State Public Assistance Legislation, 1953

by JULES H. BERMAN and GEORGE J. BLAETUS*

Nearly all States met in legislative sessions during 1953 and considered proposals affecting the public assistance programs. The legislation that they adopted reveals the attitudes and interests of the State legislatures with respect to public assistance. As in earlier years, the Bulletin presents a summary of the legistion enacted.

PUBLIC assistance legislation enacted by the States is seldom in one identifiable pattern. Each year, some laws are adopted that broaden and liberalize certain aspects of the public assistance programs, while others restrict or more closely limit the programs' scope. Often legislation of both types will be enacted in the same State. In recent years the State legislatures have been concerned with the cost of the public assistance programs and some have enacted legislation designed to reduce such costs. That trend was also noticeable in 1953. Legislation was enacted that redefined the conditions of eligibility in some States in a way that makes such conditions more precise and sometimes more exacting. Legislatures also continued to tighten State laws with respect to relatives' responsibility and to recovering from the resources of recipients the cost of the assistance that they have received. As may be expected, a more liberal attitude prevailed in some States than in others.

The information contained in this summary is based on the various reports and documents that have been sent to the Bureau of Public Assistance in Washington by the States and by Bureau staff located in the regional offices of the Department of Health, Education, and Welfare. A summary of State legislation enacted cannot be presumed to be complete until many months after the last of the legislatures have adjourned. This report summarizes the legislation on which information was received through October 1953. In no State were the changes of such scope as to affect the basic purpose of the public assistance programs.

New Programs

With the enactment in Connecticut, Florida, Minnesota, and Tennessee of legislation authorizing Federal-State programs of aid to the permanently and totally disabled, there are, as of the end of 1953, 43 States that have such programs or legislation authorizing them. The year also saw, for the first time, State-Federal programs of aid to the blind in all the States and Territories, as Nevada established a program to be operated under the Social Security Act.

The legislation for the disabled in Connecticut defines a permanently and totally disabled person as "a person who by reason of a major defect or infirmity of mind or body, whether congenital or acquired by accident, injury or disease is, or reasonably appears to be, permanently incapacitated to a degree that prevents him and will continue to prevent him from working in any gainful occupation or from performing his usual activities and responsibilities in the care of his home."

The program established in Minnesota limits assistance to persons so totally and permanently disabled as to need constant and continuous care. The maximum on the assistance payment, plus income, is $60. Florida legislation defines permanent and total disability in general terms.

In addition to laws establishing new programs, legislation was passed by two States (Vermont and West Virginia) that specifically provides for a program of assistance to the needy disabled, although both States had been operating programs under the Social Security Act on the basis of other legislation. The legislation in West Virginia specifies that the definition of a permanently and totally disabled person is to be promulgated by the State agency but states that no person shall be included as permanently and totally disabled with respect to whom Federal matching funds would not be available under the terms of the Social Security Act.

Determination of Need and of the Amount of Assistance

Legislation enacted in 1953 concerning the determination of need and of the amount of assistance was considerably less than in other years. Several States passed laws relating to the establishment of a standard against which the recipient's individual needs are to be measured. The Connecticut Legislature directed the State welfare department to revise, after considerable study, the standards of assistance for all programs on a semiannual basis. The State agency in Washington was directed to make annual pricing studies and to change budget allowances as indicated each June 1.

The Florida Legislature determined that, in arriving at the amount of assistance an individual is to receive, the State welfare department should not consider the benefits derived from livestock and garden produce that are used only for consumption by the applicant and his family. The welfare department was also directed to increase by 5 percent the assistance standards in aid to the blind for food, clothing, and personal incidentals. For old-age assistance and aid to the blind, the legislature changed the clause in the law that establishes the relationship between the standards of assistance and the cost of living.

The Ohio Legislature directed the Division of the Aged to review standards annually and to adjust them in accordance with living costs. Utah removed from its law the specific

* Division of Program Standards and Development, Bureau of Public Assistance.

reference to the assistance standard providing a minimum standard of living compatible with health and well-being.

Several States enacted legislation to permit the first $50 of earned income to be disregarded in the program of aid to the blind, as required by a 1950 amendment to the Social Security Act, which became effective July 1, 1952. A few States, including Idaho, Indiana, New Mexico, and West Virginia, which had delayed legislative action, complied with the Federal requirements by administrative action. In addition, Arkansas, Kansas, Tennessee, and Wisconsin enacted legislation resulting from the Social Security Act Amendments of 1952. The States are required not only to disregard, as before, the first $50 of earned income of a blind recipient, but also by July 1, 1954, to disregard this income of the blind recipient in determining the needs of any other individual who is receiving any of the forms of assistance in which the Federal Government participates financially.

Colorado, Missouri, Nebraska, and Oregon enacted legislation with respect to disregarding income in programs other than aid to the blind. In Colorado a constitutional amendment is to be voted upon at the next general election to permit income to be disregarded in old-age assistance. The proposal would make the legislation inoperative if the Federal law does not permit such disregarding of income in an approved assistance plan.

Under legislation adopted in Missouri, the State welfare department is to disregard whatever earned income is permitted under Federal legislation for old-age assistance, aid to dependent children, and aid to the permanently and totally disabled. Nebraska adopted a similar provision for old-age assistance.

The legislatures of five States—California, New Mexico, Oregon, Washington, and Wisconsin—adopted resolutions recommending to Congress that the Federal law be changed to permit the States to disregard income of assistance recipients in programs other than aid to the blind without loss of Federal funds.

