

# APPLICATION STANDARDS AND ELIGIBILITY FOR TOWNSHIP ASSISTANCE

(Revised 9/30/2019)

## BLOOMFIELD TOWNSHIP LaGrange County, Indiana

Township Office: 818 North Detroit Street  
LaGrange, IN 46761

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Office Hours: Monday 1 pm – 5 pm  
Tues., Thurs., Fri.: 9 am - 12 pm and 2 pm - 5 pm  
Wednesday: 9 am - 11 am  
Closed Saturday and Sunday

## 1. Application for Assistance

- A. An individual desiring to make an application for assistance from the township shall come to the township office during business hours
- (1) The individual shall be given an Application for Assistance, and a list of documents and/or other information needed to complete an affidavit.
  - (2) An appointment will be scheduled at that time for interview with Trustee or investigator, at which time the application and all requested information is to be completed.
  - (3) Each applicant and each adult member of the applicant's household must consent to, and sign, a *Disclosure and Release of Information* form about the applicant and the applicant's household before township assistance may be provided by the township trustee. (IC 12-20-7-1)
  - (4) An application for township assistance is not considered completed until all adult members of the household have affixed their signature to all forms, instruments, or documents required by law or determined necessary for investigative purposes by the trustee.
  - (5) The township trustee will assist an applicant for township assistance in completing the application if the applicant has a mental or physical disability, including mental retardation, cerebral palsy, blindness or paralysis; has dyslexia, or cannot read or write the English language. (IC 12-20-6-1(e)) If an individual who is required to sign a form as per the application process is unable to sign the form in the township trustee's office due to a physical or mental disability, or illness, the trustee shall make alternate arrangements to obtain the individual's signature.
  - (6) This application is good for 180 days.
- B. Recertification
- (1) The trustee will not extend additional or continuing aid to an individual or a household unless the individual or household files an affidavit with the request for assistance affirming how, if at all, the personal condition of the individual or the household has changed from that set forth in the most recent application. (IC 12-20-6-1(d))
- C. Residency
- (1) IC 12-20-8-1 Sec. 1 An individual is a "resident" of a township if the individual:
    - (a) has located in the township, and
    - (b) intends to make the township the individual's sole place of residence
  - (2) IC 12-20-8-3 Sec. 3
    - (a) The township trustee will deny township assistance to an individual if the township trustee determines that the individual does not intend to make the township the individual's sole place of residence.
    - (b) The township trustee may consider all relevant information that supports or refutes the individual's intent to make the township or county the individual's sole place of residence, except the length of time the individual has been located in the township or county.

#### D. Cooperation

- (1) During the interview process, the applicant is required to complete an application and affidavit on behalf of the household and must provide the names of all household members and any information necessary for determining the household's eligibility for township assistance.
- (2) The household will be required to cooperate with an investigation of all finances, responsibilities, and their eligibility to receive other types of assistance.
- (3) The investigation may include a home visit and/or contact with their relatives who may be able and willing to assist them.
- (4) The law requires that an applicant apply for and utilize all other forms of public assistance before being granted township assistance, except in emergency situations. (IC 12-20-6-5)

#### E. Application review (IC 12-20-6-7)

- (1) The application review begins once a completed application for assistance is received by the township
  - (a) non-emergency requests will be acted on within 72 hours, excluding weekends and holidays
  - (b) emergency requests shall be acted upon promptly
  - (c) an action of "Pending" may exceed seventy-two (72) hours and must include a statement from the township listing the specific reasons for the action.

#### F. Non-emergency review

- (1) If, before granting township assistance, the trustee determines that an applicant or a member of the household may be eligible for public assistance other than township assistance, the applicant or household member shall, when referred by the trustee, make an application and comply with all necessary requirements for completing the application process for public assistance administered by the county office of the Division of Families and Children, any other federal or state governmental entity, or other regional or community organization.

#### G. Notice of Action

- (1) The township will notify the applicant, as required by law, of the action taken by the township upon their request for township assistance.
- (2) The trustee shall notify in writing, by mail or in person, each applicant for township assistance of action taken upon a request for assistance, within 72 hours (excluding weekends and holidays) of receiving a completed application.
- (3) The form PR-1A (Notice of Action) shall contain the following:
  - (a) the type and amount of assistance granted
  - (b) the type and amount of assistance denied or partially granted
  - (c) specific reasons for denying all or part of the assistance requested
  - (d) information advising the applicant of the procedures for appeal to the board of commissioners
- (4) The township shall not render a decision on a request for township assistance without a "completed" application for assistance on file in the office of the township.

