

# FEMA & Other Benefits for Hurricane Katrina Survivors

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# DISCLAIMER

- This information is based on conversations with FEMA staff in Louisiana and Washington DC and experiences with survivors on the ground. We have received conflicting information from these sources.
- In any disaster, things change often, so contact your local FEMA, Red Cross and advocacy community to stay up to date.

# Hierarchy for Relief & Recovery

1. Red Cross
2. Other voluntary relief efforts
3. Insurance proceeds
4. SBA loans for personal and business use
5. FEMA benefits
6. Can also get welfare, unemployment & food stamp benefits

# Relief and Recovery Efforts

- Red Cross Provides:
  - Shelters
  - Other housing for 1-3 months
  - Motels & hotels don't count against IHP (FEMA)
  - Food
  - Transportation
  - Financial aid—for Katrina victims: call 1-800-975-7585
- Red Cross Missing Persons/Family Links: 877-568-3317 go to: [www.katrinasafer.org](http://www.katrinasafer.org)

# FEMA Benefits

- Laws & Regulations
- Available benefits
- How to apply
- After application
- Advocacy tips

# FEMA – Laws & Information

- Stafford Act: 42 U.S.C. § 5174
- Regulations: 44 C.F.R. §§ 206.110 – 206.119.
- FEMA Applicant’s Guide to the Individuals & Households Program, at [http://www.fema.gov/pdf/about/process/help\\_after\\_disaster\\_english.pdf](http://www.fema.gov/pdf/about/process/help_after_disaster_english.pdf) (also available in Spanish)
- FEMA Helpline: (800) 621-FEMA (621-3362)
- Florida Bar Foundation Manual on Disaster Legal Assistance at [www.povertylaw.org](http://www.povertylaw.org)

# FEMA's Expedited Rental & Temporary Housing Assistance under IHP

- **FEMA issued checks/cards of \$2,000 for housing as expedited assistance to Rita & Katrina.**
  - FEMA now says this counts against IHP aid limit
- **Transitional housing assistance checks of \$2,358**
  - For people that lived in areas deemed uninhabitable or unreachable for inspections due to Katrina; counts against IHP aid limit

# Expedited or Essential Assistance

- FEMA has provided 1-3 months of emergency shelter or rental assistance
- Red Cross is also providing shelter and financial aid: call 1-800-975-7585
- Hotel/motel vouchers do not count against the Individuals & Households Program (IHP) aid limit
- The IHP program is put in place after essential assistance and is operational now for Katrina



# Individuals & Households Program (IHP)

- IHP replaces old Temporary Housing Assistance (THA) and Individual and Family Grant Program (IFG) Program
- Two Parts to IHP
  - Housing programs
    - **Housing benefits no longer include mortgage assistance**
  - Other needs assistance—replace personal property or for necessary expenses
- Total limit of aid for all IHP programs = \$26,200
  - Unclear if person or household
  - Expedited Checks of \$2,000 may be part of IHP
  - Current rent checks of \$2,358 may be part of IHP but called “Transitional Housing Assistance”

# FEMA & IHP Housing Programs

- Rental Assistance for up to 18 months
  - FEMA/HUD have added KDHAP
- Rental Units (temporary)—mobile homes (trailers), boats, housing on military bases
- Money to repair damaged homes
- Money to replace destroyed housing

# Financial--Rental Assistance Under FEMA IHP

- Money for rent, transportation, & utility hookups
- Will not pay for rental security deposit
  - Ask the Red Cross to pay
- Will not pay utilities that are not part of rent
  - Consider LIHEAP program
- Lasts up to 18 months (more if extended by FEMA),
  - but FEMA prefers short-term aid and person will need housing plan and receipts for continued assistance

# Rental Assistance under FEMA'S Temporary Housing Assistance

- **Transitional housing assistance checks of \$2,358**
  - For people that lived in areas FEMA identified via satellite imaging, or from local jurisdictions as uninhabitable or unreachable for inspections for Katrina
- **FEMA says that if local FMR for the family's new unit exceeds \$2,358 (for the three months) they will cover the difference**
  - Must call FEMA and ask to be "recertified"
  - Do this ASAP—don't wait until the three months is up

# Continuing IHP Rental Assistance from FEMA

- Can be paid for up to 18 months
- To get continuing benefits beyond first three months need to show:
  - Rent receipts
  - Housing plan – a plan to enter permanent housing
    - But can claim good cause for no plan which might include inability to move back home