Two States were concerned about the process of investigating the need of an individual applying for assistance. Connecticut legislation gives the commissioner of welfare authority to require the attendance and testimony of employers who refuse to disclose information on wages paid. A penalty is imposed for failure to comply. Vermont provided authority for the State welfare department to obtain information from banks and other organizations concerning the resources of assistance recipients.

In Pennsylvania an amendment to the unemployment insurance law provides that the State agency administering that program shall, on notification by the State welfare department, forward to the welfare department benefit checks equal to the amount of public assistance paid to an individual for necessities furnished him, his spouse, or his dependents during the time he was unemployed and eligible for unemployment insurance benefits.

Eligibility Factors

Residence requirements. — In 12 States legislation was enacted that affects the length of time an individual must reside in the State in order to receive aid. Connecticut imposed a residence requirement in aid to dependent children for the first time. In Minnesota and California the legislation tends to liberalize existing requirements. In Minnesota, residence may be waived for a dependent child moving to the State from another State that has no residence requirements. In California, residence requirements for aid to the partially self-supporting blind — a program operated without Federal financial participation — were modified to make it correspond more closely with the program for the blind that is operated with Federal help.

Illinois, New Jersey, and Utah were concerned with assistance being given to persons living outside the State. In Utah the limitation on the amount of money that may be used to pay assistance to persons living outside the State was changed from $2,000 a month ($50,000 a biennium) to ½ percent of the total public assistance appropriation. Illinois put current State policy into law when it adopted legislation specifying that persons absent from the State for 12 months or longer are presumed to have given up their Illinois residence unless they prove otherwise. Under New Jersey legislation, recipients of old-age assistance and aid to the permanently and totally disabled who reside outside the State are to have their assistance payment discontinued as they acquire eligibility with respect to residence for any form of public assistance in the other State.

Delaware and Rhode Island provided for certain reciprocity between themselves and other States. Under Delaware legislation, residence requirements may be waived or altered by cooperative agreement with other States to facilitate the transfer of recipients moving between Delaware and the cooperating State. The Rhode Island agency received authority to enter into reciprocal agreements with other States regarding assistance being paid to persons leaving Rhode Island.

Residence requirements in Illinois were tightened; persons who have moved into the State within the 5 years before their application are not to be considered eligible unless they have resided in Illinois for a period equal to that required under the law of the State from which the individual came. In no case, however, can the individual receive assistance unless he has resided in Illinois for 1 year. Formerly, Illinois had a 1-year residence requirement for old-age assistance. Legislation enacted in Pennsylvania also tightens residence requirements and narrows the authority of the State agency to assist persons without State residence.

Wisconsin enacted legislation to deal with an intrastate problem. If a person eligible to receive assistance moves from one county to another in order to become a resident in a private or public institution or home, although he continues to be eligible for assistance while residing therein, he must receive such assistance from the county from which he moved. For some time, under Wisconsin law, certain individuals have been eligible to receive assistance while inmates of public institutions, although under the Social Security Act the Federal Government may not share in the assistance payment to such inmates.

Property limitations.—Many States define the coverage of their assistance programs by specifying the amount of real and personal property an individual may possess and yet be eligible for assistance. Some State laws specify the actual dollar amounts, and, because of changes in the value of the dollar, revisions of the figures are sometimes necessary. In 1953 a number of States enacted legislation that specifies the amount of property an applicant for assistance may hold and still be designated as needy.

In Wyoming, old-age assistance recipients may have $500 in money, bonds, and securities and be eligible for assistance; formerly, the amount was $150. The law retains $400 as the cash-surrender value of insurance that may be held by recipients, and for two people in the same household the amount is $600. The law also specifies that a maximum of $150 ($300 for two eligible persons) may be held in chattels. Real property, other than a home, with a sales value of $150 may also be retained. Michigan exempts from the limit of $500 on intangible personal property ($750 for married recipients) farm stock and implements worth up to $750.

The Missouri Legislature raised from $1,500 to $1,800 the limitation on income that an eligible individual may have and still receive aid to the blind. The Missouri program operates under a special provision [1] of the 1950 amendments to the Federal law, under which the income and resources clause relates only to Federal participation in individual payments rather than to plan conformity.

A Missouri law enacted earlier had set a limit of $500 on the amount of cash and securities that an individual may hold and be eligible for public assistance (other than aid to the blind). The legislature in 1953 raised to $1,000 the amount that married couples may hold. In the program of aid to dependent children, the $1,000 limit applies to children and parents but not to relatives other than the parents. The total value of all property that may be held by assistance recipients was set uniformly at $5,000 in all programs except aid to the blind. The former maximum in old-age assistance was $3,750, in general relief $7,500, and in aid to the permanently and totally disabled $2,000 for a couple and $1,500 for an individual.

The Washington Legislature, which also enacted a recovery provision, deleted from the law the former $8,000 limit on the value of a home that an individual may own and still receive old-age assistance. The law also provides that an aged person may hold as much as $200 in cash and insurance with a cash-surrender value up to $500; the combined value of both may not exceed $500. The law specifies that a recipient may also own an automobile, but the State welfare department is ordered to place a maximum on the combined value of the automobile, cash, and insurance.

Minnesota exempted life insurance with a cash-surrender value not exceeding $500 (formerly $300) from the limitation on the amount of property a recipient may hold. A trailer used as a home was also exempted from the personal property limitations in old-age assistance and aid to the blind. In addition, in aid to dependent children a limitation of $7,500 was placed on the net value of a homestead, with some exceptions. The personal property limitation is raised to $500 when there is more than one child in the family.

