN HOUSEHOLD</b>	<b>MONTHLY GROSS INCOME</b>
<b>1</b>	<b>\$1458</b>
<b>2</b>	<b>\$1972</b>
<b>3</b>	<b>\$2486</b>
<b>4</b>	<b>\$3000</b>
<b>5</b>	<b>\$3514</b>
<b>6</b>	<b>\$4028</b>
<b>7</b>	<b>\$4541</b>
<b>8</b>	<b>\$5056</b>

Each additional person add \$514

**SCHEDULE "F"**

**FOOD ORDER ALLOTMENTS AND PAPER PRODUCTS**

<b># IN HOUSEHOLD</b>	<b>FOOD - ONE WEEK</b>	<b>SOAP/PAPER MONTHLY</b>
<b>1</b>	<b>\$60</b>	<b>\$55</b>
<b>2</b>	<b>\$110</b>	<b>\$70</b>
<b>3</b>	<b>\$160</b>	<b>\$85</b>
<b>4</b>	<b>\$205</b>	<b>\$100</b>
<b>5</b>	<b>\$245</b>	<b>\$115</b>
<b>6</b>	<b>\$295</b>	<b>\$130</b>
<b>7</b>	<b>\$325</b>	<b>\$145</b>
<b>8</b>	<b>\$375</b>	<b>\$160</b>
<b>Additional person</b>	<b>Add \$45</b>	<b>Add \$15</b>

**SCHEDULE "G"**

**SHELTER PAYMENTS**

The Following Shelter Payments Are **Maximum** Amounts

<b># OF BEDROOMS</b>	<b>MONTHLY AMOUNT</b>
<b>One Bedroom</b>	<b>\$600</b>
<b>Two Bedroom</b>	<b>\$650</b>
<b>Three Bedroom</b>	<b>\$700</b>
<b>Four Bedroom</b>	<b>\$750</b>
<b>Five Bedroom</b>	<b>\$800</b>

Additional \$50 will be added if the utilities are included in the rent.



**SCHEDULE "I"**

**BURIAL ASSISTANCE**

1. Burial Supplement Form

2. Burial Expenses

The Trustee Will Utilize the Following Schedule When Providing Burial/Funeral/Cremation Assistance

<b>PERSON</b>	<b>EXPENSE/ FUNERAL HOME</b>	<b>EXPENSE/ CEMETERY</b>	<b>TOTAL</b>
<b>Adult</b>	<b>\$900</b>	<b>\$900</b>	<b>\$1800</b>
<b>Child</b>	<b>\$900</b>	<b>\$900</b>	<b>\$1800</b>
<b>Oversized</b>	<b>\$1200</b>	<b>\$1300</b>	<b>\$2500</b>
<b>Infant</b>	<b>\$250</b>	<b>\$250</b>	<b>\$500</b>
<b>Cremation</b>	<b>\$900</b>	<b>\$400 Crematory</b>	<b>\$1300</b>

## **OTHER APPLICABLE INDIANA STATE STATUTES**

### **IC 12-7-2-44.6"Countable asset"**

Sec. 44.6. "Countable asset" means the following:

- (1) For purposes of [IC 12-10-10](#), property that is included in determining assets in the same manner as determining an individual's eligibility for the Medicaid aged and disabled waiver.
- (2) For purposes of [IC 12-20](#), noncash property that is not necessary for the health, safety, or decent living standard of a household that:
  - (A) is owned wholly or in part by the applicant or a member of the applicant's household;
  - (B) the applicant or the household member has the legal right to sell or liquidate; and
  - (C) includes:
    - (i) real property other than property that is used for the production of income or that is the primary residence of the household;
    - (ii) savings and checking accounts, certificates of deposit, bonds, stocks, and other intangibles that have a net cash value; and
    - (iii) boats, other vehicles, or any other personal property used solely for recreational or entertainment purposes.

*As added by P.L.51-1996, SEC.3. Amended by P.L.145-2014, SEC.2; P.L.87-2017, SEC.1.*

### **IC 12-7-2-44.7"Countable income"**

Sec. 44.7. "Countable income", for purposes of [IC 12-20](#), means a monetary amount either paid to an applicant or a member of an applicant's household not more than thirty (30) days before the date of application for township assistance, or accrued and legally available for withdrawal by an applicant or a member of an applicant's household at the time of application or not more than thirty (30) days after the date of application for township assistance. The term includes the following:

- (1) Gross wages before mandatory deductions.
- (2) Social Security benefits, including Supplemental Security Income.
- (3) Aid to Families with Dependent Children.
- (4) Unemployment compensation.
- (5) Worker's compensation (except compensation that is restricted for the payment of medical expenses).
- (6) Vacation pay.
- (7) Sick benefits.
- (8) Strike benefits.
- (9) Private or public pensions.
- (10) Taxable income from self-employment.
- (11) Bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household if monetary compensation or the provision of basic necessities would have been reasonably available from that individual.
- (12) Child support.
- (13) Gifts of cash, goods, or services.
- (14) Other sources of revenue or services that the township trustee may reasonably determine to be countable income.