# FEMA & HUD's New Rental Assistance Program (KDHAP)

- Katrina Disaster Housing Assistance Program (KDHAP)—FEMA funds HUD to pay for rental assistance to tenants evacuated from
  - Public housing,
  - Subsidized housing,
  - Section 8 units
  - And to house formerly homeless evacuees
- KDHAP is administered through local housing authorities (go to [www.hud.gov](http://www.hud.gov))
  - Unclear if KDHAP counts against IHP limit of \$26,200

# **FEMA/HUD's KDHAP Assistance for Evacuees—What is it?**

- **A rent subsidy that will equal the rent specified in the lease**
  - capped at 100% of local FMR for bedroom size
- **Actual security deposit amount**
  - capped at 100% of local FMR for family's bedroom size
- **Actual deposits for utilities (capped at \$325)**
- **Family will pay any utilities not included in rent**
- **Assistance cannot exceed 18 months but ends when family can return to the unit they originally lived in**

## KDHAP Assistance--Housing Authorities

- One time fee paid to Housing Authority of \$1,000 per family household for administrative costs for housing search, temporary shelter, and lease-up activities
- 15% of the HAP for monthly ongoing administration by local Housing Authority.



# FEMA--Temporary Housing Units— Direct Assistance (IHP)

- Temporary housing units can be supplied by FEMA including:
  - Mobile homes (trailers)
  - Units on military bases
  - Cruise ships
- Available if home is destroyed or uninhabitable; and
- Cannot use rental assistance (due to housing shortage)
- Lasts up to 18 months (can be extended)
  - Must be recertified and show permanent housing plan
- Be a United States Citizen, LPR, or "qualified alien"

# Continuing Direct Housing Assistance

- Can be terminated from Housing assistance if:
  - Have gotten it for 18 months (unless period extended by FEMA)
  - Adequate alternate housing is available
  - Got into it through misrepresentation/fraud
  - Fail to comply with lease/rental agreement
  - Do not provide evidence that you are working towards a permanent housing plan (if no good cause)
- 15 day notice to terminate for unit—tenants have appeal rights; consider action in state court to challenge

# FEMA Emergency Repair Benefits—Hazard Mitigation

- If authorized, for Homeowners
- Money to repair home to make it safe and sanitary
  - Not to return to pre-disaster conditions
- Only certain acceptable types of repairs
  - Structural, foundation, water, sewage, heating, cooling
  - No cosmetic repairs or changes
- Up to \$5,000 (plus COLA)
- Must apply for insurance, but not SBA loan
- You might also be able to advocate for other repair funds under the “ONA” program (See slide 28)

# FEMA Home Replacement Benefits

- Homeowners only—limit is \$10,000.
  - Don't need to apply for SBA, but can combine with SBA loan to use as down payment
  - Must be approved (usually) by associate director of FEMA
- Money to help homeowner with the cost of repairing or replacing a damaged/ destroyed home
- Not intended to cover the entire cost of home replacement, or to return home to pre-disaster condition—SBA loan possible (not required)

# Eligibility Criteria for all FEMA IHP Housing Programs

- Insufficient (or no) insurance coverage
  - or can't get paid in time and agree to repay from insurance proceeds
  - But note: Problems with Hurricane insurance covering flood damage
  - Also, FEMA flood bar— “one bite at the apple” (for repairs and replacement for owners--see slide 40)
- No need to apply for SBA loan for housing programs
- Home is in a declared disaster area

## Eligibility Criteria for all IHP Housing

- Cannot live in home now, cannot get to home due to disaster, or home requires repairs
  - Inspection establishes if person meets this requirement
- Household member is US Citizen, LPR, or qualified alien
  - Note: All immigrants qualify for emergency non-cash help (shelter, food, medical care, etc)
- No resource test for these benefits

# “Split Household” Problem for Low-Income Families That Need Housing

- FEMA typically pays for housing assistance to only one “household” even if they have split up
- FEMA defines a “household” as all people who lived together in the pre-disaster residence or are likely to live together after
- A person can be denied housing if another previous household member has already applied or received FEMA, even if they don’t live together now
  - Example: A woman with two children lived with her sister and husband in New Orleans. If one family fled to Louisiana and one to Texas, only the first to apply may get help—all other household members can be denied

## “Split Households” Problem for Low-Income Seeking Housing

- FEMA Regional Director has authority to grant benefits to more than one person in a household if the “nature” or “size” of the household requires it.
- FEMA claims relaxed this rule for Katrina and can get more than one payment.
  - May need to appeal



# FEMA IHP Money for Personal Needs – Other Needs Assistance ("ONA")

- Items or services to overcome a disaster-related hardship, injury, or adverse condition
- Not to return personal property to pre-disaster condition
- For continued assistance, must document continuing need
  - Note total aid for housing & needs is \$26,200 (as of 9/15/05)
    - Not clear if this is per person or household—assume HH

