

# **Recovering From A Disaster:**

## **Your Legal Rights & Related Issues**

2011

Updated May 27, 2011 for Joplin Tornado Disaster  
Check [www.lawmo.org](http://www.lawmo.org) for updates of this manual  
Missouri Legal Services information site: [www.lsmo.org](http://www.lsmo.org)

Joplin area free legal assistance for low income/elderly/disabled:

Legal Aid of Western Missouri	In Kansas City:
302 S. Joplin	1125 Grand Blvd. #1900
Joplin MO 64801	Kansas City MO 64106
(417) 782-1650	(816) 474-6750
1-800-942-7095	

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# Legal Services of Missouri

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## What Should I Do First?

If you live in a disaster area declared by the federal government and need disaster help, before you address your legal issues you must first address your immediate needs by doing the following:

- 1) Your first call should be to:

FEMA (Federal Emergency Management) 1-800-621-3362

TTY (for the speech and hearing impaired) 1-800-462-7585.

You MUST register with FEMA to guarantee that you will receive all of the federal assistance for which you are eligible. You will be given a FEMA Claim Number. Please make sure to keep careful track of this number. More detailed information can be found below.

If you live in a disaster area and need disaster help or apply on line at [www.FEMA.gov](http://www.FEMA.gov). Click on "Online Individual Assistance Center" and the screens will prompt you through the process. You may also register by calling 1-800-621-FEMA (3362) (hearing/speech impaired ONLY—Call TTY: 1-800-462-7585). If you get a busy signal when you call the toll-free number try calling in the evening after 10:00 p.m. or on the weekends when fewer people are trying to call.

When you apply you should have a pen and paper available to write down important phone contacts. If possible, have the following information available: Your social security number, current and pre-disaster address, phone numbers, type of insurance coverage, total household annual income, and a routing and account number from your bank if you want to have disaster assistance funds transferred directly into your bank account.

FEMA will mail you a copy of your application and a copy of "Help After a Disaster: Applicant's Guide to the Individuals and Households Program" that will answer many of your questions.

- If your home or its contents are damaged and you do not have insurance an inspector should contact you within 10 to 14 days after you apply to schedule a time to meet you at your damaged home. In areas where access is still severely limited, it may take longer for an inspection.
- If your home or its contents were damaged and you have insurance you need to work through your insurance claim first and provide FEMA with a decision letter (settlement or denial) from your insurance company before FEMA issues an inspection. \*\*\*There is an exception for damages caused by flooding; if you have flood insurance, FEMA will issue an inspection before receiving a copy of your flood insurance decision letter to

evaluate your eligibility for temporary living expenses because temporary living expenses are not covered by flood insurance.

- About 10 days after the inspection FEMA will decide if you qualify for assistance. If you qualify for a grant FEMA will send you a check by mail or deposit it in your bank account. FEMA will also send you a letter describing how you are to use the money (for example: repairs to your home or to rent another house while you make repairs).
- If FEMA decides that you do not qualify for a grant FEMA will send you a letter explaining why you were turned down and give you a chance to appeal the decision. Appeals must be in writing and mailed within 60 days of FEMA's decision.
- If you get a SBA Disaster Loan application in the mail, you must complete and return the application to be considered for a loan as well as certain types of grant assistance. SBA representatives are available at Disaster Recovery Centers to help you with the application. If the SBA finds that you cannot afford a loan they will automatically refer you to FEMA's Individual and Household grant program for help.
- If the SBA approves you for a loan, they will contact you. If the SBA finds that you cannot afford a loan, FEMA will contact you.

Please be sure to keep your phone number and mailing address current in FEMA's records. FEMA has implemented new technology to help inform you that we have received your documents. You will be contacted via a recorded message informing you that FEMA has received your documents. FEMA advises that you please be patient and wait to receive the recorded message rather than calling the FEMA Helpline number and/or re-mailing or re-faxing the documentation since the automated message will contact you just as soon as your documents have been placed in your file. You can also check if documents have been received using the online help center.

Please remember that when you mail or fax documents to FEMA, it is very important to include your name, your social security number, the disaster number and your registration ID number on all paperwork. This will speed handling and assure that the documents are placed in the correct file. The numbers can be found on the cover page that is included with all FEMA correspondence in the upper left hand corner of any letter FEMA sends you.

## 2) Next call the American Red Cross

The Red Cross can help with clothing, food, shelter, travel expenses and case management. (See index for your nearest American Red Cross Chapter).

3) In the meantime – if you have pressing, emergency needs that need to be met before your Red Cross appointment, please call:

Your local United Way (See index for your nearest United Way office).

## Other Organizations

There are other organizations listed in the index such as community action agencies and area agencies on aging that may be able to assist you with food, shelter, and clothing. You should contact them.

#### Seeking Legal Assistance/About This Manual

In the event of a disaster, you may find you have to deal with issues for which you need the assistance of an attorney. Some of these issues are discussed in this booklet, but it does not address all potential legal issues you may face. Numbers to call to inquire about legal assistance can be found under "Legal Assistance" in the Resource Directory found in the back pages of this manual.

The distribution of this manual does not create an attorney/client relationship between the reader and any staff of a legal aid program within the State of Missouri or any staff and/or volunteer attorney of said programs. The information contained herein is for general information purposes only. The information was compiled from a variety of sources and is subject to change at any time. The information contained herein does not constitute legal advice and should not be relied upon as legal advice. Information may not apply to your particular facts and circumstances. If you wish to act upon any information contained herein, you are advised to consult about your particular situation with your own counsel.

Portions of this manual were drafted by legal aid program staff. Additional information was obtained from the websites of the following: United Way, Missouri Department of Labor and Industrial Relations, Social Security Administration, FEMA, FDIC, FTC, HUD, U.S. Dept. of Labor, the Missouri Department of Revenue, National Employment Law Project, the American Bar Association, the National Legal Aid and Defender Association, and the Legal Services Corporation.

This manual will be updated as resources permit.

# Unemployment Compensation (Insurance) and Employment Issues

## Unemployment Insurance

### 1. What is Disaster Unemployment Assistance?

Disaster Unemployment Assistance (DUA), also referred to as Disaster Relief and Emergency Assistance, is a federal program that provides temporary financial assistance to individuals unemployed as result of a major disaster declared by the President.

### 2. What are the basic eligibility requirements for DUA?

There are two major requirements for an individual to qualify for DUA: 1) the individual must be out of work as a "direct result" of a major disaster; and 2) the individual does not qualify for regular unemployment insurance (UI) from any state. Once found to be eligible for DUA, workers must actively look for work and accept suitable work offered them, not unlike UI recipients. In response to the hurricanes, individual states may decide to temporarily suspend their "work search" requirements for some workers, both for regular unemployment benefits and DUA. In addition, the individual must show that for every week he or she is collecting DUA, his or her unemployment continues to be the direct result of the disaster, not other factors.

### 3. How much are DUA benefit payments?

Like UI benefits, DUA benefits are paid in weekly checks, once an application is completed, filed and processed. DUA recipients receive the same weekly benefits that they would have been entitled to had they qualified for UI in the state where they were employed. However, at a minimum, DUA benefits cannot be less than one-half of the state's average weekly UI benefits (minimum state amounts listed below). The DUA benefits for part-time workers are pro-rated based on the hours they worked as a percent of a 40-hour work week. Note that DUA benefits are reduced by any other wage-loss compensation, including private insurance, Supplemental Unemployment Benefits, worker's compensation, and a pro-rated amount of a retirement pension or annuity.

### 4. How long will an individual's DUA benefits last?

The maximum duration of DUA benefits is 26 weeks. *However, an individual's benefits cannot extend beyond the period when the disaster officially ends, which is six months from the date the federal disaster was declared* In addition, the DUA benefits cannot extend beyond when the recipient returns to work or self-employment or beyond the period when the individual's unemployment is no longer directly related to the disaster.

**5. What are some major examples of individuals who can collect DUA?**

Those who may be eligible for DUA (and typically could not get regular state UI benefits) include:

Self-employed individuals who lost their businesses or suffered a substantial interruption of activities as a direct result of a major disaster; Unemployed individuals who have become the breadwinner or major supporter of their households due to the death of the head of their household directly related to the disaster; Individuals unemployed as a result of an injury caused as a direct result of a disaster; Individuals who cannot reach their employment as a result of the disaster; Individuals who were scheduled to start work but became unemployed because they no longer have a job as a direct result of a disaster.

**6. Are workers who run out of regular unemployment insurance eligible to receive DUA?**

No, not if the individual was laid off before the disaster, which means that their unemployment was not originally caused by the disaster according to the federal law. However, if the individual's unemployment was originally caused by the disaster and his or her regular state unemployment runs out before the disaster period ends, then the individual may qualify for DUA. *However, the individual's DUA benefits will always expire when the 6-month federal disaster period officially ends. That effectively means that individuals cannot collect more than 26 weeks of regular state unemployment and DUA combined.*

**7. Are workers who did not work in the disaster area also eligible for DUA if their unemployment was still directly caused by the disaster?**

There are very limited situations where workers outside the disaster area can qualify for DUA if they were laid off due to their employer's loss of substantial revenue from contracts with businesses located in the disaster area. However, according to federal regulations adopted after the September 11th attacks, the employer or self-employed individual must have received at least a "majority of its revenue or income from an entity that was either damaged or destroyed in the disaster." In addition, the individual must continually establish that their unemployment remains directly related to the major disaster.