The Utah Legislature decided that only personal property and life insurance in excess of a specified amount may be disregarded in granting temporary assistance. Formerly, the law gave the State department the authority to grant assistance without regard to real property held, as well as the other forms of property mentioned above.

Ohio raised from $720 to $960 a year the maximum on the income, exclusive of assistance, that recipients of old-age assistance may have. The new law also establishes a limitation on the amount of property an applicant may own. An applicant may have a homestead, regardless of value; a total of $500 in cash and liquid assets for emergency use; and tangible personal property, of reasonable value, in actual use.

The Wisconsin Legislature deleted a provision that old-age assistance may not be granted to an individual if the value of his property (or the combined value of the property of a husband and wife living together) exceeds $5,000. Under a new provision, old-age assistance may be granted only to a person who owns no more than the following—a homestead, regardless of value, or a house trailer actually used as a home; tangible personal property of reasonable value and in actual use; and $500 in liquid assets. The law specifies that, of the amount in liquid assets, $300 shall be transferred to the local agency to provide funds for funeral expenses and any remaining amount held by the recipient for his use in an emergency. Cash or loan values of life insurance policies are considered as liquid assets, but if they are not within the limit stated the local agency may authorize the recipient to retain the policy, provided that he designates the county as an assignee.

Transfer of property.—The States continued in 1953 to show interest in provisions designed to discourage individuals from transferring property so that they may become eligible for assistance and to penalize those who do. In an effort to set up objective criteria for determining when transfers were made with that purpose in mind, many States have established a specific time period within which, if an applicant had transferred property, he must establish the fact that the transfer was not for the purpose of making himself eligible.

This year, Montana and Missouri enacted new transfer provisions. Both States deny aid to applicants for old-age assistance, aid to the blind, and aid to the disabled who, within 5 years of the application, have transferred property without adequate compensation.

Six States changed their provisions. Utah increased from 5 years to 10 the period during which property of an applicant must have been transferred for a reasonable and valid consideration. The Colorado old-age assistance law formerly read that any transfer of property before application must have been made for a valid consideration; the law now specifies a time limit of 5 years before application within which a transfer of prop-

[1] Public Law 734, section 344, 81st Congress, 2nd session.

erty must be studied against the criterion of valid consideration.

Florida reduced from 3 years to 2 the time during which, if it can be shown that an individual transferred property for purpose of qualifying for assistance, he may not receive such aid. Illinois strengthened its law in various ways, including an enumeration of what will be considered prima facie evidence of fraud in the transfer of property. Wisconsin made more specific its provision that any transfer of property within 2 years before the application without adequate compensation shall, unless shown to the contrary, be presumed to have been in contemplation of assistance. West Virginia deleted the provision that an applicant for aid to the blind must be shown not to have made an assignment or transfer of property for purposes of qualifying for aid.

Other requirements.—A few laws were enacted that change the various eligibility requirements specified in State laws, including in eight States [2] requirements for receipt of aid to dependent children.

Arkansas legislation requires the counties to certify to the prosecuting attorney all cases of aid to dependent children in which eligibility is based on a parent's desertion, abandonment, or willful neglect. Once a year the county must send to the grand jury a list of cases referred to the prosecutor on which no action has been taken. A further change made in the law specifies that, when eligibility for aid to dependent children is based on the parent's incapacity, the State agency may require proof of incapacity by competent medical authority. Previously the law had specified that the certification must be made by two physicians. The Arkansas law also resolves a conflict by making it clear that children aged 16–18 may receive assistance if they are in school.

Connecticut confirmed previous administrative action by requiring, as stipulated in the 1950 amendments to the Social Security Act, that the State agency must report to the appropriate law-enforcement officials the names of children who receive assistance because of desertion or abandonment. Under Missouri legislation, the school-attendance requirement becomes effective for children aged 6 (rather than 7, as before), and assistance may be provided for children aged 16–18 who are permanently and totally disabled. In Minnesota, if eligibility is to be established on the basis of a parent's absence, the parent must be away from the home 3 months (formerly 1 month). The Texas Legislature is proposing that the people vote at the next election on a proposal to permit authorization of assistance to needy children under age 16; assistance is now limited to children under age 14.

Legislation in Oklahoma provides that, when deprivation of parental support is due to physical incapacity, the name of the incapacitated parent shall be furnished to the State vocational rehabilitation agency. If the father refuses to be examined by that agency, or if he refuses to undertake the program of rehabilitation that it proposes, the children are to be removed from the rolls. The law provides, however, that the State welfare department shall not remove any child from the assistance rolls if such action would work an undue hardship on him. In California, any parent who is available for employment and is physically able to work must register for employment at the nearest public employment office.

Legislation in New Hampshire provides that assistance shall not be granted to anyone who has refused to accept available employment. The law deletes the provision that assistance may not be granted to anyone who is in need of continuing institutional care because of his physical or mental condition. In New Jersey, old-age assistance and aid to the permanently and totally disabled are to be denied to persons living in public or private institutions unless such institutions are inspected and approved by the Department of Institutions and Agencies. The Colorado Legislature deleted from the old-age assistance law the provision denying assistance to individuals who need continuing institutional care. The State also modified its eligibility requirement of citizenship for old-age assistance when it provided an alternative of residence in the United States for at least 35 years. Alaska and Connecticut abolished the citizenship requirement for old-age assistance.

Liens and Recoveries

In recent years many State legislatures, with the objective of saving funds, have enacted laws to recover from the property of recipients the amount of assistance paid. The legislative activity in this area was about the same in 1953 as in 1951.