# FEMA IHP Other Needs Assistance

- Disaster-related medical and dental costs
- Replacement or repair of necessary medical items including durable medical equipment
- Disaster-related funeral and burial costs

## Other Items Covered by FEMA IHP ONA Program

- Clothing, furnishings, appliances, tools for jobs, educational materials
- Cleaning and sanitization of property
- Vehicles damaged by the disaster
- Moving and storage costs
- Necessary expenses or serious needs—possibly home repairs
- Other things approved by FEMA
  - Possibly home repairs (See slide 28)
- Note flood bar for personal and real property (slide 40)

# Home Repairs & Advocacy Under FEMA IHP Other Needs Assistance

- FEMA regional director or designee may approve "other" items not specifically listed, if a "necessary expense" or a "serious need."
- In previous disasters FEMA allowed for home repairs (beyond the \$5,000 limit)
  - Might be able to argue repairs are "necessary" or a "serious need" and get FEMA's "ONA" money to repair a home
    - Limit is \$26,200 for all IHP assistance
    - Will have to seek SBA loan first

# FEMA IHP ONA & SBA Loans

- First look to insurance proceeds, if any
- FEMA refers IHP ONA applicants to SBA first
  - SBA can do a "desk denial" and forward to FEMA for ONA help if below an income level set by FEMA/SBA
- Must apply for and take an SBA loan
  - if able to repay and applying for other needs assistance
  - No SBA application should be needed for housing programs
  - Anyone that gets an SBA application should return it, even if they know they cant qualify, to get any ONA money from FEMA
- Attorneys have appealed issue of ability to repay an SBA loan if client wants an SBA loan (or does not)

# SBA Loans & FEMA IHP ONA -- Procedures for Low- Income

- FEMA can do desk denial without an SBA application if:
  - The household's income is below a set income level (about 150% of Poverty Level)
  - FEMA will not do desk denials for self-employed
- Anyone who receives an SBA application must fill it out and send it in--or wont get IHP ONA help
  - if low income, SBA can review application they get back and do a "summary denial" and forward to FEMA ONA
- Problems with online applications:
  - If pre-disaster income field is empty, or income is zero, applicant will get an SBA application even if very low income— should fill out and return

# FEMA IHP--Other Personal Needs Procedures

- Find out if state or FEMA administers ONA program
  - FEMA is indicating states are doing it
  - Important to know for appeals—who to file with--FEMA or your State?
- Under ONA states and FEMA use price lists to "cap" amount for each item—so often don't get actual cost

# Eligibility for Money for FEMA's IHP ONA--Other Needs Assistance

- Losses in area declared a disaster area
- Insufficient (or no) insurance coverage
- SBA application necessary
- Accepted assistance from all other sources
  - (including SBA loans)
- "Necessary expenses" or "serious needs" due to the disaster
- Household member is US citizen, Legal Permanent Resident, or qualified alien



# Immigrant eligibility for all FEMA programs

- One member of household must be a U.S. Citizen, an LPR, or a “qualified alien”
- A "Qualified Alien" includes anyone who has been granted legal permanent residence ("green card"), refugee or asylee status, withholding of deportation, conditional entry, parole into the U. S. for at least 1 year; or a Cuban-Haitian Entrant; or a battered spouse or child(ren) with a pending or approved spousal petition or petition for relief.
- Some FEMA workers may believe an applicant has to have an Social Security number or card to be eligible, not true
- Receipt of disaster benefits is NOT public charge
- Eligible for emergency non-cash help (shelter, food, etc)

# How to Apply for FEMA Benefits

- Online: [www.fema.gov](http://www.fema.gov) or by phone: (800) 621-FEMA (3362)
- Application form, information needed
  - Social Security Number      Description of disaster-caused losses
  - Insurance information      Location of property
  - Telephone contact number
- Get assigned a FEMA application number
- Deadline for applications: 60 days (plus 60 days) or 120 days after the declaration. This deadline is often extended by FEMA.
  - Usually need “good cause” to apply during last 60 days of application period
  - **January 11, 2006** (recently extended); Katrina victims in Mississippi: **January 11, 2006** (recently extended) and Florida: **October 28, 2005**; Katrina victims in Alabama: **October 29, 2005**; all Rita victims: **November 23, 2005**.

