

CHAPTER 58  
EMERGENCY ASSISTANCE

DIVISION I  
IOWA DISASTER AID INDIVIDUAL ASSISTANCE GRANT PROGRAM

PREAMBLE

This division implements a state program of financial assistance to meet disaster-related expenses, food-related costs, or serious needs of individuals or families who are adversely affected by a state-declared disaster emergency. The program is intended to meet needs that cannot be met by other means of financial assistance.

**441—58.1(29C) Definitions.**

“*Department*” means the Iowa department of human services.

“*Emergency management coordinator*” means the person appointed by the local emergency management commission pursuant to Iowa Code sections 29C.9 and 29C.10 to be responsible for development of the countywide emergency operations plan and for coordination and assistance to government officials when an emergency or disaster occurs.

“*Household*” means all adults and children who lived in the pre-disaster residence who request assistance, as well as any persons, such as infants, spouses, or part-time residents, who were not present at the time of the disaster but who are expected to return during the assistance period.

“*Necessary expense*” means the cost associated with acquiring an item or items, obtaining a service, or paying for any other activity that meets a serious need.

“*Safe, sanitary, and secure*” means free from disaster-related health hazards.

“*Serious need*” means the item or service is essential to the household to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

[ARC 1353C, IAB 3/5/14, effective 5/1/14]

**441—58.2(29C) Program implementation.**

**58.2(1) *Disaster declaration.*** The Iowa individual assistance grant program (IIAGP) shall be implemented when the governor issues a declaration of a state of disaster emergency that authorizes individual assistance. The program shall be in effect only in those counties named in the declaration. Assistance shall be provided for a period not to exceed 120 days from the date of declaration.

**58.2(2) *Voucher system.*** The IIAGP will be implemented through a reimbursement or voucher system.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14]

**441—58.3(29C) Application for assistance.** To request assistance for disaster-related expenses, the household shall complete Form 470-4448, Individual Disaster Assistance Application, and submit it within 45 days of the disaster declaration to the contracted administrative entity along with: (1) receipts for the claimed expenses or (2) a request to participate in a voucher system.

**58.3(1)** Application forms are available from an approved administrative entity, as well as the Internet Web site of the department at [www.dhs.iowa.gov](http://www.dhs.iowa.gov).

**58.3(2)** The application shall include:

*a.* A declaration of the household’s annual income, accompanied by:

(1) A current pay stub, W-2 form, or income tax return, or

(2) Documentation of current enrollment in an assistance program administered by the department, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), or other subsidy program.

*b.* An authorization to release confidential information to personnel involved in administering the program.

*c.* A certification of the accuracy of the information provided.

*d.* An assurance that the household had no insurance coverage for claimed items.

*e.* A commitment to refund any part of a grant awarded that is duplicated by insurance or by any other assistance program, such as but not limited to local community development groups and charities, the Small Business Administration, or the Federal Emergency Management Administration.

*f.* A short, handwritten narrative of how the disaster event caused the claimed loss.

*g.* A copy of a picture identification document for each adult applicant.

*h.* When vehicle damage is claimed, current copies of the vehicle registration and liability insurance card.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14]

**441—58.4(29C) Eligibility criteria.** To be eligible for assistance, an applicant household must meet all of the following conditions:

**58.4(1)** The household's residence was located in the area identified in the disaster declaration during the designated incident period and the household verifies occupancy at that residence.

**58.4(2)** Household members are citizens of the United States or are legally residing in the United States.

**58.4(3)** The household's self-declared annual income is at or less than 200 percent of the federal poverty level for a household of that size.

*a.* Poverty guidelines are updated annually.

*b.* All income available to the household is counted, including wages, child support, interest from investments or bank accounts, social security benefits, and retirement income. Proof of income is required.

**58.4(4)** The household has disaster-related expenses or serious needs that are not covered by insurance or that are less than the deductible amount. This program will not reimburse the amount of the insurance deductible when the claim exceeds the deductible amount.

**58.4(5)** The household has not previously received assistance from this program or another program for the same loss.

[ARC 1353C, IAB 3/5/14, effective 5/1/14]

**441—58.5(29C) Eligible categories of assistance.** The maximum assistance available to a household in a single disaster is \$5,000. Assistance is available under the program for the following disaster-related expenses:

**58.5(1)** Assistance may be issued for personal property, including repair or replacement of the following items, based on the item's condition:

*a.* Kitchen items, excluding appliances covered under subparagraph 58.5(1)"d"(8), up to a maximum of \$560, including:

(1) Equipment and furnishings, up to a maximum of \$560.

(2) Food, up to a maximum of \$50 for one person plus \$25 for each additional person in the household.

*b.* Personal hygiene items, up to a maximum of \$30 per person and \$150 per household.

*c.* Clothing and bedroom furnishings, up to a maximum of \$875, including:

(1) Mattress, box spring, frame, and storage containers, up to a maximum of \$250 per person.

(2) Clothing, up to a maximum of \$145 per person.

*d.* Other items, including:

(1) Infant car seat, up to a maximum of \$40.

(2) Dehumidifier, up to a maximum of \$150.

(3) Sump pump (in a flood event only), up to a maximum of \$200 installed.

(4) Electrical or mechanical repairs, up to a maximum of \$1,000.

(5) Water heater, up to a maximum of \$425 installed.

(6) Vehicle repair, up to a maximum of \$500.

(7) Heating and air-conditioning systems, up to a maximum of \$2,100 installed. Air conditioning is covered only with proof of medical necessity.

(8) Kitchen or laundry appliances up to a maximum of \$700 per appliance and a maximum per household not to exceed \$2,100.

**58.5(2)** Assistance may be issued for home repair as needed to make the home safe, sanitary, and secure, up to a maximum of \$5,000.