Connecticut, Montana, and Washington enacted new legislation providing for recoveries or enlarged significantly the scope of provisions already on the books. In Montana, recovery provisions that had been applicable only to old-age assistance were extended to aid to the blind and aid to the permanently and totally disabled. All assistance received after July 1, 1953, constitutes an obligation that is to be secured by a lien on real property. Recipients, on application, are required to sign a statement agreeing to recovery by the State. The law prohibits a foreclosure of property occupied as a home during the lifetime of recipients, except when assistance was received as a result of fraud, but the legislature specified that the law is to be administered so that individuals will be safeguarded from losing their property without adequate compensation.

Connecticut extended its recovery provisions to apply to aid to dependent children. The legislation states that the parents of a child receiving aid are conclusively presumed to have accepted the provisions for recovery of assistance granted.

The State of Washington enacted a limited recovery provision in old-age assistance. Recovery is to be made after a recipient and his spouse have died and after minor children become of age. The law specifies that if the heirs can prove to the probate court that they could not support the recipient during his lifetime, recovery is not to be made.

Four States tightened their recovery provisions. In Utah the law requires that reimbursement be obtained from the spouse and other dependents participating in the grant to an old-age assistance recipient. The law also replaces the complex

[2] Arkansas, California, Connecticut, Minnesota, Missouri, Oklahoma, Texas, and West Virginia.

former exemptions with a simple provision specifying that recovery is not to be made if the property is valued at less than $1,000. The State is required to take a lien against any real property of the spouse of an old-age recipient.

In Illinois, when an individual recovers money as a personal injury award, the State can collect for assistance given the dependents of the injured person as well as the individual himself. Under North Dakota legislation, the statute of limitations is not to run against claims of the State for repayment of old-age assistance and aid to the permanently and totally disabled. South Dakota amended its law providing for recovery for assistance granted the needy aged to give the State a lien on all real property, including joint tenancy and the homestead interest of a recipient. Previously, this type of property had been exempt from the operation of the lien. The lien is not to be enforced during the lifetime of the recipient while the property is occupied as a homestead or occupied by the surviving spouse or minor children.

Four States relaxed their recovery provisions. Minnesota legislation, which had provided that under certain conditions liens may be released for the benefit of the recipient's children, was modified to permit their release for the benefit of grandchildren. A Pennsylvania law, applicable to all programs, was amended by adding a provision that limits the collections on assigned liens to an amount no greater than the amount the assignee paid for the assignment. The Ohio Legislature changed the recovery provisions applicable to old-age assistance to specify that a lien is to be taken only when there is specific real property. Formerly, a blanket lien was registered with respect to all recipients, including those who held no real property. The State will continue to have a claim against all real or personal property left by a deceased recipient, whether or not a lien has been filed. The Tennessee Legislature repealed the provision, formerly applicable in the programs of assistance to the needy aged and blind, for a claim against the estates of deceased recipients. Existing claims are not affected by the repeal.

Few States in 1953 added provisions regarding fraud. Arkansas now provides that false answers to questions on applications constitute fraud, and that anyone who withholds information is also guilty of fraud. The State is authorized to recover for assistance fraudulently granted. Legislation in Ohio, which provides that certain information about assistance recipients be made available to county committees, specifies that the county committees are to examine the information available to determine if assistance is being granted fraudulently. Oklahoma's provisions relating to the concealment of resources have been expanded and clarified. Connecticut legislation had provided that a recipient who receives property in excess of $100 must report it; under the 1953 amendment, wages, income, or other resources that aggregate $100 a year must be reported within 15 days of receipt.

Maximums

A number of States enacted legislation in 1953 changing the statutory maximums on the amount of assistance payments that may be made by the State welfare department. Some of this legislation undoubtedly was encouraged by the Social Security Act Amendments of 1952, which increased for 2 years the maximum on the assistance payments in which the Federal Government can participate financially. Many of the States that set a statutory maximum on payments had already changed from a specific dollar maximum to one related to the Federal matching maximums and so found it unnecessary to change their provisions.

In 1953, nine States changed the maximum in old-age assistance. They include Minnesota, which raised the maximum to $75 for a recipient living in a boarding home operated by someone who is not a relative; Florida, which raised its maximum from $50 to $60 a month; Maine and Vermont, from $50 to $55; Nebraska and Ohio, from $60 to $65 a month; and Alaska, from $80 to $90 a month. The Illinois Legislature voted to raise the maximum from $65 to $75 but later, by enacting another bill, kept the maximum at $65.

Tennessee deleted its maximum of $50 and tied the maximum to that specified in the Federal law. New Mexico changed the amount that may be paid with respect to the spouse of an old-age assistance recipient. The amount previously could not exceed $40 a month; now, when added to other income, it shall not be less than $30 a month.

Five States enacted legislation relating to maximum payments in aid to dependent children. Tennessee deleted the maximums of $24 for the first child and $15 for each additional child and specified that the maximum is to be that specified in the Federal law. Nebraska established maximums of $85 a month for the first child, $15 for each of the next three children in the family, and $10 a month for each additional child. Missouri legislation makes it possible to pay up to $30 a month to a mother or other person caring for a dependent child. West Virginia made various changes in its laws to reflect the Social Security Act Amendments of 1950, under which Federal financial participation is available in payments for the needs of the relative with whom the children live.

In aid to the blind, nine States changed the maximums on assistance payments. The maximum amount was raised in Maine from $50 to $55 a month, in Alaska from $80 to $100, and in Delaware from $60 to $85. Missouri increased its maximum from $50 to $55 in both the State-Federal program and in the blind pension program operated without Federal participation. Tennessee deleted the maximum from the law and made the Federal matching maximum applicable. Florida clarified its provisions so as to increase the maximum to $55 a month.