# After Applying for FEMA's IHP Benefits—Inspections

- FEMA will **USUALLY** promptly inspect the property
  - To establish that home is uninhabitable (for rental assistance or units) or needs repairs/replacing
- Applicant should try to be present
  - Must verify ownership and occupancy
  - In past disasters there have been problems with quality of inspections (e.g. “drive-by” inspections.)
  - FEMA can declare an entire area uninhabitable to expedite help
- In prior disasters the person could ask for a second inspection when they got a poor inspection
  - Unclear if FEMA will allow re-inspections in Katrina

# After Applying for Benefits—Post Inspection Procedures

- Within 10 days of inspection, should get letter with determination
  - Will be followed by check if approved
  - May include SBA loan application, always return
  - Can appeal if denied, or if award isn't large enough
- Person may need to amend their application for help based on changed circumstances—should call FEMA and do that
  - Never submit a new application just update old one using control number

# Once Approved for Benefits

- Money must ONLY be used for intended purposes
  - If not, FEMA can recoup
  - Keep receipts and bills to document use
- FEMA funds are tax free and exempt from garnishment, etc. (44 C.F.R. § 206.110(g))
- Continue to go back if needs not met—called “recertification” using FEMA control number

# FEMA Money Doesn't Count Against Federally-Funded Means Tested Aid

- FEMA, state, local and similar benefits whether in cash or in kind
- Should not count as income or resource in any federal “means-tested” program
  - E.g., TANF, welfare, SSI, Medicaid, Food Stamps, etc.
  - See: 42 USC § 5155(d)

# Appealing FEMA Decisions

- Written appeal must be postmarked within 60 days of decision letter
  - Signed by applicant or by Authorized Representative
  - Include the person's FEMA registration number and disaster number (listed on the denial letter)
    - FEMA uses codes in denial letters. See FEMA's applicant guide for an explanation of denial codes
  - Fax to (800) 827-8112, Attention: FEMA – Individuals and Households Program
    - (or State #, if state administers "other needs" program)
- FEMA should respond in writing within 90 days
- FEMA Decision is Final

# Advocacy Issues – Insurance and Flood Bar

- Problems with hurricane insurance not covering flood damage-Some states are undertaking efforts to address this problem
- FEMA’s Flood Insurance: “One Bite at the Apple”
  - An individual can be denied help from FEMA if he/she:
    - Lived in a flood zone; and
    - Got FEMA help before in another disaster; and
    - Was told to buy flood insurance; and
    - Does not carry flood insurance now.



# Advocacy Tips- Avoid Overpayments

- Keep Receipts!
  - Money must be used for intended purpose only
  - FEMA can ask for repayment if it is misused.
- Make sure client understands what the money is intended for
- Appeal if necessary

# Civil Rights Complaints

- FEMA is forbidden from discriminating on the basis of race, color, religion, nationality, sex, disability, age, or economic status
- FEMA Equal Rights Officer, (800) 621-3362
- If not resolved, can file written complaint with Office of Equal Rights within 180 days of the discrimination

## FEMA Public Assistance Benefits for Government and Non-Profits

- Available to government and nonprofits to rebuild the infrastructure in a community
  - Roads, hospitals, buildings, non-profits providing needed services e.g—legal aid offices (?), hospitals, others
- In Texas, appears some cities are using “PA” money to house evacuees in private market & lease units (Austin Housing Authority)

# FEMA Public Assistance Benefits for Government and Non-Profits--Websites

- <http://www.fema.gov/rrr/pa/overview.shtm>
- <http://www.fema.gov/rrr/pa/padescp.shtm>
- More detail see the Public Assistance Applicant's Handbook at
  - <http://www.fema.gov/pdf/rrr/pa/apphndbk.pdf>
- Guidance document for determining eligibility for public assistance
  - [http://www.fema.gov/rrr/pa/9521\\_3.shtm](http://www.fema.gov/rrr/pa/9521_3.shtm).
  - Review the questions on form at:
    - <http://www.louisianapa.com/public/forms/pnp.pdf>.
- To apply for public assistance online:
  - <http://www.louisianapa.com/client/submissions/publicAssistance/step1.cfm>

## FEMA Public Assistance Benefits for Government and Non-Profits--Louisiana

- LANO (Louisiana Association of Non-Profit Organizations) is working with a special team within the Legislative Auditor's Office that is helping non-profits. [www.lano.org](http://www.lano.org)
- Check with your state for similar efforts

# Small Business Administration Loans

- SBA Loans-- Overview
- Laws & regulations
- Types of Loans
  - Personal/real property for individuals/families
  - Business Physical Disaster Loans
  - Business Economic Injury Loans
- Loan application, procedures & terms
- Asking for reconsideration when denied