**8. What are the deadlines to apply for DUA?**

To qualify for DUA, individuals must normally apply no later than 30 days after the disaster was officially announced by the state (Note: *A previous version of this fact sheet incorrectly indicated that the 30-day deadline began from the date that the disaster was declared by the President, but the relevant date begins instead from when the state officially announces that DUA is available*). Late applications can be accepted, but only if "good cause" is shown for the late filing. However, under no circumstances can DUA applications be accepted after the disaster period ends.

## **9. What information is necessary to verify an applicant's work and earnings?**

The DUA application requires proof of employment and earnings, as well as a Social Security Number. The proof of employment is due no more than 21 days after the filing of the application. *However, on September 26th, the U.S. Department of Labor announced that it extended the deadline to 90 days to provide the paperwork in support of a DUA application.* For self-employed applicants, copies of tax returns are required as proof of income and self-employment. If verification of employment or other documents requested as part of the DUA application are not available, a sworn statement including other forms of verification can be submitted. Interim DUA payments can take place while the necessary documentation is gathered. However, the failure to submit required documentation after the deadline may result in a benefit overpayment which can be recovered from the individual.

## **10. Where can an individual apply for DUA?**

Each state may process DUA somewhat differently. Most states will process applications by telephone, as part of their automated telephone claims taking process for regular state UI benefits, and some state DUA applications may be processed via the Internet. If an individual is having problems filing for DUA directly by telephone or other means with the state where the disaster occurred, the individual can file an "interstate" claim in another state where he or she has relocated. These are claims that are processed by another state, but otherwise still involve most of the same rules that apply to workers applying for DUA in their home state.

Note - For the latest information on how to file for DUA in states declared disaster areas, we recommend that individuals and their advocates regularly check recent postings on the state's Labor Department's website (which can be accessed via <http://ows.doleta.gov/map.asp>) and the U.S. Department of Labor's website listing states services available.

**Q: I lost my job prior to the disaster and was receiving, had applied for, or need to apply for unemployment insurance. What should I do?**

A: Contact the unemployment compensation in your state of origin or one of the Missouri Regional Claims Centers (see contact information later in this section) to inquire apply for, or inquire about the status of your Federal-State Unemployment Insurance claim.

## **Q: What is the Federal-State Unemployment Insurance Program?**

A: In general, the Federal-State Unemployment Insurance Program provides unemployment benefits to eligible workers who are unemployed through no fault of their own (as determined under State law), and meet other eligibility requirements of State law.

- Unemployment insurance payments (benefits) are intended to provide temporary financial assistance to unemployed workers who meet the requirements of State law.
- Each State administers a separate unemployment insurance program within guidelines established by Federal law.



- Eligibility for unemployment insurance, benefit amounts and the length of time benefits are available are determined by the State law under which unemployment insurance claims are established.
- In the majority of States, benefit funding is based solely on a tax imposed on employers. Three (3) States require minimal employee contributions.)

### **Eligibility**

1. You must meet the State requirements for wages earned or time worked during an established (one year) period of time referred to as a "base period". (In most States, this is usually the first four out of the last five completed calendar quarters prior to the time that your claim is filed.)
2. You must be determined to be unemployed through no fault of your own (determined under State law), and meet other eligibility requirements of State law.

### **Filing a Claim**

You should contact the Missouri Regional Claim Center as soon as possible after becoming unemployed. Some States require a one-week waiting period; therefore, the second week claimed is the first week of payment, if you are otherwise eligible. When you file the claim, you will be asked certain questions, such as addresses and dates about your former employment. To make sure your claim is not delayed, be sure to give complete and correct information.

### **Continued Eligibility**

You must file weekly or biweekly claims (after the week(s) has ended), and respond to questions concerning your continued eligibility. You must report any earnings from work you had during the week(s). You must also report any job offers or refusal of work during the week. These claims are usually filed by mail or telephone; the State will provide filing instructions.

When directed, you must report to your local Unemployment Insurance Claims Office or One-Stop/Employment Service Office on the day and at the time you are scheduled to do so. If you fail to report as scheduled for any interview, benefits may be denied.

You must continue to meet the eligibility requirements stated in the previous section.

### **Registering For Work**

Claimants who file for unemployment benefits may be directed to register for work with the State Employment Service, so it can assist you in finding employment. If you are not required to register, you still may seek help in finding a job from the Employment Service.

- The One-Stop/Employment Service Office has current labor market information and provides a wide array of re-employment services free of charge.
- Employment Service staff can refer you to job openings in your area, or in other parts of the State or country if you are willing to relocate.

- They can refer you to various training programs.
- If job openings in your field are limited, they can offer testing and counseling to determine other jobs you might like to do and are able to do.
- If you believe you have special needs or considerations, such as physical needs or other considerations, which may prevent you from getting a job, they can refer you to other agencies for help with those needs.

### **Disqualification from Eligibility**

- If your reason for separation from your last job is due to some reason other than a "lack of work" – a determination will be made about whether you are eligible for benefits.
- Generally all determinations of whether or not a person is eligible for benefits are made by the appropriate State under its law or applicable federal laws.
- If you are disqualified/denied benefits, you have the right to file an appeal. The State will advise you of your appeal rights. You must file your appeal within an established time frame. Your employer may also appeal a determination if he/she does not agree with the State's determination regarding your eligibility.

### **Benefits**

- In general, benefits are based on a percentage of an individual's earnings over a recent 52-week period - up to a State maximum amount.
- Benefits can be paid for a maximum of 26 weeks in most States.
- Additional weeks of benefits may be available during times of high unemployment. Some States provide additional benefits for specific purposes.

Benefits are subject to Federal income taxes and must be reported on your Federal income tax return. You may elect to have the tax withheld by the State Unemployment Insurance agency.

**Q: Is there an agency in Missouri I can contact to talk about unemployment insurance benefits.**

A: Evacuees needing to file for unemployment insurance benefits or who need additional information may contact one of the Missouri Regional Claims Centers listed below:

Jefferson City - (573) 751-9040

Kansas City – (816) 889-3101

St. Louis - (314) 340-4950

Springfield - (417) 895-6851

## **Interstate Claims**

- If a claimant has difficulty contacting the state they worked in the claimant should call a Missouri Regional Claims Center for assistance.

## **Housing and FEMA Benefits**

As many (although not all) FEMA benefits are related to housing assistance, this section addresses various housing issues, as well as all of the FEMA assistance programs.

## **HOUSING**

### **1. Frequent Questions-Home Ownership**

#### **Q: Do I still have to pay my mortgage if I cannot live in my house?**

A: Yes. However, check with your lender since many companies are offering a grace period of several months to delay payments. Also ask your lender to waive any addition of interest during the grace period.

#### **Q: What if I cannot pay my mortgage?**

A: It is important for you to contact your lender. You need to let them know the condition of your house due to disaster/tornado. Ask your lender to work out a payment plan with you. If your home is FHA insured, HUD instructed FHA approved lenders to hold off on any foreclosures for 90 days.

#### **Q: How long will it take to receive my insurance money?**

A: First, contact your insurance company to file a claim. It is very important you do this as soon as possible. Failure to file a claim with your insurance company may affect your eligibility for help under the FEMA IHP (Individuals and Household Program). If any of the following occur after you file your claim with your insurer, you should call the FEMA Disaster Helpline and may also want to seek the advice of an attorney:

- A decision on your insurance settlement is delayed longer than 90 days from the time you filed your claim.
- Your insurance settlement is insufficient to meet your disaster needs.
- You have exhausted the Additional Living Expenses (ALE) provided by your insurance company.
- You are unable to locate rental resources in your area.

### **2. Frequent Questions: Landlord/Tenant Questions**

#### **Q: Do I still have to pay my rent if I cannot live in my house?**

According to Legal Aid you generally do not have to pay rent for the time you cannot live in the apartment due to natural disaster. Other information on landlord/tenant issues may be found at <http://www.lsmo.org>. If you are served with a summons indicating that your landlord is suing you for rent owed, it is wise to consult with an attorney. Take pictures of your apartment or house to document its condition.

**Q: Are my belongings insured?**

A: Generally, your belongings are insured only if you have renters insurance. Contact your insurance company to file a claim. If you register with FEMA, some losses may be covered by the IHP.

**3. Federally Subsidized and Section 8 Housing**

HUD has established a toll-free number: 1-800-955-2232 to assist displaced federally subsidized (formerly "public") housing residents and Section 8 voucher holders. The St. Louis City Housing Authority's phone number is 314-531-4770. The Housing Authority of St. Louis County's phone number is 314-428-3200.