- a. Assistance will be denied if preexisting conditions are the cause of the damage.
- b. Assistance may be authorized for:
  - (1) The repair of structural components, such as the foundation and roof.
  - (2) The repair of floors, walls, ceilings, doors, windows, and carpeting of essential interior living space that was occupied at the time of the disaster.
  - (3) Debris removal, including trees, up to a maximum of \$1,000.
  - (4) Replacement or repair of other items of necessity as approved by the department on a case-by-case basis up to a maximum of \$5,000.
- c. Repairs to rental property or landlord-owned equipment are excluded under this program.

**58.5(3)** Assistance may be issued for temporary housing assistance, up to a limit of \$50 per day, for lodging at a licensed establishment, such as a hotel or motel, if the household's home is destroyed, uninhabitable, inaccessible, or unavailable to the household.

[ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14]

#### 441—58.6(29C) Eligibility determination and payment.

**58.6(1)** The contracted administrative entity or designee shall confirm that the address provided on the application is a valid address and is reasonably believed to be in the disaster-affected area. The department reserves the right to view the damaged property prior to providing any assistance pursuant to IIAGP.

**58.6(2)** Designated staff in the department shall:

- a. Monitor applicants' names and addresses as reports are submitted by the administrative entity.
- b. Monitor, review, and provide timely submission of invoices by the administrative entity for payment and shall process appeals.

**58.6(3)** For applications with a voucher or reimbursement request, the department or its designee shall:

- a. Determine eligibility and the amount of payment within the rules of the program.
- b. Notify the applicant household of the eligibility decision.
- c. Authorize vouchers to an eligible household to purchase needed goods and services.
- d. Pay vendors for goods and services purchased with vouchers.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14]

#### 441—58.7(29C) Contested cases.

**58.7(1) Reconsideration.**

a. The household may request reconsideration of decisions regarding eligibility and the amount of assistance awarded.

b. To request reconsideration, the household shall submit a written request to the DHS Office of the Director, 1305 East Walnut Street, Des Moines, Iowa 50319-0114, within 15 days of the date of the letter notifying the household of the department's decision.

c. The department shall review any additional evidence or documentation submitted and issue a reconsideration decision within 15 days of receipt of the request.

**58.7(2) Appeal.** The household may appeal the department's reconsideration decision according to procedures in 441—Chapter 7.

a. Appeals must be submitted in writing, either on Form 470-0487 or 470-0487(S), Appeal and Request for Hearing, or in any form that provides comparable information, to the DHS Appeals Section, 1305 East Walnut Street, Des Moines, Iowa 50319-0114, within 15 days of the date of the reconsideration decision.

b. A written appeal is filed on the date the envelope sent to the department is postmarked or, when the postmarked envelope is not available, on the date the appeal is stamped received by the agency.

[ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14]

**441—58.8(29C) Discontinuance of program.**

**58.8(1) *Deferral to federal assistance.*** Upon declaration of a disaster by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Sections 5121 to 5206, the Iowa individual assistance grant program administered under this chapter shall be discontinued in the geographic area included in the presidential declaration. Upon issuance of the presidential declaration:

- a. No more applications shall be accepted.
- b. Any applications that are in process but are not yet approved shall be denied.
- c. Persons seeking assistance under this program shall be advised to apply for federal disaster assistance.

**58.8(2) *Exhaustion of funds.*** The program shall be discontinued when funds available for the program have been exhausted. To ensure equitable treatment, applications for assistance shall be approved on a first-come, first-served basis until all funds have been depleted. “First-come, first-served” is determined by the date the application is approved for payment.

a. *Partial payment.* Because funds are limited, applications may be approved for less than the amount requested. Payment cannot be approved beyond the amount of funds available.

b. *Reserved funds.* A portion of allocated funds shall be reserved for final appeal decisions reversing the department’s denial that are received after funds for the program have been awarded.

c. *Untimely applications.* Applications received after the program is discontinued shall be denied. These rules are intended to implement Iowa Code chapter 29C.

**441—58.9 to 58.20** Reserved.

DIVISION II  
FAMILY INVESTMENT PROGRAM—EMERGENCY ASSISTANCE  
[Prior to 10/13/93, 441—58.1 to 58.11]

Rescinded IAB 4/7/10, effective 5/12/10

**441—58.21 to 58.40** Reserved.

DIVISION III  
TEMPORARY MEASURES RELATED TO DISASTERS

**441—58.41(217) Purpose.** The rules in this division are intended to allow the department to deliver services more effectively during or following a disaster emergency declared by state or federal officials. These rules temporarily supersede departmental rules that would otherwise apply, with the primary purpose of reducing barriers to accessing and receiving services that may result from the emergency. The rules shall be tailored to meet special circumstances that arise from a specific disaster emergency and shall be time-limited.

This rule is intended to implement Iowa Code section 217.6.  
[ARC 7577B, IAB 2/25/09, effective 4/1/09]

**441—58.42(234,237A,239B,249,249A,249J,514I) Extension of scheduled reporting and review requirements.** Normal scheduled reporting, review, recertification, redetermination, or similar requirements related to continued eligibility are amended as follows:

**58.42(1) *Scheduled actions due in June 2008.*** For the month of June 2008, no quarterly report, six-month or 12-month review, or similar recertification or redetermination normally required under the following chapters shall be required of households residing in the most affected counties during the month. For all programs except food assistance, the designated counties are Black Hawk, Bremer, Butler, Johnson, and Linn.

1. 441—Chapter 40 (family investment program);
2. 441—Chapter 50 (state supplementary assistance);
3. 441—Chapter 65 (food assistance);
4. 441—Chapter 75, 76, or 83 (medical assistance and family planning waiver);