# Small Business Administration (SBA) Loans--Overview

- Individuals/Households must take a loan, if available, for non-housing IHP programs (“other needs assistance”)
  - If low-income, may want to try to get a “summary denial/decline” (a.k.a. “desk denial”) to avoid delays with IHP other needs assistance (see slides 25-32)
- Business Loans are also available
- Other individuals and businesses may want help qualifying for larger SBA loans to rebuild
- Ability to repay can be an issue

# Small Businesses Administration (SBA) Laws & Information

- SBA Disaster Loans 15 U.S.C. § 636 (b), (c)
- Regulations for Disaster Loan Program are within 13 C.F.R. § 123
- See also Information under Disaster Recovery/Loan Information links at [www.sba.gov](http://www.sba.gov)



# SBA Loans– Personal/Real Property Replacement

- Personal/Real Property Loans
  - For both homeowners and renters
- To repair or replace disaster damages to real property (primary residence) or personal property
- Up to \$40,000 personal property
  - If not enough to cover loss–apply for IHP
- Up to \$200,000 for homeowners to repair or replace their primary home to pre-disaster condition

# **SBA Loans - Physical Disaster Business Loans**

- **For repair or replacement of business real and personal property**
- **Includes inventory and business equipment**
- **Available to businesses of any size, including non-profits**
- **\$1.5 million maximum for total loans under SBA's Business Physical and Economic Injury**

## **SBA Loans— Economic Injury Disaster Loans**

- For working capital to small businesses and small agricultural cooperatives to meet ongoing financial obligations
- To assist them through the disaster recovery period
- If Katrina related damage to business inventory or property or for loss of business
- \$1.5 million maximum for total loans under SBA's Business Physical and EIDL

# SBA Loans

- Loan Terms
  - Must show ability to repay
  - Collateral for loans over \$10,000
  - Term depends on ability to repay
  - Low interest rates available

# How to Apply for SBA Loans

- Online: [www.sba.gov](http://www.sba.gov) or by phone: (800) 659 2955
- Application deadlines
  - Physical disaster business loans: October 28, 2005  
(check website to see if extended)
  - EIDL: May 29, 2006
- For more information: see SBA's website at [www.sba.gov](http://www.sba.gov)
- Personal Loan Applications will be mailed to FEMA applicants.

# Requesting Reconsideration of SBA Loans

- Applicant whose loan is declined has right to present information to overcome reason or reasons for the decline and to request reconsideration in writing.
- Request for reconsideration must be made within six months of the date of the declined notice.
- Request for reconsideration must be sent to the SBA office that declined the original application.
- After six months, a new loan application is required.

# Employment Related Disaster Benefits

- Unemployment and Disaster Unemployment Assistance
- Re-employment Services
- New jobs through the National Emergency Grant program
- Job Skills Training Benefits

# Unemployment Benefits

- State-specific insurance program, so must apply from state where lived at time of disaster
- How to apply
  - Louisiana: (800) 818-7811 (8 a.m.-7 p.m. (CST)) or online at: [www.laworks.net](http://www.laworks.net)
  - Alabama: (866) 767-8103
  - Mississippi: 1-888-844-3577
- For information on filing for benefits and office locations: (877) US-2JOBS (872-7811)



# Disaster Unemployment Assistance

- Cash benefit
- Available for up to 26 weeks
- Should apply for both DUA and regular Unemployment Insurance benefits, if possible
- Application deadline has been extended to November 30, 2005 in Louisiana, Alabama, and Mississippi

# DUA - Eligibility

- Unemployed / self-employed workers who:
  - Became unemployed as a direct result of the disaster
  - Are not eligible to receive regular UIB from any state
- Or individuals who
  - Become the HH breadwinner after head of HH died in disaster
  - Become unemployed due to disaster-sustained injury
  - Cannot reach their employment due to disaster
  - Were scheduled to start work but can't due to disaster
  - Unemployed due to the disaster, exhausted UIB before end of 26<sup>th</sup> week

# DUA – Application Issues

- Within 90 days of filing claim, document:
  - former employment
  - SSN
- If no verification documents available, sworn statement and other forms of proof ok
- Interim DUA payments can be paid while documentation being gathered
- Feds have relaxed verification (App. U of LSBA manual @[www.lsba.org](http://www.lsba.org) )
- IRS can help get earnings records (866) 562-5227

# DUA – How to Apply

- Call 877-US-2JOBS (877-872-8711) to find the location of the nearest office
- Apply in person at unemployment office
- Online guidance available at
  - Louisiana: [www.laworks.net](http://www.laworks.net)
  - Mississippi: [www.mdes.ms.gov](http://www.mdes.ms.gov)
  - Alabama: [www.dir.alabama.gov](http://www.dir.alabama.gov)
- Clients can call:
  - Louisiana: 888-524-3578
  - Mississippi: 800-948-3050
  - Alabama: 334-242-1700