**4. Housing Assistance through FEMA: IHP**

The housing assistance portion of the Individual and Household Program (IHP) is administered directly by FEMA. The program provides financial assistance or actual housing to victims whose primary residences were destroyed, made uninhabitable or inaccessible as a result of the disaster. There are four forms of disaster housing assistance: (1) money for renting alternate housing, (2) rent-free occupancy in federally provided temporary housing, (3) money for repair of owner-occupied housing, and (4) money for replacement of owner-occupied housing. FEMA determines the appropriate type of housing assistance based on cost effectiveness, convenience to the disaster victims, and the suitability and availability of assistance.<sup>1</sup> Disaster victims are expected to accept the first offer of housing assistance, and unwarranted refusal can result in forfeiture of housing assistance.<sup>2</sup>

***a. Eligibility***

To obtain IHP housing assistance, applicants must show that (1) as a direct result of a major disaster or emergency, (2) their home was destroyed, made uninhabitable, or made inaccessible or unavailable, and (3) that the housing assistance needed (i.e., temporary rental assistance, mobile home, repair of the home, or its replacement) is either not covered by the applicant's insurance policy, or that the amount of insurance is insufficient to cover the damage.

During the initial interview, the FEMA representative makes an initial determination of whether the applicant has insurance coverage and marks the application form accordingly. Applicants

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with insurance coverage must establish either that (1) the proceeds of the insurance policy are less than the amount of their disaster-related damages and also less than the maximum amount that FEMA can authorize, or (2) that they have been unable to obtain payment from their insurance company (denial of claim or significant delay in receiving proceeds). Applicants with adequate insurance coverage who refuse insurance proceeds are ineligible.

During the initial interview, the FEMA representative also makes a determination of who is in the household. A "household" consists of all the people "who lived in the pre-disaster residence who request assistance," as well as people "expected to return during the assistance period."<sup>3</sup> FEMA provides assistance for one temporary housing residence for each household unless they find that the size or the nature of the household requires more than one residence.

#### ***b. Types of Assistance***

(i) *Financial Assistance.* The primary type of housing assistance provided by FEMA following a disaster is money to rent alternate housing. FEMA typically provides eligible applicants with a check to cover rental housing for one to three months. FEMA does not pay security deposits and pays utility costs only if they are part of the rental charge.

(ii) *Direct Assistance.* FEMA may provide temporary housing units, usually in the form of mobile homes, to disaster victims whose homes are destroyed or rendered uninhabitable and who would be unable to make use of cash rental assistance. Mobile homes must be placed on FEMA approved sites. FEMA does not pay utility costs unless utility services are part of the site rental.<sup>4</sup> This type of assistance is generally available only for a maximum of 18 months, but this period may be extended under extraordinary circumstances if an extension would be in the public interest. FEMA may charge fair market rent to people remaining in units after 18 months. FEMA regulations provide that they may terminate the provision of actual housing if: (1) the 18 month period of assistance has expired and not been extended; (2) Adequate alternative housing has become available; (3) The occupant obtained the housing assistance through fraud or misrepresentation; (4) The occupant fails to comply with the lease or other site rules; or (5) The occupant fails to provide evidence showing that they are working towards a permanent housing plan. The regulations also state that FEMA will provide 15 days notice of the termination, and specify the reason for the termination and the process to be followed on appeal. If a client is being dispossessed in this manner, advocates should consider initiating an action in a court of competent jurisdiction for violation of state landlord/tenant law.

(iii) *Grants for Home Repairs and Hazard Mitigation.* If the Disaster Declaration provides for it, FEMA may make available a limited amount of money for repairs to uninsured disaster-related damages to an owner's primary residence, utilities, and residential infrastructures such as private access routes, as well as assistance for hazard mitigation measures that reduce the likelihood of future damage to damaged residences, utilities or infrastructure. This assistance is available only if (1) the damage to the home is disaster related; (2) the home is owner occupied;

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(3) the damage is not covered by insurance; and (4) the cost of repairs does not exceed \$5,000 adjusted annually for inflation. Repairs must conform to local and state building codes. Money for repairs may not be used for improvements or additions to the pre-disaster condition of the property unless these are required to comply with local and state ordinances or eligible mitigation measures.

Although recipients of home-repair or hazard-mitigation grant under the IHP housing assistance program must show that the damage for which they seek assistance is not covered by insurance, they cannot be required to show that they are unable to obtain assistance from any other means. In particular, and in contrast to Financial Assistance to Address Other Needs, an uninsured homeowner cannot be required to show that s/he is ineligible for an SBA disaster loan in order to qualify for home-repair or hazard-mitigation assistance. In fact, a homeowner may be eligible for IHP housing assistance to cover emergency repairs, and may also qualify for an SBA loan for more extensive repairs. However, the owner is required to use the proceeds of the SBA loan to repay the IHP grant if it was used for repairs or measures also eligible for an SBA loan.

*(iv) Replacement of Primary Residence.* If the disaster declaration so provides, FEMA may award up to \$10,000 (adjusted annually for inflation) for replacement of a primary residence that incurred more than \$10,000 (adjusted annually for inflation) in disaster-related damage. This type of assistance must be individually approved by the Associate Director of FEMA. The applicant may either purchase a replacement residence for \$10,000, or apply the grant toward the purchase of a more costly home.

**NOTE: AT THE END OF THE FOLLOWING SECTION, "FEMA BENEFITS" YOU WILL FIND UPDATED FREQUENT QUESTIONS AND ANSWERS FROM THE FEMA WEBSITE ABOUT FEMA BENEFITS, INCLUDING HOUSING BENEFITS.**

**Go to [www.fema.gov](http://www.fema.gov) for the most updated information.**

## **FEMA Benefits**

The Financial Assistance to Address Other (non-housing) Needs part of the IHP program must be requested by the Governor, and listed as a designated type of assistance in the Declaration of Disaster. The purpose is to assist disaster victims in replacing personal property and paying for transportation, disaster-related medical, dental, funeral and other necessary expenses and serious needs. The amount of assistance cannot exceed \$25,000 (adjusted annually for inflation) less the amount of any IHP Housing Assistance received.

Depending on the arrangement chosen by the state, the "Other Needs" portion of the IHP program may be administered by the state or by FEMA. If the state chooses to administer the program, it must have in place an approved State Administrative Plan (SAP). If the state will be administering the "Other Needs" portion of the IHP program, legal aid advocates should obtain a copy of the SAP from FLS or the State Coordinating Officer (SCO) as soon as possible.

The State Administrative Plan must include procedures for (1) notifying potential applicants of the availability of the program (including application deadlines, program descriptions and

eligibility guidelines), (2) registration and acceptance of applications and late applications, (3) damage inspections, (4) eligibility determinations, (5) notification of eligibility, (6) payment of grants, (7) appeal processing, and (8) protection of applicant privacy.

#### ***a. Eligibility Requirements***

Like IHP housing assistance, IHP "Other Needs" assistance is need based, but not means or resource tested. To be eligible, applicants must show that they incurred necessary expenses or have serious needs as a result of the disaster for which they cannot obtain relief through other means, including a Disaster Loan from the SBA. An applicant must exhaust all other sources of potential assistance by applying for insurance reimbursement and/or for assistance from the SBA Disaster Loan Program. With respect to insurance, if the disaster-related expense is covered by an insurance policy, the applicant must demonstrate either that the proceeds will be insufficient to cover the necessary expense or serious need and are less than the maximum amount of assistance available through FEMA, or that the insurance payment has been unduly delayed and the applicant has agreed to repay FEMA from insurance proceeds. With respect to an SBA Disaster Loan, the applicant must show that s/he has applied and either been denied, or that the loan will be insufficient to cover the necessary expenses or serious needs.

#### ***b. Application Process***

At the time of the initial interview, the FEMA representative determines whether the applicant, based on the applicant's income, is potentially eligible for an SBA loan. If the applicant is found ineligible for an SBA loan at the time of the initial interview, the application form is so marked, and the applicant is referred to the "Other Needs" portion of the IHP program.

The extent of an applicant's real and personal property losses are determined by a FEMA inspector during an on-site visit. The "Other Needs" portion of the IHP program bases its findings of eligibility and the amount of the grant on the FEMA inspector's report. "Other Needs" grants may be used only to repair or replace the damaged or destroyed items listed in the award letter.

The conditions engendered by a disaster, particularly a catastrophic disaster, result in many errors in FEMA inspection reports. Therefore, whenever possible, advocates should advise disaster victims to take photographs of the damage to their homes or personal property. In cases of disagreement with the inspection report, the applicant should support an appeal with photographs as well as sworn statements from landlords, neighbors, or friends regarding the extent of the damage.

#### ***c. Types of Assistance.***

"Other Needs" grants are available in any amount for which the applicant qualifies, so long as the \$25,000 maximum (adjusted for inflation) for all types of IHP assistance to an individual or household is not exceeded. Covered items include medical, dental and funeral expenses for disaster related injury or death, disaster related damage or destruction of personal property (including automobiles), and money for transportation and specific other expenses.