Indiana, which formerly paid a maximum of $55 a month, plus necessary medical expenses, now pays as much as $95, plus necessary medical expenses. The $50 maximum in the North Carolina law was deleted. Wisconsin changed its law so that the assistance paid shall not exceed $75 a month; the maximum was formerly limited to twice the maximum amount of Federal reimbursement.

The maximum for aid to the permanently and totally disabled was increased in Vermont to $55 a month.

Maine specified that the maximums set in the programs for the aged and for the blind may be altered when the Federal matching maximum changes, but the Governor and the public welfare council must give their approval. The West Virginia maximum for all programs was changed to permit adaptation to changes in the Federal formula. Utah raised from $60 to $65 a month for one person the maximum on need, which under 1951 legislation is adjusted periodically to the cost-of-living index, and deleted the provision that the State welfare department is to review once a month hardship cases that receive payment in excess of the maximum.

Relatives' Responsibility

The State legislatures in 1953 continued their interest in laws relating to the responsibility of relatives to support dependent persons. In a few States, comprehensive bills were enacted; in many others the legislation tightens, clarifies, and makes more specific existing provisions.

In Montana a law was enacted providing that there must be a determination of the ability of a husband, wife, father, mother, son, or daughter to support a recipient of assistance; assistance is not to be denied or reduced because of the relative's failure to contribute. The State department may require statements under oath regarding the ability of relatives to support and may use State income tax and real estate data in making its determination. The law contains a scale showing how much money relatives in specified circumstances are to contribute, though less may be accepted by the department under special circumstances. A penalty provision is included. The law also provides that the dependent or the State may go to court to obtain support for the dependent person. The poor law provisions on support are repealed by this legislation.

Florida's new law establishing a program of aid to the permanently and totally disabled requires that legally responsible relatives support their dependent kin. Such a provision is not now in the laws governing the other three assistance programs.

Arkansas legislation deletes from the law the responsibility of brothers and sisters to support each other. Illinois added to the list of responsible relatives anyone representing himself as a spouse; the State does not now recognize common-law marriages.

State concern over the enforcement of the support law is indicated by the number of laws enacted in this area. Arkansas legislation deletes a provision that the prosecuting attorney may file suit against relatives able to support who refuse to do so, and it outlines the procedure to be taken by the client when a relative refuses to make the contributions that it has been determined he can provide. The same legislation provides that, in the determination of ability to support, the relative may have a fair hearing and may appeal to the local courts the decision made by the welfare department. The law sets up machinery to enable a recipient or applicant to sue a relative who refuses information on his resources. Such a suit must be filed before an application in these circumstances can be accepted. In a similar vein, Connecticut legislation gives the State commissioner authority to compel attendance and testimony of a responsible relative in order to determine his ability to support.

The prosecuting officials in Missouri may now compel support from the father of an illegitimate child, whether or not he has custody of the child. In Illinois, if the State's attorney in a county fails or refuses to act to obtain from the courts enforcement of a relative's responsibility to support, the public aid commission may act with respect to relatives of persons receiving categorical assistance. Action may be started by or in behalf of a person who needs support even if he is not receiving aid. A revision of the relatives' contribution scale in Oregon has the effect of decreasing the responsibility of relatives with low incomes, especially those with other dependents. An additional procedure was set up to facilitate legal action by the agency to enforce provisions of the law in certain cases.

Legislation in Rhode Island enables the State to seek support from relatives living outside the State. Pennsylvania passed a civil procedural support law to provide for enforcing support of dependents by authorizing the attachment of property and earnings. The law also confers powers and imposes duties on the courts, district attorneys, and probation officers with respect to enforcement of the statute.

Wisconsin revised its procedures for enforcing support by legally responsible relatives. The amended statute provides that, on failure of relatives to support, the authorities shall submit a report of their findings to the district attorney; within 90 days, he shall apply to the court for an order to compel maintenance and thereafter shall report in writing to the county welfare agency, the county board chairman, and the department. Formerly the authorities could apply to the county judge for such an order. Idaho legislation provides more stringent penalties than in the past for desertion and nonsupport of wives and children, while Wyoming provides for enforcing support for the care of minor children.

Legislation in Arkansas defines a dependent child as one whose legally liable relatives are unable to provide adequate care and support without assistance. Michigan amended the State poor law by including a new definition of "poor person" and a new classification of relatives who are responsible. The legislation deleted the $20 weekly maximum limitation on support from children. Minnesota legislation strengthened and clarified the relatives' responsibility provisions. Assistance may not be paid in Iowa until the county department certifies that cooperation with appropriate law-enforcement officials has been established. The Vermont Legislature gave the commissioner of social welfare the same authority to require support of dependent children by parents and the support of dependent parents by children (if they are able) as has hitherto been assigned to the local overseers of the poor.

California legislation clarifies the statutory income-scale provisions by adding definitions of "net income" and of income of married daughters to be considered in determining ability to contribute. Other legislation amends the procedure for investigating the liability to support under the relatives' contribution scale; a finding of liability may be made by agents of the board, with the board of supervisors retaining responsibility for referral to the district attorney of responsible relatives in default of required payments.