## 2. Denials

- A. In addition to reasons for denial listed in other sections of these Standards and Guidelines, denials, full or partial, may be issued to applicants for one or more of the following reasons:
- (1) Falsifying application/affidavit (60 days) (IC 12-20-6-6.5)
  - (2) Failure to meet workfare requirements in this or another township (not more than 180 days) (IC 12-20-11-1)
  - (3) Wasted resources
    - (a) the amount of money or resources expended by an applicant or an adult member of an applicant's household seeking township assistance before the date of application for assistance for items or services that are not basic necessities, or
    - (b) income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application, unless the adult member can establish a good reason for the act. (IC 12-7-2-200.5)
    - (c) examples of wasted resources which occur prior to the date of the filing of an affidavit for township assistance include, but are not limited to:
      - (i) voluntarily terminating gainful employment and/or being involuntarily terminated for just cause
      - (ii) failure to actively seek and/or accept gainful employment when offered, whether the compensation for the work will be payable in money or in house rent, or in commodities consisting of the necessities of life. (IC 12-20-10-1)
      - (iii) failure to qualify and maintain public assistance
  - (4) Failure to accept free or low/lower cost shelter arrangements
  - (5) Violence, threats of violence, or abusive language used in or around the trustee office or premises
  - (6) Income in excess of the township's fixed financial guidelines.
    - (a) the township shall not pay for services or the cost of goods incurred by an applicant or a member of an applicant's household during the period the applicant or a member of the applicant's household had sufficient income or resources to have paid for either the goods or service.
  - (7) Failure to cooperate with, or provide the trustee office with necessary information for determining eligibility
  - (8) Failure to participate in an education or self-help program, when referred by the township
  - (9) Frequent reported loss of food stamps or food supply
  - (10) Failure to liquidate countable assets within the prescribed time frame
  - (11) Refusing to sign "Reimbursement Authorization" for Supplemental Security benefits or enter a subrogation agreement as provided by statute for repayment of assistance during an interim period. (IC 12-20-27-1.5)
  - (12) Applicant or household member convicted of welfare/township assistance fraud misdemeanor (1 year after before eligible) or a felony (10 years before eligible). IC 12-20-6-6.5
  - (13) Previous or reaffirmation of denial
    - (a) The township will not extend aid to or for the benefit of any member of an applicant household if the aid request would pay for goods or services that were previously requested and denied by the township, nor will the township

be obligated for the cost of basic necessities incurred on behalf of the household in which the individual (who was previously denied) resides during the duration period of the denial.

- (14) Assignment or transfer of assets for the purpose of rendering, or which will render, a household eligible for township assistance, by an applicant or another member of a household.
- (15) Applicant is under the influence of drugs or alcohol, or is incapable of self-care (IC 12-20-17-2 (f))
- (16) Household denied assistance or sanctioned by the local office of the Indiana Division of Family and Children for noncompliance of/or violations of Title 12 Article 14 of the Indiana Code.
  - (a) The township may continue to refuse assistance until the sanction or denial by the Indiana Division of Family and Children has been lifted or rectified.
- (17) Applicant is, in any way, ineligible for services provided by the State of Indiana.
- (18) Individuals in the United States without the permission of the Immigration and Naturalization Service are ineligible to receive Township Assistance. (IC 12-20-8-1, 2, 3, 4 and 7 and IC 12-14-2.5-3)

### **3. Employment**

#### **A. IC 12-20-10 requires the able applicant to seek employment**

- (1) If the applicant for township assistance is in good health, or if any members of the applicant's household are in good health, the trustee shall require that those able to work shall seek employment.
- (2) The trustee shall refuse to furnish any township assistance until the township trustee is satisfied that the applicant or members of the applicant's household are endeavoring to find work.