*As added by P.L.51-1996, SEC.4. Amended by P.L.73-2005, SEC.5.*

### **IC 12-7-2-76.5"Emergency"**

Sec. 76.5. (a) "Emergency", for purposes of [IC 12-20](#), means an unpredictable circumstance or a series of unpredictable circumstances that:

- (1) place the health or safety of a household or a member of a household in jeopardy; and

## Aboite Township Trustee Standards 2023

(2) cannot be remedied in a timely manner by means other than township assistance.

(b) "Emergency", for purposes of [IC 12-17.6](#), has the meaning set forth in [IC 12-17.6-1-2.6](#).

*As added by P.L.51-1996, SEC.6. Amended by P.L.95-2000, SEC.1; P.L.283-2001, SEC.12; P.L.255-2003, SEC.10.*

### **IC 12-7-2-177"Shelter"**

Sec. 177. (a) "Shelter", for purposes of [IC 12-20](#), means a house, a mobile home, an apartment, a group of rooms, or a single room that is occupied or is intended for occupancy as separate living quarters where the occupant or intended occupant:

- (1) does not live and eat with any other individual in the building; and
- (2) has direct access to the occupant's living quarters from the outside of the building or through a common hall.

(b) Notwithstanding subsection (a), "shelter", for purposes of [IC 12-20-17-2](#), has the meaning set forth in [IC 12-20-17-2](#).

[Pre-1992 Revision Citation: 12-2-1-8.5.]

*As added by P.L.2-1992, SEC.1. Amended by P.L.51-1996, SEC.9.*

### **IC 12-7-2-200.5"Wasted resources"**

Sec. 200.5. "Wasted resources", for purposes of [IC 12-20](#), means:

- (1) the amount of money or resources expended by an applicant or an adult member of an applicant's household seeking township assistance during the thirty (30) days before the date of application for township assistance for items or services that are not basic necessities;
- (2) income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application for township assistance by an adult member of an applicant's household unless the adult member can establish a good reason for the act; or
- (3) lump sum amounts of money or resources from tax refunds, lawsuits, inheritances, or pension payments of at least four hundred dollars (\$400) that are expended by:
  - (A) an applicant seeking township assistance; or
  - (B) an adult member of the applicant's household;during the one hundred eighty (180) days immediately preceding the date of application for township assistance for items or services that are not basic necessities if, at the time of the expenditure, there were amounts due and owing for items or services constituting basic necessities.

*As added by P.L.51-1996, SEC.13. Amended by P.L.262-2003, SEC.1; P.L.73-2005, SEC.9.*

### **IC 12-14-2-5.1Time limitations on receipt of assistance; cash assistance minimum**

Sec. 5.1. (a) Subject to section 5.2 of this chapter, a parent or an essential person may not receive payments if the person has received assistance under this article during the person's lifetime for twenty-four (24) months after June 30, 1995.

(b) A family receiving TANF under section 5 of this chapter remains eligible to receive TANF services, including access to the Title IV-D child support enforcement program and the IMPACT (JOBS) program, when the family's income is greater than the amount of need recognized under section 5 of this chapter, but the family's gross income is less than one hundred percent (100%) of the federal income poverty level.

(c) A recipient family shall receive a cash assistance benefit under the TANF program of at least ten dollars (\$10) if:

- (1) the family's income is greater than the amount of need recognized under section 5 of this chapter;
- (2) the family's gross income is less than one hundred percent (100%) of the federal income poverty level; and
- (3) a parent or essential person receiving assistance has employment earnings.

*As added by P.L.46-1995, SEC.13. Amended by P.L.1-1997, SEC.57; P.L.161-2007, SEC.15; P.L.153-2011, SEC.14.*

**IC 12-14-2-5.2 Employment credit**

Sec. 5.2. (a) A person may earn credit for one (1) month of TANF assistance for each six (6) consecutive months the person is employed full time. However, credit may not be earned for employment completed before the date the person first applies for assistance under this article.

(b) To qualify for credit under subsection (a), a person must supply the county office with proof of the periods during which the person was employed.