# Re-employment Services for Katrina Victims

- New Jobs: DoL has authorized new jobs under national emergency grant program
  - 12 weeks in “humanitarian efforts”, demolition and clean up projects, and weatherization for low-income
  - @ \$9.00/hr for up to 40 hours/week (announced in Louisiana)
  - Apply through Job Centers ([www.laworks.net](http://www.laworks.net)) (La.)
  - 62.1 million dollars to La. for these jobs
  - Check your state
- Re-employment services such as: skills training, job search help, and career counseling from the existing job centers

# New Vocational Skills Training for Katrina Victims

- DoL has authorized new funds for hard skills training programs in Louisiana, Alabama, Mississippi, and Texas
- To train victims for construction, clean up, health care, security, etc-- to work in recovery efforts
  - Short term credential/certificate programs
- Advocacy: ensure that programs serve low-income clients and train for living wage jobs

# Welfare Programs for Katrina Survivors

- Cash Aid
- Food Programs
  - Disaster Food Stamps
  - Replacement Food Stamps
  - New FS rules for evacuees
  - WIC
- EBT Issues
- Medicaid & Health Care Programs
- Social Security Programs

# TANF Cash Benefits

- Check your state's laws to see if they have special benefits such as:
  - Immediate need
  - Expedited aid
  - Housing assistance
- Verification & identification rules should be relaxed
- Can get both TANF & FEMA benefits
- FEMA doesn't count against TANF



# TANF (Families) Cash Aid Programs – How to Apply

- Go to a local welfare office
- No picture I.D. should be required
  - Can use a collateral contact – friend, relative, minister – to confirm identity
  - If collateral contact not possible, should be able to self-certify (CMMS press release – Relaxed Eligibility in all Programs (App. “U” of Louisiana State Bar Association Manual available online at [www.lsba.org](http://www.lsba.org)))

# Food Stamps-- Disaster

- United States Department of Agriculture (USDA) has authorized Disaster Food Stamps
- Application deadline in Louisiana was Sept. 29, 2005 by 4:30 in the severely impacted parishes of Orleans, Jefferson, Plaquemines, St. Bernard, and St. Tammy in Louisiana (may be extended).
- Check your state for specific deadlines
- May need further extensions

# What are Disaster Food Stamps?

- Program for new and ongoing FS recipients
- Can be eligible even if over the usual income or resource limits
- Get one month of additional benefits up to maximum for your household size
- Added to existing recipients EBT card
- New—must apply
- Can use stamps to buy hot (prepared) food

# Disaster Food Stamps – Relaxed Rules for FS Applicants

- Can be eligible even if over the usual income or resource limits
- People who may be eligible include those who, due to Hurricane Katrina:
  - Lost a job
  - Lost income/wages
  - Had damage to their homes
- Have no access to their bank accounts

# Disaster Food Stamps – How to Apply

- Go to a local welfare office
- No picture I.D. required
  - Can use a collateral contact – friend, relative, minister – to confirm identity
  - If collateral contact not possible, should be able to self-certify (See: App. U of LSBA manual)
- For More Information Call:
  - Louisiana: 888-524-3578 or 866-334-8304
  - Mississippi: 800-948-3050
  - Alabama: 334-242-1700

# Replacement Food Stamps

- Replacement stamps can be authorized if:
  - Usual means of commercial distribution is disrupted
  - Means of distribution has been restored
- Money to replace lost food due to disruption in power, etc.
- Unclear if authorized/an advocacy issue.

# New Food Stamp Applicants— Expedited Benefits

- People newly eligible for FS
- Eligible for "expedited" help – within 7 calendar days of application
- Also available for evacuees in areas where Disaster Food Stamps not authorized

# Special Food Stamp Rules for Evacuees

- Evacuees can be their own household, separate from people they live with
- Usual work/workfare requirements waived
- Get up to 4 months of money, then may be able to transition to regular food stamps
- Can use stamps to buy hot (prepared) food



# How to Apply for Food Stamps

- Go to a local welfare office
- No picture I.D. required
  - Can use a collateral contact – friend, relative, minister – to confirm identity
  - If collateral contact not possible, should be able to self-certify
- For information call
  - Louisiana: 888-524-3578
  - Mississippi: 800-948-3050
  - Alabama: 334-242-1700