#### **B. Refusal**

- (1) If the applicant is offered employment by the trustee, regardless of whether the compensation is in the form of money, rent, or other necessities; or refuses employment at a reasonable compensation offered by any other individual, governmental agency, or employer; the township trustee shall not furnish assistance to the applicant until they perform the work or show just cause for not performing the work (IC 12-20-10-2)

#### **C. Medical exemption from work**

- (1) If an applicant for township assistance or member of the household claims an inability to work due to health, the trustee may require and/or provide any medical examination necessary for the trustee to determine whether they are able to perform work. (IC 12-20-10-3.5)

### **4. Income**

#### **A. Countable Income shall include the following: (IC 12-7-2-44.7)**

- (1) gross wages before mandatory deductions
- (2) Social Security benefits, including Supplemental Security Income
- (3) Temporary Assistance to Needy Families (formerly AFDC)
- (4) Unemployment compensation

- (5) Worker's Compensation (except that which is strictly for medical expenses)
- (6) Vacation pay
- (7) Sick benefits
- (8) Strike benefits
- (9) Private or public pensions
- (10) taxable income from self-employment
- (11) bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household if monetary compensation or the provision of basic necessities would have been reasonably available from that individual
- (12) child support
- (13) gifts of cash, goods, or services
- (14) other sources of revenue or services that the township trustee may reasonably determine to be countable income.

**B. Countable Assets**

- (1) Non-cash property that is not necessary for the health, safety, or decent living standard of a household, which is owned wholly or in part by members of the household, that the member has a legal right to sell or liquidate.
- (2) savings and checking accounts
- (3) certificates of deposit, bonds, stocks and other intangibles that have a net cash value
- (4) boats, other vehicles, or any other personal property used solely for recreational or entertainment purposes

**C. Future third-party benefit**

- (1) If it is anticipated that an applicant has the potential of receiving a judgment, compensation, or monetary benefits from a third-party, the trustee may require the applicant to enter into a subrogation agreement or sign an authorization for the repayment of any benefits provided by the township during this interim period.
- (2) Failure of an applicant to sign the necessary authorization for reimbursement to the township shall result in a denial of township assistance.

D. Holocaust victims' settlement payment(s) received by an eligible individual are excluded from countable assets and countable income. (IC 12-20-5.5-2)

**5. Liquidation**

A. Non-essential assets (for example, recreational equipment, boats, motors, camping trailers, guns, other hunting equipment, motorcycles, camcorders, VCR's, jewelry, etc.) should be liquidated in order to receive continued township assistance.

- (1) All members of the household are expected to liquidate any assets deemed non-essential as soon as possible
- (2) Non-essential assets purchased by any member of a household after having applied for township assistance must liquidate immediately before further assistance can be authorized.

B. Liquid assets such as stocks, bonds, savings accounts, etc. should be liquidated immediately and used for the household's basic necessities prior to receiving township assistance.

## **6. Income Standards**

- A. Income levels for eligibility shall be based on an approved schedule
- B. Income standards for Bloomfield Township will be set at 100% of the Federal Poverty Guidelines as set by the US Department of Health and Human Services, and can be found in Appendix "B" (as updated yearly by HHS)
- C. Exceptional financial obligations, emergencies, and/or extraordinary expenses, as may be determined by the township trustee may give justification to give a "one time only" waiver of the "sufficient" income factor.
  - (1) Unusual and/or extraordinary expenses must be verified with acceptable receipts for the income expended.

## **7. Expenditures**

- A. The trustee shall require receipts for the expenditure of all income/benefits received by any and all members of the household.
  - (1) Hand written receipts from members of the applicant's immediate family will not be accepted.
  - (2) All receipts are subject to verification
  - (3) Willful submission of false receipts could constitute fraud
- B. Only receipts for the basic necessities of living will be recognized
  - (1) Expenditures undocumented by written receipts will be counted as unexpended income.
  - (2) Expenditures for items not considered "basic necessities" will not be recognized, and will be considered as "wasted resources and income."