(c) A person may not retain credit for more than twenty-four (24) months of TANF assistance under this article at any time.

(d) Credit earned by one (1) member of an assistance group under this section applies to all members of the assistance group.

*As added by P.L.46-1995, SEC.14. Amended by P.L.161-2007, SEC.16*

**IC 12-14-2-5.3 Payments for child born more than ten months after family qualifies for assistance**

Sec. 5.3. (a) This section does not apply to a dependent child:

(1) described in section 5.1(b)(3) or 5.1(b)(4) of this chapter;

(2) who is the firstborn of a child less than eighteen (18) years of age who is included in a TANF assistance group when the child becomes a first time minor parent (including all children in the case of a multiple birth); or

(3) who was conceived in a month the family was not receiving TANF assistance.

(b) Except as provided in subsection (c), after July 1, 1995, an additional payment (other than for medical expenses payable under [IC 12-15](#)) may not be made for a dependent child who is born more than ten (10) months after the date the family qualifies for assistance under this article.

(c) The division may adopt rules under [IC 4-22-2](#) that authorize a voucher for goods and services related to child care that do not exceed one-half (1/2) of the assistance that a dependent child described in subsection (b) would otherwise receive under section 5 of this chapter.

(d) A dependent child described in subsection (b) is eligible for all child support enforcement services provided in [IC 31-25](#).

(e) Families receiving TANF assistance are encouraged to receive family planning counseling.

*As added by P.L.46-1995, SEC.15. Amended by P.L.2-1997, SEC.36; P.L.145-2006, SEC.79; P.L.161-2007, SEC.17.*

**IC 35-43-5-7 Welfare fraud**

Sec. 7. (a) A person who knowingly or intentionally:

(1) obtains public relief or assistance by means of impersonation, fictitious transfer, false or misleading oral or written statement, fraudulent conveyance, or other fraudulent means;

(2) acquires, possesses, uses, transfers, sells, trades, issues, or disposes of:

(A) an authorization document to obtain public relief or assistance; or

(B) public relief or assistance;

except as authorized by law;

(3) uses, transfers, acquires, issues, or possesses a blank or incomplete authorization document to participate in public relief or assistance programs, except as authorized by law;

(4) counterfeits or alters an authorization document to receive public relief or assistance, or knowingly uses, transfers, acquires, or possesses a counterfeit or altered authorization document to receive public relief or assistance; or

(5) conceals information for the purpose of receiving public relief or assistance to which he is not entitled; commits welfare fraud, a Class A misdemeanor, except as provided in subsection (b).

(b) The offense is:

(1) a Level 6 felony if the amount of public relief or assistance involved is more than seven hundred fifty dollars (\$750) but less than fifty thousand dollars (\$50,000); and

(2) a Level 5 felony if the amount of public relief or assistance involved is at least fifty thousand dollars (\$50,000).

(c) Whenever a person is convicted of welfare fraud under this section, the clerk of the sentencing court shall certify to the appropriate state agency and the appropriate agency of the county of the defendant's residence:

(1) the defendant's conviction; and

(2) whether the defendant is placed on probation and restitution is ordered under [IC 35-38-2](#).

*As added by P.L.182-1984, SEC.5. Amended by P.L.158-2013, SEC.479.*

**IC 35-43-5-7.1Medicaid fraud**

Sec. 7.1. (a) Except as provided in subsection (b), a person who knowingly or intentionally:

(1) makes, utters, presents, or causes to be presented to the Medicaid program under [IC 12-15](#) a Medicaid claim that contains materially false or misleading information concerning the claim;

(2) obtains payment from the Medicaid program under [IC 12-15](#) by means of a false or misleading oral or written statement or other fraudulent means;

(3) acquires a provider number under the Medicaid program except as authorized by law;

(4) alters with the intent to defraud or falsifies documents or records of a provider (as defined in 42 CFR 1000.30) that are required to be kept under the Medicaid program; or

(5) conceals information for the purpose of applying for or receiving unauthorized payments from the Medicaid program;

commits Medicaid fraud, a Class A misdemeanor.

(b) The offense described in subsection (a) is:

(1) a Level 6 felony if the fair market value of the offense is at least seven hundred fifty dollars (\$750) and less than fifty thousand dollars (\$50,000); and

(2) a Level 5 felony if the fair market value of the offense is at least fifty thousand dollars (\$50,000).

*As added by P.L.10-1994, SEC.8. Amended by P.L.273-1999, SEC.179; P.L.1-2006, SEC.531; P.L.158-2013, SEC.480; P.L.58-2015, SEC.1.*