(i) *Medical and Dental Expenses.* Medical expenses are generally limited to medical costs, dental costs and repair or replacement of medical equipment.

(ii) *Funeral Expenses.* This coverage is generally limited to the cost of funeral services, burial or cremation and other related funeral expenses.

(iii) *Repair or Replacement of Personal Property.* This assistance is generally limited to coverage of (1) clothing, (2) household items, furnishings and appliances, (3) tools, specialized or protective clothing, and equipment required by an employer as a condition of employment, (4) computers, uniforms, school books and supplies required for educational purposes, and (5) cleaning or sanitizing eligible personal property items.

(iv) *Transportation.* This coverage is generally limited to repairing or replacing vehicles and financial assistance for public transportation and any other transportation related costs or services.

(v) *Other Expenses.* This category includes (1) moving and storage expenses to avoid additional disaster damage, (2) purchase of a Group Flood Insurance Policy, and (3) other miscellaneous items or services determined to be necessary expenses and serious needs.

## **IHP Appeals**

Any decision regarding eligibility for assistance or its amount may be appealed within 60 days after the applicant receives notice of the decision. In addition to denials and insufficient awards, appealable decisions include recoupment of assistance, denial of continued housing assistance, termination of direct housing assistance, denial of a request to purchase a FEMA housing unit, and the sale price of a FEMA housing unit. The appeal must be in writing and signed by the appellant or his/her representative. Applicants or their representatives may request copies of their files. FEMA must issue a decision within 90 days of receipt of the notice of appeal. FEMA's decision is final.

If the State administers the "Other Needs" portion of the IHP program, the State Administrative Plan (SAP) is required to set forth the state's procedures for interacting with applicants, including procedures for appeals by applicants. At a minimum, the state must consider appeals on all issues which FEMA is required to consider.

## **SBA Disaster Loans**

The Disaster Loan Program is administered by the Small Business Administration (SBA), in coordination with FEMA. Three types of SBA loans may be made available following a declaration of disaster: disaster home loans, business disaster loans, and economic injury disaster loans. Disaster home loans are available to individuals, whereas business disaster loans and economic injury loans are provided to businesses. This article addresses disaster home loans only. SBA disaster home loans are available to disaster victims whenever the disaster declaration authorizes IHP Assistance. Such loans can be used to repair or replace uninsured or



under-insured privately owned real or personal property damaged or destroyed as a result of the disaster.

#### **a. Application Process**

When someone applies for disaster benefits, FEMA makes an initial “desk determination” of the applicant’s eligibility for an SBA loan based on income and family size. Applicants who are “desk denied” (their FEMA application states that an SBA application has been refused) are automatically referred for a grant from the “Other Needs” portion of the IHP program. Although applicants who are desk denied may nevertheless submit applications for SBA loans, doing so will delay their consideration for IHP “Other Needs” assistance.

Applicants who are not summarily determined ineligible for an SBA loan are given an SBA loan application packet that must be completed and returned to SBA before the published deadline. SBA applications submitted after the deadline will be accepted only if SBA determines that the late filing is due to “substantial causes” beyond the applicant’s control.

Applicants who relocate after a disaster are responsible for insuring that SBA is informed of their current address and telephone number. Applicants should file promptly with SBA because SBA will not verify the loss until after the application is received, and delays may make verification of loss difficult. If SBA is unable to conduct a verification or cannot reach an applicant, the application will be denied, no benefits will be disbursed, and the applicant’s case will not be referred to the “Other Needs” portion of the IHP program for consideration of a grant. This situation can be corrected by requesting a reconsideration in writing.

#### **b. Eligibility**

Loans are available to repair or replace primary residences or personal property. An applicant must establish (1) a verifiable disaster-related physical loss to personal or real property owned by the applicant, (2) that is not covered by insurance, and (3) the ability to repay a loan. A completed application received by SBA is reviewed by a loan officer to determine if the individual is able to repay a loan and, if so, the amount of the loan and the terms that should be offered. Age is not a factor in determining eligibility for an SBA loan, but the applicant must be an adult.

Loans for the repair or replacement of real property may be made only to homeowners, and beneficial owners. Home disaster loans may not be used to repair or replace a secondary home. Individuals living in a disaster-damaged dwelling who are not dependents of the owner-occupant may qualify for personal property loans. Such loans may not be used to repair or replace a vehicle of a type normally used for recreational purposes.

#### **c. Other Requirements**

Flood insurance is required for all loans made for the repair or replacement of property located in a flood zone. In addition, the SBA loan authorization generally requires applicants for home-repair loans to carry homeowner’s insurance as a condition of receipt. However, both of these

requirements can be relaxed by SBA in accordance with the applicant's circumstances and the conditions following the disaster.

#### **d. Amount of Loans**

A loan for repair or replacement of household or personal effects may not exceed \$40,000. A loan for repair or replacement of a primary residence may not exceed \$200,000. SBA does not require collateral for home loans of \$10,000 or less. For loans larger than this amount, the applicant must provide a lien on the damaged or replacement property and/or a security interest in personal property.

#### **e. Terms of Loans**

Home disaster loans may be granted for up to 30 years and may cover 100 percent of the verified loss, subject to the applicable limit of \$200,000. Loan interest rates are established by regulation, and are lower for applicants who cannot obtain credit elsewhere. SBA determines each applicant's loan maturity and installment terms based on the borrower's needs and ability to pay.<sup>5</sup> Monthly installment payments beginning five months after the signing of the note are usual, but variations in these terms may be arranged. Payment amounts may be modified if the economic conditions of the borrower change. There is no penalty for prepayment of a loan.

#### **f. Misapplication of Funds**

In order to verify that loan proceeds are used in accordance with their stated purpose, SBA requires borrowers to save receipts for a period of three years from the date of last disbursement. Willful use, without SBA approval, of any part of an SBA loan in a manner contrary to the loan authorization and agreement subjects the borrower to a fine in the amount of one and one-half times the original principal amount.

**To apply for FEMA assistance, go to [www.FEMA.gov](http://www.FEMA.gov) or call 1-800-621-3362 or TTY 1-800-462-7585 for people with speech or hearing disabilities.**

#### **Process Questions:**

**Q: I called yesterday and completed a registration. When I called today, I was told my application is not in the system. Do I need to register again?**

**A:** No. If you have already registered you do not need to register again. Please wait 48 hours for your registration to be available in the system. Also, you will receive additional information in the mail regarding your application, along with additional referral information for your area. Completing multiple registrations may actually delay processing and receipt of assistance.

**Q: I applied online through the FEMA.gov website. When I went to check my status, my information was not available. Do I need to register again?**

A: No. Due to the large numbers of affected individuals, it may take up to 24 hours for your information to show in the system. If it has been more than 24 hours did have not received a Personal Identification Number (PIN #) in your email Inbox, call FEMA's Helpline to ensure we have your correct email address.

**Q: I called to update my application and was told by the FEMA Rep that my application was in the incomplete file. Why was my application not completed when I initially registered?**

A: Incomplete applications occur when critical information, such as your social security number or contact number, is missing. Once all critical information is entered into our system, the application should be complete.

**Q: Does it take longer for my FEMA application to process if I apply online?**

A: No. All completed registrations will be processed as received. However, 24 hours after registration you should be able to access the online application without delay. At times it is difficult to get through to our 800 # when call volume is high.

**Q: The letter from FEMA said I had no damages or insufficient damages, but my home was damaged and some of my personal property was damaged too. What do I do?**

A: You may appeal any decision. When you appeal a decision, you are asking FEMA to review your case again. Appeals may relate to your eligibility, the amount or type of help you received, late applications or requests to return money. You will not automatically get another inspection just because you appeal. For additional information on the appeal process, please refer to page 10 of your Applicant's Guide or go on-line to the help center.

**Q: How long does it take to get help from FEMA?**

A: If you have damage to your home or its contents and you are uninsured or you have suffered damage due to a flood, a FEMA inspector will contact you within 14 days of applying, to set up an appointment to assess your disaster damages. Typically, within about 10 days after the inspection, if FEMA determines that you qualify for help, you will receive a direct deposit in your bank account or a check in the mail.

In areas where there is limited access to properties for inspectors it may take longer for an inspection. However, FEMA has implemented an expedited assistance process, providing households with \$2000 in assistance prior to a completed inspection.

**Q: I applied for disaster assistance two weeks ago and haven't heard from anyone. I keep calling the 1-800-621-3362 number, but I get a busy signal. Is there another way to follow up on my claim?**

A: If you have access to the internet, you may want to consider checking the status of your case online. Go to [www.FEMA.gov](http://www.FEMA.gov) then click on Online Individual Assistance Center and follow the

instructions for accessing your account information. Another option is to visit a Disaster Recovery Center in your area if there is one.