## **8. Types of Assistance Allowable**

- A. Food/Food order
  - (1) When possible, Bloomfield Township will utilize referrals to the Food and Clothes Basket to fill the need for emergency food for qualified households
  - (2) Exceptions include, but are not limited to:
    - (a) it is unlawful for any trustee to provide food assistance for an applicant or household that is eligible to participate in the federal food stamp program, except in the following circumstances:
      - (i) during the interim period an applicant or a household is awaiting a determination of eligibility from the food stamp office
      - (ii) upon verified loss of the family's food supply through spoilage
      - (iii) upon written statement from physician ordering special diet, the cost of which is greater than can be purchased with the household's allotment of food stamps
      - (iv) when the trustee determines that an applicant or a household is in need of supplementary food assistance
      - (v) Upon the verified loss of the household's food stamps or food supply

## B. Clothing

- (1) When possible, Bloomfield Township will utilize referrals to the Food and Clothes Basket to fill the need for emergency clothing for qualified households

## C. Shelter

- (1) The trustee shall provide aid in whatever form is necessary to provide shelter or prevent the loss of shelter, for qualified applicants, so long as such aid constitutes the most economical and practical method of relieving the applicant
- (2) Homeless applicants, at the discretion of the trustee, may be provided transportation to the nearest homeless shelter
- (3) Exceptions include, but are not limited to:
  - (a) First month's rent
  - (b) If any part of the deposit or rent has been waived and/or paid by the landlord or the landlord's representative
  - (c) Applicants will not be eligible to receive more than two (2) consecutive months of rent/mortgage assistance, and no more than three (3) months of assistance in a twelve (12) month period
  - (d) Excessive rent/mortgage
  - (e) security or damage deposits
  - (f) substandard housing
  - (g) shelter is with a relative who is the applicant's landlord if the applicant lives in:
    - (i) the same household as the relative, or
    - (ii) housing separate from the relative and either
      - the housing is unencumbered by mortgage, or
      - the housing has not been previously rented by the relative to a different tenant at reasonable market rate for at least six (6) months
  - (h) if an individual's most recent residence was provided by the individual's parent, guardian, or foster parent and the individual, without just cause, leaves that residence for the shelter for which the individual seeks assistance (IC 12-20-16-17)
  - (i) moving expenses
  - (j) applicant not listed on lease or mortgage
- (4) Liens
  - (a) If shelter payments are made to a relative of an applicant for township assistance on behalf of the applicant or household member, the trustee may file a lien against the relative's real property for the amount of shelter assistance granted. (IC 12-20-6-10 (d))
  - (b) When a township, on behalf of an applicant's household, expends township funds to pay the household's mortgage payments, then the trustee may file a lien against the property in order to recover the equity value of such payments.

## D. Utilities

- (1) the trustee may, in cases of necessity, authorize the payment for essential utility services, including: water, gas, fuel used for heating or cooking, and electric services. (IC 12-20-16-3)
- (2) Exceptions
  - (a) security deposits



- (b) applicant name not on bill
  - (c) excessive usage
  - (d) reconnect charges
  - (e) telephone, unless demanded by medical situation
  - (f) cable TV
  - (g) utility service received as a result of a fraudulent act by an adult member of a household requesting township assistance
  - (h) “master metered” utility services when more than one household is served by the same meter
- (3) Delinquent bills
- (a) the township will not consider the payment of delinquent utility bills if the applicant was not a tenant residing at the service address at the time the cost was incurred
  - (b) the township will not consider the payment of delinquent utility bills if the delinquency is older than twenty-four (24) months
  - (c) delinquent bills incurred from another township will not be considered for payment
  - (d) Energy Programs
    - (i) an applicant must seek assistance with the payment of energy bills from all federal, state and local programs designed to assist with cost of energy (IC 12-14-11)

E. Child Care

- (1) The township trustee will not cover the following:
  - (a) books for school if school has payment schedule or assistance
  - (b) lunches if school has cost reduction program
  - (c) daycare/baby sitter

F. Home Repair

- (1) There are no provisions for the township to assist with home repair/maintenance

G. Burial

- (1) The township trustee shall provide a person to superintend and authorize either the funeral and burial or cremation of a deceased resident of this township who dies without leaving:
  - (a) Money
  - (b) real or personal property
  - (c) other assets that may be liquidated, or
  - (d) other means necessary to defray funeral expenses
- (2) Maximum benefits allowed
  - (a) \$1500 for direct cremation
  - (b) \$2000 for burial
- (3) Residency
  - (a) for the purposes of the consideration of township responsibility, a hospital shall not be considered as a place of residence
  - (b) a nursing home or similar residential facility may be considered as a place of residence
- (4) Application for assistance
  - (a) a formal application for burial expense is required