In recent years, many legislatures have enacted laws relating to reciprocal interstate enforcement of support orders. Such legislation has been recommended by the Council of State Governments. Since nearly all States now have such laws, this year's legislative activity was related mainly to their amendment. Idaho, Illinois, Maine, Maryland, Michigan, New York, Pennsylvania, Vermont, Wisconsin, and Wyoming amended their laws, while legislation was enacted for the first time by Alaska, Arizona, and Florida. Arkansas, Michigan, and Texas named the department of public welfare as the point of contact on out-of-State inquiries under the reciprocal support legislation. The law in Michigan was further amended to name the prosecuting attorney to represent recipients or other needy persons in court actions.

Standard Setting for Institutions

Many of the State laws enacted in 1953 that relate to the establishment and maintenance of standards for institutions can be traced to the 1950 amendments to the Social Security Act. Under the amendments those States whose plans on July 1, 1953, provided for giving assistance to persons in institutions must have a State authority or authorities responsible for establishing and maintaining standards for such institutions. Standard setting for institutions is not a new activity of State government, however, and some States already had adequate legislation on their statute books.

The 1953 legislation tended to be perfecting and clarifying rather than comprehensive in scope. States examined their public assistance plans to see the kinds of institutions in which persons could reside and receive assistance and found in some instances that certain types of institutions were not subject to the existing State standard-setting authority. Other States found it necessary to broaden the scope of the standard-setting authority or make other kinds of changes.

Ten States found it necessary to change their laws defining the authority for establishing and maintaining standards for hospitals and other medical institutions. State health departments were given such authority in California, Connecticut, Illinois, Missouri, Vermont, and Wisconsin. California also specified that the provisions are to be effective only as long as the Social Security Act requires such regulations, and Connecticut established an advisory committee on hospital licensing. Maine strengthened its provisions for fire inspection of hospitals. Ohio provided for establishing and maintaining standards for hospitals and certain other institutions not covered by existing law. Rhode Island established a plan for licensing hospitals and for judicial review and enforcement of decisions. Michigan extended State authority over hospitals by a provision in an appropriation act.

In a similar way, nine States broadened the scope of State authority for the establishment and maintenance of standards for certain kinds of private institutions. Maine legislation strengthens laws relating to the fire inspection of boarding homes. Kansas extended the standard-setting authority to permit religious and fraternal homes to apply for and receive a license. Washington established a plan of inspection and licensing for nursing homes. Florida provided for the establishment of standards for nursing homes but excluded homes for the aged operated by fraternal orders that have been in existence for more than 25 years. Legislation in Vermont concerns nursing and convalescent homes and similar institutions. Arizona enacted a law authorizing the health department to license rest homes. South Dakota legislation provides for extending the licensing law to cover homes for the aged other than nursing homes. New Jersey amendments provide for the establishment of standards for certain private institutions, such as boarding homes and other homes for the aged. Texas legislation amends laws relating to the licensing and regulation of nursing homes by the State department of health.

Laws were also enacted by Colorado, Minnesota, New Mexico, Ohio, Oklahoma, Pennsylvania, and Rhode Island that in a more general way, strengthen and clarify their existing statutes relating to the establishment and maintenance of standards for institutions.

Legislation enacted by the States in compliance with the standard-setting provision of the Social Security Act does not lend itself to classification. In general, the trend seems to be toward giving major authority for the establishment and maintenance of standards to State health departments, although in a few States the authority is shared by or is exclusively in the hands of the State welfare department. Some State statutes, such as Wyoming's, provide for the cooperative development of standards by the health and welfare departments, and in many other States there has been a close working relationship between the two departments in developing the standard-setting regulations.

Disclosure of Information

There has been much interest in the legislation enacted by the States with respect to the disclosure of information about public assistance recipients. State activity stems from the enactment by Congress of section 618 of the Revenue Act of 1951. This law permits the States to make available for public inspection, without the penalty of losing Federal funds, the records of disbursements to public assistance recipients, provided that political or commercial use of the names is prohibited. Since 1951 a number of States have provided for some type of public access to the records of public assistance disbursements, and, as of November 1, 1953, 28 States had enacted such legislation. In 1953, 20 States [3] enacted pertinent legislation.

The basic laws that the States have

[3] Arkansas, Florida, Iowa, Kansas, Michigan, Missouri, Montana, Nebraska, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Washington, and Wisconsin.

enacted follows the pattern of directing local welfare departments to prepare at periodic intervals a list of recipients, with their addresses and the amount of the assistance being received. In some instances the salaries of the public welfare staff are also to be listed. The lists are to be sent to specified local officials or maintained in the local welfare department, where they may be inspected. Uniformly, the legislation prohibits the use of any list or names obtained through such public access for political or commercial purposes.

Some of the legislation varies from the basic pattern. In Utah the information about recipients is available only to resident taxpayers. An individual requesting information must sign a statement to the effect that he is a resident and a taxpayer. The list of recipients in Tennessee is available for inspection to any citizen of the State, but the list may not be copied. The North Carolina provisions specify that disclosure of the names of individual children receiving aid to dependent children or other financial services is not authorized and that information regarding such services shall be made available only in the name of the parent or the responsible relative. The Pennsylvania law authorizes the disclosure of specified public assistance information only on the request of adult residents of the State.

The Arkansas Legislature first provided that information on the names, addresses, and amount of assistance was to be made available twice a year, but later in the session enacted another bill changing the time to monthly and providing that a record must be maintained of the individuals who examine the list. In Michigan, persons who wish to look at the list must sign an application. New York State legislation specifies the local legislative bodies to which the names and addresses of applicants or recipients may be made available. It prohibits the publication of this information or the reporting of it except in appropriating committees of local legislative bodies. Information about the names of recipients and the amounts of assistance may be disclosed only to certain officials, specified in the law.