**Q: I didn't receive enough money from FEMA to meet all my needs. What do I do now?**

Most disaster aid programs are intended to meet only essential needs and are not intended to cover all your losses. Also, some people qualify for assistance from more than one program and may receive additional help from another agency. For example, the Small Business Administration is a very important source of funding for repair and replacement of real and personal property. If you received a loan application packet from the SBA, please complete and return the application as soon as possible. No work can begin on the loan until you submit your application. If you do not agree with FEMA's decision, you may appeal the decision. To file and appeal, follow the appeals process that is explained in the letter FEMA sent with the grant.

**Q: I have a new telephone number. How do I update my application?**

A: Some information, such as current phone number, mailing address, or insurance policy number, can be updated through FEMA's Online Individual Assistance Center - Account Access, available on the FEMA.gov web-site. To update other file information you will need to call the FEMA Disaster Helpline at 1-800-621-FEMA (3362) (hearing/speech impaired ONLY—call TTY: 1-800-462-7585), visit a Disaster Recovery Center, or write to FEMA at the address provided on any correspondence you have received.

**Road and Bridge Damages:**

**Q: My home is not damaged, however a public road and / or bridge has been damaged and preventing access to my home. Can FEMA help me?**

A: Yes. If damages to a public road or bridge prevents or restricts you from accessing your home, FEMA may be able to provide assistance.

**Q: If I own the bridge and / or road that is damaged, should I apply for assistance?**

A: Yes, if the private road or bridge damage prevents or restricts access to your home, FEMA may be able to provide assistance.

**Small Business Administration (SBA):**

**Q: Why am I being referred to the SBA?**

A: The Small Business Administration (SBA) is the primary source of federal funds for long-term recovery assistance for disaster victims. The SBA has low-interest disaster loans for homeowners, renters and non-farm businesses to cover disaster damage to real and personal property.

**Q: Does the SBA make loans to individual or just businesses?**

A: The SBA can loan money to homeowners, renters, and business owners. Homeowners may borrow up to \$200,000 for disaster related home repairs. Homeowners and renters may borrow

up to \$40,000 to replace disaster-damaged personal property including vehicles. The SBA may not duplicate benefits from your insurance or FEMA. You may receive an SBA referral when you apply with FEMA.

**Q: How do I reach the SBA Hotline?**

A: The SBA has loan officers in the Disaster Recovery Centers to provide face-to-face service to disaster victims. You may visit the SBA at any of these locations without an appointment. A SBA representative will be glad to answer questions and help complete your application. To find out where the SBA disaster offices are located an applicant can call the SBA toll-free at 1-800-659-2955.

**Travel Trailer/Mobile Home:**

**Q: When am I going to get the Travel Trailer / Mobile Home that I registered for?**

A: You cannot register for Mobile Homes and/or Travel Trailers directly; you may later be referred and possibly determined eligible as a part of the registration process. You may be referred based on a combination of information about available rental resources in a geographic area and information about your specific needs. Not all requested sites may be appropriate for Mobile Home/Travel Trailer placement (lack of utilities, flood zone, etc.). If you are referred to this program, you will be contacted and interviewed to determine your housing needs. These interviews are conducted in a specified order as based on length of time from registration and other factors. Because of how many people have been affected and in need of Temporary Housing it is hard to determine how long this process will take.

**Q: I received a call from a FEMA representative who completed a pre-placement interview (PPI) with me. I was told to notify the individual if my situation changed. How can I get back in touch with the individual who completed the PPI with me?**

A: It is not necessary to speak with the same PPI agent. Any representative on the Helpline will be able to take your information and make sure it is forwarded to the appropriate person.

**Q: I understand that FEMA has a travel trailer program. How do I get one?**

A: To express interest in a FEMA travel trailer, call FEMA Helpline and ask the agent to check rental resources in your desired location. If there are no rental resources in your desired location, your agent will forward your request to the appropriate team and you will be contacted. Please be sure to keep your contact information (address AND phone numbers) current.

**Q: How do I Get a Travel Trailer or a Mobile Home?**

A: If you are eligible for housing assistance from FEMA but are unable to find a rental house or apartment within a reasonable commuting distance of your damaged home, please contact FEMA at 1-800-621-FEMA (3362) or visit a nearby Disaster Recovery Center. FEMA will evaluate your situation and, if appropriate, may authorize a travel trailer or mobile home.

**Q: How long can I use the travel trailer/mobile home?**

A: If FEMA provides you with a travel trailer or mobile home you may be able to use it for up to 18 months from the date of declaration if you continue to have a disaster related housing need.

**General Questions:**

**Q: I am currently housing evacuees in my home. Will I be eligible for any compensation in order to address my increased expenses?**

A: At the current time, there are no FEMA programs designed to assist with these type expenses. We would encourage all displaced evacuees residing in your home to register for disaster assistance.

**Q: I have heard that FEMA will be providing storage containers for those who are evacuated.**

A: FEMA does not provide storage containers for evacuees.

**Q: My vacation/secondary home was damaged. Can I get any help?**

A: Damages to a secondary or vacation home are not eligible under FEMA's disaster assistance program. However, if you own a secondary home that is rented out or occupied by a family member, you may be eligible for assistance from the Small Business Administration.

**Q: Will FEMA help me pay my utility bills?**

A: No, FEMA cannot pay utility bills. However, local charitable organizations may be able to help for a short period. We suggest you contact the Red Cross or your local United Way office for a referral to a local agency that may be able to help.

**Q: I lost my food because of the power outage; will I be reimbursed for it?**

A: FEMA's disaster assistance program does not cover food losses. Voluntary organizations in the disaster area may be able to help you with a hot meal or other immediate needs for food.

**Q: I purchased a generator. Will I be reimbursed?**

A: FEMA reviews requests for reimbursement of the cost of a generator on a case-by-case basis and determines if a generator was purchased to overcome a disaster-related hardship, injury, or adverse condition. You should register and submit your receipts to see if the cost is covered.

**Q: Does disaster help have to be repaid?**

A: A grant from the Individual and Households Program does not have to be repaid. Loans from the Small Business Administration must be repaid.

## Immigration

**Q: Do I need to be a U.S. resident or citizen to apply for emergency disaster assistance?**

A: Short-term, non-cash, in-kind emergency disaster relief is available regardless of immigration status. This includes emergency medical care, shelter, food and other essential needs.

Eligibility for long-term FEMA Assistance Programs, Individual and family Grant Programs, and Disaster Unemployment Assistance is restricted to “qualified” immigrants and victims of human trafficking. Contact FEMA to see if you are in a “qualified” immigrant status.

If you are not a qualified immigrant, another adult household member may qualify the household for assistance.

**Q: Can an undocumented immigrant apply for FEMA cash assistance on behalf of a child who is a U.S. citizen?**

A: Yes, if the child is under 18 and lives with the undocumented person. No information on the adult’s immigration status is required. Only the child’s social security number is required.

**Q: Will I be considered a public charge and denied residency if I apply for emergency disaster relief?**

A: No. Emergency disaster relief is not considered public cash assistance preventing you from becoming a resident. You will not be classified as a public charge solely because you have accepted emergency disaster assistance.

**Q: If I lost my Permanent Resident Cards (Green Card) in a flood or tornado, how can I get a replacement?**

A: Fill out and file immigration form I-90 (This form can be filed on line at [www.uscis.gov](http://www.uscis.gov) if you have a credit card). If mailing the form, include a check or money order payable to USCIS for \$485.00 filing fee which includes the biometric fee. (Fee subject to change) The filing fee can be waived if you show inability to pay. Proof of your evacuee status should be sufficient. Mail the completed form and fees or fee wavier request to USCIS, P.O. Box 54870, Los Angeles, CA 90054-0870. *NOTE: Applying online is considerably faster. Most libraries have online access. You may obtain more information or help in completing an application by contacting Legal Aid of Western Missouri Immigration Project at 816-474-9868 or Legal Services of Eastern Missouri Immigration Law Project at 314-534-4200, Ext. 1301 or 1302.*

**Q: If I lost my work permit in a flood or tornado, how can I get it replaced?**

A: Fill out and file immigration form I-765. Include two passport-type photos and a check or money order payable to USCIS in the amount of \$340.00. (This fee is subject to change) This fee can be waived if you show inability to pay. You may obtain more information by

contacting the Legal Aid of Western Missouri *Immigration Project* at 816-474-9868 or Legal Services of Eastern Missouri *Immigration Law Project* at 314-534-4200, Ext. 1301 or 1302.

*NOTE: If you had any interviews or appointments scheduled with United States Citizenship and Immigration Services, or with the Immigration Judge, please contact the appropriate legal aid program listed in the previous paragraph.*

**Q. How do I get the immigration forms I need to apply for new papers?**

A. You can get immigration forms by mail from the INS by calling 1-800-870-3676. This service is available twenty-four hours a day, seven days a week. You can get help in completing immigration forms from the agencies listed under "IMMIGRATION" at the end of this handout. These agencies may also have copies of immigration forms. If you have any concerns about your current immigration status, contact one of these agencies for legal assistance before applying for a green card or a work permit, because if you are not eligible you will lose your money.