# WIC Benefits

- In addition to food stamps & other food programs
- For low-income pregnant or postpartum women, women who are breastfeeding, children up to the age of 5
- Gives food coupons,
  - counseling, breastfeeding support, and referrals to health care
- New applicants can self-certify identity, residence, income

# WIC Benefits

- People already getting WIC should call their state welfare department or “211” for information on how and where to use their WIC vouchers
- New applicants should call
  - Louisiana: 800-251-2229
  - Mississippi: (800) 545-6747 or (601) 576-7100
  - Alabama: (800) 654-1385 (Healthy Beginnings)
  - Texas: 211 Toll-free

# EBT Cards & problems

- EBT is a debit card used for benefits
- Problems using EBT card?
  - Call (866) 334-8304 or (888) 997-1117
- Lost EBT card?
  - Go to any welfare office and ask for a new one. Do not need picture ID – provide name, SSN, DOB
- **Can also call:**
  - Louisiana (866) 334-8304
  - Mississippi:(866) 449-9488
  - Alabama: (866) 465-2285

# Social Security Benefits

- Ongoing monthly payments
- Survivor's Benefits
- Death Benefit
- Supplemental Security Income (SSI)

# SSA – Ongoing Monthly Payments

- People on benefits pre-Katrina should receive their monthly payments
- **Paper checks:** If mail suspended, can pick up from USPS with a picture ID. Can also go to SSA office and request an "immediate payment"
- **Direct deposit:** Should work as normal. If problems, go to SSA office and request an "immediate payment"
- To find open SSA offices or for more information, call (800) 772-1213

# SSA - Survivor's Benefits

- For the family of deceased insured workers
- Worker must have had at least 40 earnings credits (10 years of work)
- Available only to certain family members
- Amount of benefits depends on earnings of deceased workers

# SSA Survivor's Benefits – Eligible Family Members

- Widow/widower (full benefits at 65, reduced benefits at 60, if disabled, start at 50)
- Widow/widower of any age, if caring for worker's child (child must be under 16 or disabled and receiving SS adult child benefits on worker's record)
- Unmarried children under 18 (19 if school full-time), or children of any age if disabled before age 22 and still disabled
- Parents, if age 62 or older and dependent on the worker for support at time of death



# SSA – Death Benefits

- Lump sum benefit of \$255
- Payable upon death of a person who is insured
- Goes to spouse living with worker at time of death or eligible for benefits on worker's record
- Goes to surviving children if no spouse entitled, if child eligible for benefits on worker's record
- If no eligible spouse or child, not paid
- Call (800) 772-1213

# Supplemental Security Income

- Cash income to
  - People 65+, blind, or disabled
  - With limited income & resources
- Must be USC, LPR (some exceptions)
- Do not have to have worked at all
- Start application by calling (800) 772-1213

## SSI - Disability

- Physical or mental impairment (or combination of impairments)
- Lasts at least 12 months, or until death
- Prevents "substantial gainful employment"
- Determination can take a very long time (average of 26 months), need to submit detailed medical records

# SSI – Emergency Advance Payments

- For SSI applicants only, not recipients
- If financial emergency
- For applicant found eligible without complete paperwork, or very likely to be eligible
- Request Emergency Advance Payment (EAP)

# Disaster Medicaid & Health Care

- Publicly funded health centers can provide care
- Person may now qualify for one of the State's medicaid programs
- Federal government has announced relaxed verification for Katrina victims (see Appendix U of LSBA manual, [www.lsba.org](http://www.lsba.org))
- Paper certification is used—not a card—take paper to each provider
- Uninsured may still get medical care at health centers, clinics, etc. Call 1-888-524-3578.

# Louisiana Medicaid

- Prior approval is not necessary for hospitalization or dentistry for Katrina victims
- For all other services must get prior approval
  - If a service was granted in the past (e.g. wheelchair, rehab. services ) should approve with no additional verification
  - State says making decision on approval within 24 hours
  - Contact David Williams if you have a problem with prior approval at: [pdwlaw@ix.netcom.com](mailto:pdwlaw@ix.netcom.com)
- Check your state's website

## Other programs

- Victims of Violent Crimes
- Workers Compensation
- Tax Relief --see LSBA manual
  - Federal—[www.irs.gov](http://www.irs.gov)
  - State—Check your state
- Mental Health Counseling Crisis Line:  
1-800-273-8255

# FEMA Advocacy Issues— Short Term

- Add Mortgage Assistance to benefits for Katrina
- Eliminate Spilt Households Rule—people are being denied housing even though are now split up (see slides # 23-24)
- Application form is problematic:
  - on line does not have space for “do not know”—e.g. lost car-- must say yes or no, but may not know yet
  - Person may not have a new address, uses old one, then denied because not an evacuee
  - Being told can't later correct application
  - Only taking applications on line and phone only is problematic for disabled & elderly e.g. nursing home residents
- Summary Denial for SBA—Low-income need it.
- Ensure **at least** 18 months of Rental Assistance
- Flood Bar