Washington legislation directs the welfare department to answer negatively or affirmatively questions put to the department on whether a named individual is receiving assistance. Massachusetts permits disclosure of information to officers, boards, and commissions of cities and towns having responsibility for the preparation of annual budgets or for the authorization of assistance payments.

Names and addresses and the amount of assistance received by recipients in Oregon are available on the written request of qualified voters. The records of children in foster homes or other child-caring institutions are specifically excepted in the law. The Texas Legislature adopted a resolution to put to a popular vote in November 1954 a proposed amendment to the State constitution that would permit enactment of laws to make lists of recipients of assistance available for inspection.

Legislation enacted in Oklahoma, permitting public access to the names of assistance recipients, was not put into effect on the advice of the State's attorney general because the legislature failed to include a provision prohibiting the use of information for commercial or political purposes as required by Federal law. The legislation in Ohio that provides for making available the names, addresses, and amounts of payments received by recipients also creates, as a public assistance examining committee, a county committee consisting of the county auditor, the chairman of the board of county commissioners, and the presiding judge of the juvenile court. This group is to meet quarterly to examine the reports of the public assistance agencies, any written information filed with the board, and such other information as may be contained in the records of the public assistance agencies to determine whether public assistance payments have been fraudulently made or received. The law also provides for the establishment in each county of a social service exchange, at which the names of applicants must be registered before assistance is granted, except in emergencies. The legislation extends to general assistance the provisions for the protection of information about recipients that have been in effect for the State-Federal programs.

Medical Care

In 1953, as in past years, many laws were enacted pertaining to the procedures of providing medical care and the methods of financing the cost of such care. The Social Security Act Amendments of 1950 provide that the Federal Government may participate financially, within the established maximums, in the cost of medical care paid on behalf of assistance recipients. Since the enactment of this provision, some States have shown an interest in a plan for financing medical care cost by paying a fixed sum per month for each recipient. These sums go into a fund from which the costs of medical care for recipients receiving such care are paid. An arrangement of this kind, commonly known as a "pooled fund," was the subject of 1953 legislation in Connecticut, Illinois, Minnesota, and West Virginia. The Connecticut and Illinois laws provide that any recovery by the State from a recipient for medical care given him is to be limited to the amount paid into the pooled fund. The Illinois law also provides for the possible liquidation of the fund. The Minnesota legislation permits county welfare departments to set up a pooled fund. West Virginia passed a comprehensive law providing for the establishment of a pooled fund.

Federal financial participation in payments made to persons in certain public institutions is available under the 1950 amendments. Some States had enacted legislation before 1953 as a result of the Federal amendments, and during 1953 laws were passed by Florida, Missouri, West Virginia, and Wisconsin. In addition, New Mexico enacted a law prohibiting payment for medical care of a person who has been diagnosed as having tuberculosis or a mental disease. Legislation in the State of Washington permits old-age assistance to be paid to patients in nursing homes.

Tennessee has set up in its health department a hospital service for the indigent. This program, which is permissive with the counties, is to be financed by county funds and matching State funds; the law authorizes the State to accept Federal funds. Local screening committees must be established to determine who is medically indigent. A medically indigent person is defined as "a resident of the State who is ill or injured, who can be helped markedly by treatment in a hospital, and who is unable to provide himself with necessary hospital services as prescribed and ordered by a physician." Another law in Tennessee makes possible the payment of old-age assistance directly to mental institutions for the care of aged persons. Federal financial participation is not available in such payments.

The South Dakota Legislature enacted a law encouraging private corporations to develop plans for the care and accommodation of the aged. The law permits the State Board of Charities and Corrections to lease land under its jurisdiction to such an enterprise. Another law appropriated $25,000 for a survey of the need for care of the senile aged.

A number of miscellaneous laws relating to medical care were enacted. Washington redrafted its statutory provisions with respect to medical care, giving the State greater control over funds allocated to the counties and providing for a medical care advisory committee. Nebraska legislation transfers to the counties responsibility for providing or paying for the cost of medical care that would bring the assistance payment to more than the State maximum on the assistance payment. The counties are to raise the money to finance this responsibility. The law eliminates payment by the State for the cost of medical care above the maximum permitted in the law, effective January 1 of the year following the year in which counties make the tax levy provided in the law. Massachusetts established within the State Department of Administration a new division, with an advisory committee responsible for determining the per diem cost and charges for medical care in hospitals and other medical institutions and for setting up the rates that the State agencies using such facilities must pay.

Wisconsin legislation revises the provisions regulating State reimbursement to the counties for medical care furnished under aid to the permanently and totally disabled. California now requires the county in which a dependent child is living to grant hospital and medical care even though the child is actually a resident of and receiving aid from another county. In New Jersey the county welfare boards may, if there are insufficient funds to pay for terminal medical and nursing expenses in addition to burial expenses, order payment of such expenses incurred the last 2 months before the recipient's death.

A bill enacted in South Dakota, sponsored by the State Hospital Association, provides a procedure for establishing costs for the care of indigent persons and obligates the counties to pay for hospital care at that rate. Another law gives formal authorization to the county commissioners to hire physicians to give medical services to poor persons. Physicians so selected are required to report monthly to the county auditor the persons to whom service has been given.

Organization and Administration

Many of the State laws enacted in 1953 relate to the organization of State and local welfare departments. In several States, rather comprehensive organizational bills were passed.