**Q. Do I need to let INS or the immigration court know that I have moved as a result of a flood or tornado?**

A. It depends on what type of immigration case you have whether you are required to notify Immigration Service of your new address and where you send the notification. To find out what to do in your particular case or situation, you can call the INS toll-free number: 1-800-870-3676.



## **Public Benefits**

### **A. Food Stamps**

#### **1. Regular Food Stamps**

##### **a. What are food stamps?**

Food stamps are a monthly grant of money to be used only to buy food, issued on an Electronic Benefits Transfer (EBT) card.

##### **b. Who is eligible?**

Eligibility is determined on a "household" income and resource basis. The combined monthly income of all household members after deductions may not exceed the program maximums. Since the program aids low-income households, the higher your income, the fewer food stamp benefits you will receive.

Households can have up to \$2000 in countable assets. Your home and personal belongings, as well as certain vehicles, will not be included in this calculation.

##### **c. How do I get Food Stamps?**

To apply for Food Stamps, you may call or visit the Division of Family Services (DFS) office in the county of your current residence. The application must be taken or mailed to you on the day of your first contact. DFS has 30 days to process your application. All of your income, assets and expenses will have to be verified by DFS. If you are denied benefits, you may appeal by requesting a hearing from your caseworker at DFS within 90 days of the denial.

##### **d. What if I am already receiving benefits, but my EBT card has been lost or destroyed?**

Contact your DFS caseworker immediately to report this. Your benefits will be replaced as long as you report your lost card immediately. Your caseworker will ask you to complete a Replacement Request form. This form must be returned to DFS within 10 days of the date you reported the lost card. DFS must process your replacement benefits within 10 days of the report of the lost card, or within 2 days of receiving your completed form, whichever is longer.

## **B. Disaster Food Stamp Benefits**

### **a. Are special Food Stamp benefits available after a disaster?**

Possibly. If the State deems your county an authorized disaster area, special food stamp policies will be activated. To be eligible, you must reside in the disaster area, and be in need of emergency food stamps due to a reduction in or inability to access your income or cash resources. Contact your county DFS office to see whether your area has been authorized for disaster food stamps.

### **b. What if I was already on food stamps but lost my food in the disaster?**

A second issuance of food stamps may be authorized to replace lost food purchased with food stamp benefits. If food purchased with food stamps is destroyed in a disaster or *any* "household misfortune", you must complete an IM-110 Statement of Loss/Replacement Request form at DFS in your county. These replacement benefits are limited to the value of one month's benefits. This form must be completed within 10 days of the day you report the lost food. DFS must process your replacement benefits within 10 days of your report, or 2 days of receiving your completed form, whichever is longer.

## **1. Expedited (Emergency) Food Stamps**

### **a. What if my county is not an authorized disaster area, but I need emergency Food Stamps?**

Expedited (emergency) food stamps are available to very needy persons within five calendar days of application. The expedited process is part of the regular food stamp program application process, and all new or returning applicants will be screened for expedited benefits.

### **b. How do I know if I am eligible for expedited Food Stamps?**

To be eligible for expedited Food Stamps, you must show one of the following:

- (1) you or your household have no more than \$150.00 in monthly income before taxes and liquid resources less than \$100.00; OR
- (2) your basic shelter and utility expenses are greater than your present income and liquid resources combined; OR
- (3) you are a destitute migrant or seasonal farm worker with liquid assets less than \$100.00.

### **c. What verification do I need for expedited Food Stamps?**

You will only be required to verify your identity.

### **d. Do I have to meet any other eligibility requirements?**

As with regular food stamps, you will be asked for verification of your immigration status, your social security number, your income and your expenses at the time you apply. However, you will be eligible for expedited food stamps within five days after you apply even if all of the verification cannot be obtained.

**e. How long do expedited food stamp benefits last?**

You can only get expedited food stamps for one month. After that, you will have to produce verification of your immigration status, social security number, income and expenses, in order to continue to be eligible.

**f. If I do not qualify for expedited food stamps, can I still get regular food stamps?**

Yes. DFS must process your food stamp application within thirty days and mail you a written decision stating whether you are eligible and the amount of benefits to which you are entitled. If you are denied benefits or you do not receive them within forty-five days of your application, and you believe you are entitled to them, you can call your nearest Legal Services office for possible legal representation.

## **C. Temporary Assistance for Needy Families (TANF) Benefits**

### **1. What is TANF?**

TANF is a monthly cash payment to families with children who have been deprived of the support of a parent due to a parent's death, absence, disability or financial need.

### **2. Could I be eligible for TANF?**

If you live in the same household as your minor children, and you have limited income and assets, you may be eligible for TANF. You must prove that your child is deprived of parental support for one of the above reasons. You should apply at the DFS office in your current county of residence.

### **3. Could my family be eligible for TANF even if we are a two-parent family, but the principal wage earner in the household is unemployed?**

Possibly. Your family might be eligible and you should apply at your closest DFS office.

### **4. Could I be eligible for TANF if I am a caretaker for a child, but not that child's parent?**

Possibly. A TANF recipient may be a non-parent relative to a child (grandparent, aunt, etc.) or an unrelated stepparent or legal guardian. If you meet the criteria listed above, you should apply for TANF at your county DFS office even if you are not a parent of the child you care for.

## **D. Medicaid Benefits**

### **1. What is Medicaid or “Medical Assistance”?**

Medicaid (Medical Assistance) is medical coverage designed to help pregnant, low-income, disabled, or elderly citizens with the costs of health care, including prescription costs, doctor and hospital bills, and various other services.

### **2. Could I be eligible for Medicaid?**

If you are pregnant, have young children, are low-income, disabled or elderly, you and your family may be eligible for Medicaid depending on your age, immigration status, income, resources, and health condition. If you are receiving monetary assistance from DFS, including TANF, you should automatically receive a Medicaid card. You may also be eligible if you are at least 65 years old, blind, disabled, receiving Social Security disability or SSI, pregnant, or have limited income. Missouri’s Health Insurance for kids is called MC+ and is available to low-income families without adequate health insurance.

If you think you may be eligible for Medicaid based on any of the above criteria, you should apply at a DFS office in the county of your current residence. If you are denied, or do not receive a decision within 45 days, contact Legal Services in your area for possible legal representation.

### **3. What if my Medicaid card was lost or destroyed?**

You must report your lost card to your caseworker at your county DFS office immediately. DFS will provide you with an IM-29 Authorization Letter including the names and Medicaid numbers (DCN numbers) of each covered person in your household, as well as the date the coverage expires. You may use this letter as temporary proof of Medicaid eligibility to show to your pharmacy, doctor or hospital. The card itself is not as important as knowing your Medicaid (DCN) number, which proves your eligibility within the DFS system.

### **4. Could I be eligible for Medicaid if I am disabled but still able to do limited work?**

Possibly. A program called Medical Assistance for Workers with Disabilities allows a person with limited income from employment, who is permanently disabled, to have Medicaid coverage, as long as he/she also has limited assets. This program has restrictions on income, and may require payment of a premium. If you think you might be eligible, apply for these benefits at your county DFS office.

## **E. Social Security Benefits**

### **1. What are Social Security benefits?**

Social Security benefits provide a minimum income for eligible workers and their families when the worker retires, becomes disabled, or dies.

### **2. What types of benefits are available, and what are the eligibility requirements?**

*Social Security Retirement:* General eligibility for retirement benefits begins when you reach age 65-67 depending on the year you were born. Eligibility and the amount of benefits also depend on how long you have contributed to the program as a worker, and when you last worked. Ten years of coverage (40 quarters) will fully insure a worker and family for life, but less may also be enough if certain work credits were earned.

*Social Security Disability:* Disability benefits are available for workers who were recently employed and have a minimum number of work credits and quarters of coverage. Applicants must also prove permanent and total disability, which means that you are unemployable due to your disability for at least 12 months.

*Supplemental Security Income Benefits (SSI):* The SSI program provides a basic monthly income to blind, disabled or elderly (65 or older) persons who are financially needy. You can receive SSI even if you have never worked, or do not qualify for other Social Security programs. However, your income must be less than the current SSI benefit amount, and your countable assets may not exceed \$2000.

### **3. How do I begin the application process?**

If you are over the age of sixty-five, blind, disabled or think you may be eligible to collect benefits on behalf of a worker, you should apply for benefits at the Social Security office nearest you. You can also start an application by calling the Social Security Administration's toll free telephone number (1-800-772-1213). Once Social Security has all the necessary documentation, such as proof of earnings, or medical evidence of disability, they will send you a written decision. If you are denied and you think you are eligible, you should file a request for reconsideration within sixty days of the date of the initial decision. If you are denied again, you should request a hearing and contact Legal Services for possible legal representation.