- (b) such application may be made by either a family member, the funeral director having possession of the body, or any other individual having a legal interest
- (5) Township will provide a minimal funeral only
- (6) Burial lot in a township cemetery, at the discretion of the trustee, will be provided if unavailable from other means
- (7) Headstones will not be provided
- (8) Cremation (IC 12-20-16-12 (g))
  - (a) the township trustee may not cremate a deceased individual if the deceased individual or a surviving family member of the deceased individual has objected in writing to cremation
- (9) The trustee will not pay for the cost of transporting the remains of any deceased indigent person back to the township or to any place outside of the township.
- (10) The trustee may deduct from the maximum amount to be paid, the following:
  - (a) any monetary benefits that the deceased individual is entitled to receive from a state or federal program
  - (b) any money that another person provides on behalf of the deceased individual (IC 12-20-16-12 (c))
- (11) Other conditions:
  - (a) the township must be contacted for assistance before the funeral home makes arrangements or takes possession of the deceased indigent resident
  - (b) If the coroner assumes jurisdiction, the township will not cover expenses of burial/cremation (IC 36-2-14-16)

#### H. Transportation

- (1) The township may, at the trustee's discretion and when available, provide transportation, or the means for transportation, to individuals seeking employment or maintaining employment, within or outside the township, only when there is reasonable evidence provided by the applicant and verified by the township that the likelihood of employment is available.

#### I. Medical Care

- (1) The township trustee shall provide prompt medical assistance for qualified applicants who are not provided for in public institutions
- (2) The trustee may not provide medical assistance if the individual could qualify for medical assistance for the same service under Hospital Care for the Indigent (IC 12-16), Medicaid, or other governmental medical programs.
  - (a) during the application period for Medicaid or other governmental medical program, the trustee may provide interim medical services, if the individual is reasonably complying with all requirements of the application process.
- (3) The trustee will not provide assistance for services which can be performed at a hospital which has a program for indigent care
- (4) Insulin (IC 16-41-19-7, IC 12-20-16-2(c)(13) & IC 12-20-16-14)
  - (a) the township shall furnish insulin without charge to township residents who are in need of such treatment for diabetes, and who are financially unable to purchase insulin, upon the application of a duly licensed physician
  - (b) in situations where the township trustee has evidence that the individual has the financial ability to pay for the insulin, the township is not responsible for payment
  - (c) after being presented with a legal claim for insulin being furnished to the same individual a second time and, provided there is evidence that indicates the

individual's financial ability to pay, the township trustee may require the individual to complete and file a standard application for township assistance in order for the township trustee to investigate the financial condition of the individual claiming to be indigent

- (d) the trustee will immediately notify the individual's physician that the financial ability of the individual claiming to be indigent is in question; and a standard application for township assistance must be filed with the township
- (e) the township will continue to provide insulin to the individual until such time as the investigation is complete.
- (f) The township will consider the individual needing insulin as an individual and not as a member of household when requesting township assistance.

#### J. Office calls

- (1) clients requesting assistance for a visit to a medical service provider, except in case of emergencies, must first obtain authorization from the township
- (2) the cost of visits to a medical specialist cannot be paid by the township, unless the applicant was first referred to a specialist by their attending physician

#### K. Emergency room treatment

- (1) the township may pay for necessary emergency room treatment that is of an emergency nature, however, a medical emergency does not exist in situations where the illness/injury could and would have been treated during a routine office call by a family doctor, and the applicant could have made contact with the township office before such visit
- (2) emergency office calls, duly prescribed drugs and necessary emergency room medical treatment received in a hospital emergency room may be paid by the township, provided a proper request for the service is made to the township office, by the applicant or a member of the applicant's household, within fifteen (15) working days of the time the services are rendered.
- (3) failure to notify and request payment in a timely fashion and within the prescribed time limits shall result in a denial

#### L. Dental care and treatment

- (1) the payment of dental care and/or treatment shall be limited to those cost which are medically necessary to eliminate pain and/or infection in the most economical and practical way
- (2) the township may pay the cost of denture replacement and/or repairs not covered by other tax supported programs, however, the township will not pay for the initial cost of dentures