# FEMA Advocacy Issues— Short Term

- Expanded Eligibility for Medicaid
- Extend Disaster Food Stamps & DUA Deadlines
- Ensure Relaxed Verification for All Programs
- Reform DUA—increase benefits; make it the primary source not the states' UIB
- Ensure Access to new Good Job Skills Training for Low-Income clients
- Protect Clean Up Workers from Toxics

# FEMA Advocacy Issues— Long Term

- Mobile Homes in Appropriate Circumstances
  - Avoid “tent cities”
- Housing Stock --Replacement of Lost Units
- Use of Section 8
- Right of Return
- Increased Job Skills Training Opportunities for participants
- Design of “New” New Orleans & other areas
- Money for Non-Profits for damage & to replace Lost Offices

# Replacing lost documents

- Driver's License
- Birth certificates
- Immigration documents
- Passports

# Replacing Louisiana Driver's Licenses

- Contact Louisiana Department of Motor Vehicles
- Louisiana DMV retains all of its driver's license and identification card photos in a databank
  - fill out an application on line and the DMV will compare their signatures electronically for verification
  - takes approximately 72 hours
- <http://www.expresslane.org>

# Replacing Alabama & Mississippi Driver's Licenses

- For Alabama fill out an application for a renewal or duplicate license for Alabama drivers temporarily out of state.
  - <http://www.dps.state.al.us/public/driverlicense/forms/renewal/RenewalDuplicate.pdf>
- For Mississippi write to 1900 E. Woodrow Wilson, Jackson, MS 39216 for replacement license
  - <http://www.dps.state.ms.us/>
  - For locations of other offices-  
<http://www.dps.state.ms.us/dpss/dps.nsf/divpages/hp2drivermap?opendocument>

# Replacing birth certificates

- Need to call the Office of Vital Records for home state
  - Alabama: (343) 206-5418
  - Louisiana: (225) 922-2012
  - Mississippi: (601) 576-6876

# Immigration Documents

- IMPORTANT – advise that immigration office will verify the identity and immigration status before issuing any documents.
- If person has criminal record problems or immigration-related violations,
  - REFER TO EXPERIENCED IMMIGRATION ATTORNEY for help BEFORE contacting immigration services.

# Immigration Documents

- Permanent resident card
  - Ask for form I-90
- Re-Entry permit refugee travel document
  - Ask for form I-131
- Employment Authorization document
  - Ask for form I-765
  - **IMPORTANT** – for a limited time, employers can hire hurricane victims who can work but do not have verification without penalties from the federal government. Employers may not know about this



# Insurance & FEMA

- Use Insurance proceeds first, SBA, then grant from FEMA
- Companies denying claims due to no flood coverage
- Insurance Commissioner in Louisiana is fighting “no flood” clauses—arguing that the damage is result of Hurricane
- Some companies in Louisiana are forcing people to sign a statement that they got “flood money” from FEMA (to avoid paying them)
  - Injunction issued in Louisiana to stop this practice.

# Louisiana Insurance Protections

Governor Blanco has declared that:

- health and homeowner policy holders cannot be denied insurance coverage due to nonpayment of premiums through a state of emergency period
- This state of emergency was due to end around 9-25-05.
- The governor is expected to extend the period of the emergency

# Insurance Resources

- Louisiana Dept. of Insurance:  
[www.lidi.la.gov/hurricankatrina](http://www.lidi.la.gov/hurricankatrina),  
(225) 342-5900
- Mississippi Dept. of Insurance:  
[www.doi.state.ms.us](http://www.doi.state.ms.us), (601) 359-2453
- Alabama Dept. of Insurance: [www.aldoi.gov](http://www.aldoi.gov),  
(334) 241-4141

# FEMA & Disaster Benefits—Web based Resources

- [WWW.ProBono.net](http://WWW.ProBono.net)
- Louisiana Star Bar Association Manual available at [www.LSBA.org](http://www.LSBA.org)
- Florida Bar Foundation Manual on Disaster Legal Assistance [www.povertylaw.org](http://www.povertylaw.org)
- New National List Serves:
  - [www.katrinalegalaid.org](http://www.katrinalegalaid.org)
  - [www.femaanswers.org](http://www.femaanswers.org)

# FEMA and Disaster Benefits After Hurricane Katrina—Presenters

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