## **Family Issues**

### **1. My child is living with a relative. Will my child be able to get medical care if I cannot be reached by telephone?**

If your child's medical need is an emergency and you cannot be reached, the following people can consent to your child's treatment: 1) someone to whom you gave the authority to consent to your child's medical treatment through a power of attorney; 2) your child's stepparent; 3) your child's adult brother or sister; or 4) your child's grandparent. In addition, if a doctor believes a true emergency exists, and there is no one immediately available who is authorized to give consent, the doctor can provide emergency medical care and treatment without your consent.

### **2. Is it still possible to do something about violence in our home?**

A natural disaster causes a great deal of stress on everyone. This can lead to increased tension and violence in family and household units. If this were to occur in your home, you can file for an Order of Protection at the Circuit Clerk's Office in the county in which you live. If you want to enter a battered women's shelter in order to escape the abuse, you may contact the Domestic Violence Hotline at 800-799-SAFE (7233) or 800-787-3224 (TTY) for assistance in locating the nearest shelter. You should contact your local police department if you feel that you are in immediate danger.

### **3. What can be done about child abuse or neglect?**

The same tension and stress which leads to domestic violence can also cause child abuse or neglect. You can report the abuse or neglect by calling the statewide Child Abuse Hotline at 800-392-3738. You may also file for a Child Order of Protection at the Circuit Clerk's office in the county where you live. You should contact your local police department to report the abuse or neglect if you feel the child is in immediate danger.

### **4. In the event that I must move, how can I arrange for child support payments to be sent to a new location?**

If you have a child support caseworker assigned to your case, you should contact him or her to request that your child support payments be forwarded to you at a different address. If you do not have a child support caseworker, you should contact the Division of Child Support Enforcement Customer Service Line at 800-859-7999 to request that your child support payments be sent to your new address.

### **5. How can I get counseling for myself or for my family?**

Family or individual counseling services are located throughout the state. Refer to the United Way contacts in the index for your nearest United Way office. They can assist you with a referral to a local counseling service.

# Index

## **A. Federal Assistance**

Website: <http://www.fema.gov/>

### **FEMA Regional Office VII (Kansas City)**

(816) 283-7061

Federal Emergency Management Agency

2323 Grand Boulevard

Suite 900

Kansas City, MO 64108-2670

Mitigation: National Flood Insurance Program and Hazard Mitigation Grant Program

(816) 283-7002

Response and Recovery Division: Disaster response and recovery programs.

(816) 283-7025

Register for Assistance

Apply online at Web site or

1-800-621-FEMA (3362)

1-800-462-7585 (TTY)

### **U.S. Department of Revenue (IRS)**

The IRS is providing a toll free Federal Taxpayer Assistance number for affected personnel in Missouri.

1-866-562-5227



## **B. State Assistance**

**Web site:** <http://sema.dps.mo.gov/semapage.htm>

### **State Emergency Management Agency**

P.O. Box 116  
2302 Militia Drive  
Jefferson City Missouri 65101

### **State Unemployment Offices**

#### **Telephone Numbers**

Missouri Division of Employment Security  
Regional Telephone Claims Centers

#### **Jefferson City**

To file for benefits (Interactive Voice Response Unit)  
Local Calling Area 573-751-9040  
Outside Local Calling Area 800-320-2519  
To obtain or provide information  
(other than noted below) 573-751-9889

#### **Kansas City**

To file for benefits (Interactive Voice Response Unit)  
Local Calling Area 816-889-3101  
Outside Local Calling Area 800-320-2519  
To obtain or provide information  
(other than noted below) 816-889-7400

#### **Springfield**

To file for benefits (Interactive Voice Response Unit)  
Local Calling Area 417-895-6851  
Outside Local Calling Area 800-320-2519  
To obtain or provide information (other than noted below) 417-895-6802

#### **St. Louis**

To file for benefits (Interactive Voice Response Unit)  
Local Calling Area 314-340-4950  
Outside Local Calling Area 800-320-2519

To obtain or provide information (other than noted below) 314-340-3496  
Hearing/Speech Impaired

TDD Users Only - to file for weekly benefits,  
(Interactive Voice Response Unit) 1-800-316-0896

Jefferson City Local 573-751-4139

To file a new or renewed claim 1-800-735-2966

Then ask the operator to call (888) 861-8349.

## **C. Legal Assistance**

### **1. Legal Aid and Other Assistance**

When you are in need of legal assistance, contact the legal service organizations listed below or consult your local telephone directory for branch offices. You may be eligible for free legal assistance, if you qualify. The counties served by each program are listed below. Also, if you have access to a computer, you can go to [www.lsmo.org](http://www.lsmo.org) to look up programs by county.

#### **Legal Aid Programs in Missouri and County Service Areas**

Legal Aid of Western Missouri  
1125 Grand Avenue, Suite 1900  
Kansas City, MO 64106

Phone: (816) 474-6750

Fax: (816) 474-1578

Clients Call: (816) 474-6750

Counties Served: Andrew County, Atchison County, Barton County, Bates County, Benton County, Buchanan County, Caldwell County, Camden County, Carroll County, Cass County, Clay County, Clinton County, Daviess County, DeKalb County, Gentry County, Grundy County, Harrison County, Henry County, Hickory County, Holt County, Jackson County, Jasper County, Johnson County, Lafayette County, Linn County, Livingston County, McDonald County, Mercer County, Morgan County, Newton County, Nodaway County, Pettis County, Platte County, Putnam County, Ray County, St. Clair County, Saline County, Sullivan County, Vernon County, Worth County

Legal Services of Eastern Missouri, Inc.  
4232 Forest Park Avenue  
St. Louis, MO 63108

Phone: (314) 534-4200

Fax: (314) 534-1425

Clients Call: (800) 444-0514

Counties Served: Adair County, Clark County, Franklin County, Jefferson County, Knox County, Lewis County, Lincoln County, Macon County, Marion County, Monroe County, Montgomery County, Pike County, Ralls County, St. Charles County, St. Louis County, Schuyler County, Scotland County, Shelby County, Warren County, Washington County, St. Louis city

Mid-Missouri Legal Services Corporation  
205 East Forest Avenue  
Columbia, MO 65203

Phone: (573) 442-0116

Fax: (573) 875-0173

Clients Call: (800) 568-4931

Counties Served: Audrain County, Boone County, Callaway County, Chariton County, Cole County, Cooper County, Howard County, Miller County, Moniteau County, Osage County, Randolph County

Legal Services of Southern Missouri  
2872 South Meadowbrook Avenue  
Springfield, MO 65807

Phone: (417) 881-1397

Fax: (417) 881-2159

Clients Call: (800) 444-4863

Counties Served: Barry County, Bollinger County, Butler County, Cape Girardeau County, Carter County, Cedar County, Christian County, Crawford County, Dade County, Dallas County, Dent County, Douglas County, Dunklin County, Gasconade County, Greene County, Howell County, Iron County, Laclede County, Lawrence County, Madison County, Maries County, Mississippi County, New Madrid County, Oregon County, Ozark County, Pemiscot County, Perry County, Phelps County, Polk County, Pulaski County, Reynolds County, Ripley County, Ste. Genevieve County, St. Francois County, Scott County, Shannon County, Stoddard County, Stone County, Taney County, Texas County, Wayne County, Webster County, Wright County

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If a legal aid office cannot handle your case, check the sources listed below for referral to the private bar in your community or contact your local office of the Area Agency on Aging (listing at the front of this section) for further information.

Missouri Bar Lawyers Referral Service  
P.O. Box 119  
Jefferson City, MO 65102  
(573) 636-3635

Lawyer Referral Service of Kansas City Bar Association  
(816) 221-9472

Bar Association of Metropolitan St. Louis Lawyer Referral Service  
St. Louis, MO 63101  
(314) 621-6681  
Hours: 8:30 a.m. - 3:00 p.m.  
Monday - Friday

## **D. Other Organizations**

### **1. Red Cross Centers**

#### **Columbia**

Boone County Chapter  
1805 West Worley Street  
Columbia, Missouri 65203  
573-445-9411  
573-446-4247 (fax)

#### **Jefferson City**

Capital Area Chapter  
431 East McCarty  
Jefferson City MO 65101  
Phone 1-866-815-2738  
Fax: 573-635-8621

#### **Joplin**

Southwest Missouri Chapter  
410 South Jackson  
Joplin, MO 64801  
Phone: (417) 624-4411  
Fax: (417) 624-2391  
Toll Free: 1-866-221-8238

#### **Kansas City**

Greater Kansas City Chapter  
211 W. Armour Blvd.  
Kansas City, MO 64111  
Phone 816-931-8400

#### **Springfield**

Greater Ozarks Chapter  
1835 E. Chestnut Expressway  
Springfield, MO 65802  
Phone: (417) 832-9500  
FAX: (417) 866-3649

#### **West Plains**

Howell County Chapter  
P.O. Box 785  
West Plains, MO 65775  
Phone: 257-0018

Toll-free: 1-800-272-1450

**St. Joseph**

Midland Empire Chapter

401 North 12th St

St Joseph MO 64501

phone: 816-232-8439

FAX: 816-232-7565

**St. Louis Area Chapter**

For more information, call 314-516-2800

**Cape Girardeau**

Southeast Missouri Chapter

2430 Myra Drive

Cape Girardeau, MO 63703

phone: (573) 335-9471

## **2. Area Agencies on Aging**

Southwest Missouri Office on Aging  
1735 S. Fort  
P.O. Box 50805  
Springfield, MO 65805  
(417) 862-0762