#### M. Vision care

- (1) the township may pay the cost of eye exams, eyeglasses, eyeglass repair or eyeglass replacement for eligible applicants provided the applicant has exhausted all other public and private programs providing a similar service
- (2) the township will not pay for contact lenses for eligible applicants, unless medically necessary and not covered by other tax supported programs
- (3) the township trustee reserves the right to prior approval of any vision care expense, or that expense will be denied

## **9. Appeal Process**

- A. Applicants for, or recipients of, township assistance who are not satisfied with all or part of the decision of a township trustee, may appeal to the board of county commissioners in the county in which the township is located.
- B. Appeals shall be filed not more than fifteen (15) days from the date of issuance by the township trustee of adequate written notice of the denial of township assistance.
- C. Appeals must be made in writing or orally as required by the board of commissioners, and must be filed at the Auditors office in the LaGrange County Courthouse Annex.

## **10. Reporting Abuse and Neglect**

The Township shall report all suspected cases of abuse or neglect to the proper authorities. Unemancipated youth requesting township assistance will automatically be reported to the LaGrange County Office of Families and Children.

## **11. Courtesy**

We expect everyone who comes to the office of a township trustee to be treated in a dignified manner. We likewise expect the staff of the township to be treated in a similar fashion. The trustee's office is intent on assisting the poor of this township and will endeavor to provide the necessary assistance within the limits of the law and these standards.

## **12. Conclusion**

All decisions regarding eligibility will be based on the standards in this document. Any item not specifically covered in these guidelines will be governed by applicable Indiana Code. These Standards and Guidelines will be available at the township trustee's office. Additional copies will be furnished to the Board of County Commissioners and the County Auditor. Any member of the public will be permitted to inspect these Standards and have them copied at their own expense. They will be periodically revised to reflect changes in both statutory and case law.

## Definitions

### **Basic Necessities** (IC 12-7-2-20.5)

Include those services or items essential to meet the minimum standards of health, safety, and decency, including the following:

1. Medical care described in IC 12-20-16-2
2. Clothing and footwear
3. Food
4. Shelter
5. Transportation to seek and accept employment on a reasonable basis
6. Household essentials
7. Essential utility services
8. Other services or items the township trustee determines are necessities

### **Emergency** (IC 12-7-2-76.5)

An unpredictable circumstance or series of unpredictable circumstances that:

1. place the health or safety of a household or a member of a household in jeopardy, and
2. cannot be remedied in a timely manner by means other than township assistance.

### **Homeless**

An individual or household which has spent the prior night (or with the likelihood of spending the night in the immediate future) in an environment considered to be unsafe or unhealthy.

1. Temporarily living with relatives or friends does not, in itself, constitute a "homeless" condition for the purpose of township assistance.

### **Homeless Shelter**

A facility that provides temporary emergency assistance.

### **Household** (IC 12-7-2-110.5)

One of the following

2. an individual living alone
3. a family related by blood
4. a group of individuals living together at one residence as a domestic unit with mutual economic dependency

### **Relative** (IC 12-20-6-10)

Includes only the parent, stepparent, child, stepchild, sibling, step sibling, grandparent, step grandparent, grandchild, or step grandchild.

### **Residency** (IC 12-20-8-1 Sec. 1 and Sec. 3 (a))

1. An individual is a "resident" of a township or county if the individual:
  - A. Has located in the township or county, and
  - B. intends to make the township or county the individual's sole place of residence

2. The township trustee may consider all relevant information that supports or refutes the individual's intent to make the township or county the individual's sole place of residence, except the length of time the individual has been located in the township or county.

**Shelter** (IC 12-7-2-177)

Shelter means a house, mobile home, apartment, a group of rooms, or a single room that is occupied or is intended for occupancy as separate living quarters where the occupant:

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

Appendix “B”

2024 HHS Poverty Guidelines

<b>Size of Family Unit</b>	<b>48 Contiguous States and D.C.</b>	<b>Per week</b>	<b>Per month</b>
1	\$ 15,060	\$290	\$ 1,255
2	20,440	393	1,703
3	25,820	497	2,152
4	31,200	600	2,600
5	36,580	703	3,048
6	41,960	807	3,497
7	47,340	910	3,945
8	52,720	1,014	4,393
For each additional person, add	5,380	103	448

**SOURCE:** the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2)