BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES

)

In the Matter of

S T

OAH No. 18-0552-GRE Agency No

DECISION

I. Introduction

Ms. T applied for General Relief Assistance.¹ The Department of Health and Social Services (Agency) denied her application. Ms. T requested a Fair Hearing which was held on June 14, 2018.

Following testimony, the Agency's decision is affirmed.

II. Facts

S T applied for General Relief Assistance (GRA) on May 4, 2018, on behalf of her and her three children who reside with her.² The Agency denied her application. The maximum unearned income for a household of 4 is \$600.00.³ Ms. T's unearned income was \$862.00. Her unearned income was calculated as \$500.00 from Social Security Disability⁴ and \$362.00 from Adult Public Assistance⁵.

Ms. T did not dispute the calculations or offer any lawful deductions.

III. Discussion

The General Relief Assistance program is a state-funded program intended as a last resort to meet the "immediate basic needs" of indigent applicants "experiencing extreme financial crisis." The Alaska General Relief Assistance Program Manual provides the following overview of the GRA program:

Alaska's General Relief Assistance (GRA) program dates to its territorial days, when federally-funded assistance programs were not as extensive as they are now. As the major assistance programs expanded in scope, the GRA program became more limited in terms of the amount of financial aid available[.] ... The GRA program is designed to meet the immediate basic needs of Alaskans experiencing extreme financial crisis. Those basic needs include shelter, utilities, food, clothing, and funds for the dignified burial of a needy deceased person. The GRA program is 100% state funded, and as funds are limited, the

¹ S T requested Food Stamps. That case was not addressed because the Division of Public Assistance had not yet determined whether she was eligible; a notice of non-referral was sent.

² Exhibit 3; Mr. Miller testimony

³ Exhibit 11; 7AAC 47.150; Mr. Miller testimony

⁴ Exhibit 2: Mr. Miller testimony

⁵ Exhibit 2.1, exhibit 4; Mr. Miller testimony

program is used as a last resort in providing basic needs to an individual or household. 6

The GRE determination for eligibility are strictly calculated.⁷ Ms. T agreed her income exceeded the household maximum.

There are limited deductions to unearned income.⁸ Ms. T agreed she did not have any deductions that would apply that would lower her unearned income.

IV. Conclusion

Ms. T applied for GRE because she was behind in her taxes and at risk of losing her home to foreclosure. ⁹ Ms. T was also behind in her gas, water, and power bills.¹⁰ Ms. T's situation seems dire. Unfortunately, the GRE qualifications are strictly constructed. Ms. T's income exceeds the income amount.

The Agency's decision is affirmed.

Dated: August 28, 2018

<u>Signed</u> Hanna Sebold Administrative Law Judge

Adoption

The undersigned, on behalf of the Commissioner of Health and Social Services and in accordance with AS 44.64.060, adopts this Decision and Order as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. 602(a)(2) within 30 days after the date of this decision.

DATED this 12th day of September, 2018.

By: <u>Signed</u>

Name: Lawrence A. Pederson Title: Administrative Law Judge

[This document has been modified to conform to the technical standards for publication. Names may have been changed to protect privacy.]

⁶ Exhibit 6; 7 AAC 47.140

⁷ Exhinit 15

⁸ Exhibit 15

⁹ Exhibit 3.18, 3.19 ; Ms. T testimony

¹⁰ Exhibit 3.14, 3.15, 3.16, 3.17