Northwest Missouri Area Agency on Aging  
106 South Smith, Box 265  
Albany, MO 64402  
(660) 726-3800

Southeast Missouri Area Agency on Aging  
1219 N. Kingshighway, Suite 100  
Cape Girardeau, MO 63701  
(573) 335-3331

Northeast Missouri Area Agency on Aging  
815 N. Osteopathy  
Kirksville, MO 63501  
(660) 665-4682

Central Missouri Area Agency on Aging  
1121 Business Loop 70E  
Parkade Center, Suite 2A  
Columbia, MO 65201  
(573) 443-5823

District III Area Agency on Aging  
P.O. Box 1078  
106 West Young  
Warrensburg, MO 64093  
(660) 747-3107

Mid-America Regional Council  
Aging Program  
600 Broadway  
300 Rivergate Center  
Kansas City, MO 64105-9990  
(816) 474-4240

Mid-East Area Agency on Aging  
14535 Manchester  
Manchester, MO 63011-3960

(636) 207-0847  
Toll Free 1-800-243-6060

St. Louis Area Agency on Aging  
634 North Grand Boulevard  
7th Floor  
St. Louis, MO 63103  
(314) 612-5900

Region X Area Agency on Aging  
1710 East 32 Street, Suite F  
P.O. Box 3990  
Joplin, MO 64803-3990  
(417) 781-7562



### **3. Community Action Agencies**

#### **Missouri Association for Community Action**

Web site: <http://www.communityaction.org/>

#### Address and Telephone Number

2410 Hyde Park Road, Suite A;  
Jefferson City, MO 65109

Phone: 573-634-2969

Fax 573-636-9440

#### Service Areas. Telephone Numbers, Addresses

Human Development Corporation  
807B N. Providence  
Columbia, MO 65203  
(573) 443-8706

Community Services, Inc. of Northwest Missouri  
1212 South Main  
Maryville, MO 64468-2604  
(660) 582-3113

Delta Area Economic Opportunity Corporation  
99 Skyview Drive  
Portageville, MO 63873  
(573) 379-3851

Green Hills Community Action Agency  
1506 Oklahoma Avenue  
P.O. Box 278  
Trenton, MO 64683  
(660) 359-3907

Human Development Corporation of Metro St. Louis  
929 North Spring  
St. Louis, MO 63108  
(314) 613-2200

East Missouri Action Agency  
403 Glendale, P.O. Box N  
Park Hills, MO 63601  
(573) 431-5191

Missouri Ozarks Community Action, Inc.  
Box 69, 306 S. Pine  
Richland, MO 65556  
(573) 765-3263

Missouri Valley Human Resource  
Community Action Agency  
1415 S. Odell  
P.O. Box 550  
Marshall, MO 65340  
(660) 886-7476

Northeast Community Action Corporation  
(Central Office)  
16 North Court Street  
Bowling Green, MO 63334  
(573) 324-2231

Ozarks Area Community Action Corporation  
215 South Barnes  
Springfield, MO 65802  
(417) 862-4314

Economic Opportunity of Greater St. Joseph  
Community Action and Partnership  
817 Monterey  
P.O. Box 3068  
St. Joseph, MO 64503  
(816) 233-8281

Economic Security Corporation of Southwest Area  
305 Virginia, P.O. Box 207  
Joplin, MO 64802  
(417) 781-0352

Action, Inc.  
Box 588, 710 East Main St.  
West Plains, MO 65775  
(417) 256-6147

Jefferson-Franklin Community Action Corporation  
#2 Merchant Dr.  
Hillsboro, MO 63050

(636) 789-2686

Step, Inc.  
7935 Page Avenue  
St. Louis, MO 63133  
(314) 863-0015

Central MO Community Action Agency  
P.O. Box 6, Old Alton Road  
Winona, MO 65588  
(573) 325-4255

United Services of Greater Kansas City  
6323 Manchester Avenue  
Kansas City, MO 64133-4717  
(816) 358-6868

W. Central Missouri Community Action Agency  
214 South Beach  
Appleton City, MO 64724  
(660) 476-2185

#### **4. Housing and Urban Development Contacts in Missouri**

##### **HUD offices in Missouri**

**Kansas City Regional Office**  
**Phone:** (913) 551-5644  
**Fax:** (913) 551-5469

**Jurisdiction:** Western half of Missouri

**St. Louis Field Office**  
**Phone:** (314) 539-6583  
**Fax:** (314) 539-6384  
**TTY:** (314) 539-6331

**Jurisdiction:** Eastern half of Missouri

Call to see which office services your county.

## **5. Immigration Offices in Missouri**

### **U.S. Citizenship and Immigration Services**

Phone: 1-800-375-5283

Web address: [www.uscis.gov](http://www.uscis.gov)

#### **Kansas City District**

9747 Northwest Conant Avenue

Kansas City, MO 64153

Phone: 1-800-375-5283

#### **St. Louis Sub-Office**

Robert A. Young Federal Building

1222 Spruce Street, Room 1.100

St. Louis, MO 63103-2815

Phone: 1-800-375-5283

### **Department of Homeland Security**

Washington, D.C. 20528

You may obtain a copy of the National Response Plan by accessing the website or calling:

1-800-368-6498

Web address: [www.dhs.gov](http://www.dhs.gov)

## **6. United Way Offices of Missouri**

#### **Bowling Green**

United Way of Cuivre Township, Inc.

PO Box 13

Bowling Green, MO 63334-0013

Phone:

(573) 324-2233

#### **Cape Girardeau**

United Way of Southeast Missouri

1858 Broadway St

Cape Girardeau, MO 63701-4553

Phone:

(573) 334-9634

#### **Carthage**

Carthage Area United Way

PO Box 250

125 E Fairview

Carthage, MO 64836-0250

#### **Clinton**

Henry County United Way, Inc.

200 S Main St

Clinton, MO 64735-2153

Phone:

Phone:  
(417) 358-2948

(660) 543-4698

Columbia  
Columbia Area United Way  
1209 E Walnut St, Ste 208  
Columbia, MO 65201-4944  
Phone:  
(573) 443-4523

Fulton  
Callaway County United Way  
PO Box 793  
Fulton, MO 65251-0793  
Phone:  
(573) 642-0536

Farmington  
United Way of St. Francois County  
PO Box 646  
Farmington, MO 63640  
Phone:  
(573) 756-2248

Hannibal  
United Way of the Mark Twain Area  
PO Box 81  
Hannibal, MO 63401-0081  
Phone:  
(573) 221-2761

Independence  
Bi-County United Way of Cass and Jackson, Inc  
PO Box 1950  
Independence, MO 64055  
Phone:  
(816) 795-5289

Jefferson City  
United Way of Central Missouri  
1025 Southwest Blvd Ste B  
Jefferson City, MO 65109-2588  
Phone:  
(573) 636-4100

Mexico  
United Way of Audrain County  
222 S Jefferson St  
Mexico, MO 65265-2876  
Phone:  
(573) 581-0404

Moberly  
United Way of Randolph County  
109 N 5th St  
Moberly, MO 65270-1505  
Phone:  
(660) 263-6588

Montgomery City  
Montgomery Area United Way  
  
PO Box 195  
Montgomery City, MO 63361-0195  
Phone:  
(636) 585-1300

Nevada  
United Way of Vernon County  
201 E Cherry St Ste 203  
Nevada, MO 64772-3374  
Phone:  
(417) 667-5563

Pineville  
United Way of McDonald County  
PO Box 509  
Pineville, MO 64856-0509  
Phone:  
(417) 845-6939

Saint Joseph  
United Way of Greater St. Joseph  
PO Box 188  
Saint Joseph, MO 64502-0188  
Phone:  
(816) 364-2381

Saint Louis  
United Way of Greater St. Louis, Inc.  
910 North 11th Street  
Saint Louis, MO 63101  
Phone:  
(314) 421-0700

Sikeston  
United Way of Sikeston  
#6 Mini Drive  
Sikeston, MO 63801-5134  
Phone:  
(573) 471-0310

Trenton  
United Way of Grundy County  
PO Box 146  
Trenton, MO 64683-0146  
Phone:  
(660) 359-5211

Sedalia  
Sedalia-Pettis County United Way  
123 E 3rd St  
Sedalia, MO 65301-4321  
Phone:  
(660) 826-2980

Springfield  
United Way of the Ozarks  
320 N Jefferson Ave  
Clarence R. Wheeler Center  
Springfield, MO 65806-1109  
Phone:  
(417) 863-7700

Warrensburg  
Johnson County United Way  
PO Box 203  
Warrensburg, MO 64093-0203  
Phone:  
(660) 747-5174