Such legislation includes a law in Connecticut, which changes the title of the head of the State agency to commissioner, authorizes the State department to administer the child welfare laws, gives the commissioner specific authority to delegate his responsibility, and requires that there be a mandatory investigation of all recipients of assistance at least every 12 months. Other legislation in Connecticut deletes the provision that the term of office for the welfare commissioner is to be 4 years.

Legislation in Kansas changes the organization of the State Department of Social Welfare and provides for a department consisting of a division of institutions and a division of social welfare, each responsible to the State board. The director of social welfare is to act as executive secretary and is given some coordinating responsibilities. Kansas also established a department of administration. Under an executive director appointed by the Governor, the department is to centralize activities for purchasing, auditing, and other services. In the State of Washington the legislature authorized the State agency to establish local county offices and to consolidate such offices where indicated. The legislation further provides that the counties, which formerly had authority to write general assistance checks, are to surrender that authority to the State, which after January 1954 will write the checks for all programs.

Important legislation enacted in Minnesota creates a department of public welfare, consolidating the divisions of social welfare and public institutions. The new department is given additional responsibility in connection with the licensing of institutions and also with respect to services for newly arrived immigrants.

Nebraska created a State division of public welfare, which consists of a board of public welfare (formerly the board of control) and a State director. The director will now be appointed by the board, rather than the Governor, and confirmed by the legislature. Each county is to have a division of public assistance, headed by a welfare board, and the board selects the county director, who will appoint the staff. The law is based on the principle that the local administration of public welfare is the responsibility of the county department of assistance. Two or more counties may merge their welfare programs.

The head of the State department in Maryland is now the board of public welfare instead of the director; the board continues to appoint the director for the department. The New Jersey Legislature changed the name of the Division of Old-Age Assistance to the Bureau of Assistance; the bureau will continue to operate within the Department of Institutions and Agencies. Ohio created a separate State department of mental hygiene and corrections outside the Department of Welfare. As a result of the new law, the Department of Welfare will consist of a division of social administration and a division of aid for the aged.

Legislation in Wisconsin provides for the creation of a county department of public welfare in every county having a population of less than 500,000; where a county judge now administers the programs, however, he may continue to do so on authorization of the county board. The county boards are to consist of three, five, or seven members, rather than five as before. The law also states the functions of the county board and the county departments of public welfare more clearly and specifies that responsibility for various services is to be carried by the county agency rather than by the county judge. Another section of the law spells out the supervisory functions of the State agency by providing that the department may at any time audit all county records relating to the administration of assistance and conduct administrative reviews of the county departments.

Six States enacted laws relating to the organization and authority of State welfare boards. In Montana the term of office for the members of the board was changed to make the terms of three members expire on March 3 of the year the Governor assumes office, and the terms of two additional members are to expire at the same date on intervening years. Maine changed its State advisory council to a State advisory committee and increased from seven to fifteen the number of members, who are to be appointed by the State welfare commissioner. The committee, which is to meet on call of the commissioner, no longer has authority to make rules and regulations but only to make recommendations to the commissioner.

The Connecticut Legislature established a citizens' advisory committee for the State public welfare department. The committee, which consists of seven members appointed by the Governor for overlapping terms, has only advisory powers. Legislation in the same State empowers the welfare commissioner to accept such additional Federal grants-in-aid as become available and deletes from the law the words "with advice of public welfare council."

Legislation in Kansas provides for a State finance council composed of the Governor, the Lieutenant Governor, the Speaker of the House, and the chairmen of the Senate and House ways and means committees. In the State of Washington a new advisory board for the State Department of Social Security has been established that is composed of seven people appointed on a bipartisan basis by the Governor. The same legislation changed the name of the State agency from the Department of Social Security to the Department of Public Assistance. Rhode Island established a new advisory board for the public assistance division; a similar group that has been serving the entire public welfare department is continuing to operate. The change grows out of recommendations made by a committee established by the Governor to study the problems of the confidentiality of public assistance information.

Other legislation affects primarily the establishment and membership of local public welfare boards. Arkansas increased the membership on county welfare boards from five to seven. These boards have been appointed by the State department from a panel nominated by certain State officers. This legislation provides for nominations to the panel to be made also by a member of the State general assembly living in the county. The per diem for local board members in Minnesota has been increased from $8 to $10 a day. In Ohio, legislation enacted gives authority to the county commissioners to revoke the power of a county department of public welfare to perform the duties of a child welfare board and to establish a five-member child welfare board.

A number of miscellaneous provisions affecting organization and administration were adopted. Georgia provided that obsolete case records and related fiscal records may be destroyed after 5 years. A similar bill was enacted in California. Alabama and Minnesota established positions of assistant attorney general to serve their State welfare departments. Legislation in Nebraska specifies that the county that originally granted old-age assistance and aid to the blind shall continue to be responsible no matter where the individual moves within the State. Illinois changed the name of the assistance program for the aged; formerly old-age pensions, it is now old-age assistance. Other legislation in Illinois set up a commission to study means of improving economic conditions in areas where the resources are not sufficient to provide an average standard of living. Illinois also established a youth commission and transferred from the Department of Public Welfare to the new body all responsibilities and facilities for the care of juvenile delinquents.

Arizona created a State department of finance to consolidate various fiscal responsibilities. The State Welfare Home in Delaware was removed from the authority of the welfare board and given independent status. A commodity distribution division was established within the State Department of Public Welfare in Texas. Legislation in California affirmatively states that the county is responsible for determining the eligibility of all recipients and requires a redetermination of such eligibility as often as is necessary. Further legislation requires the California Department of Social Welfare to file its report to the Governor 2 months before each annual session of the legislature.

During most legislative sessions a number of laws are enacted by the States relating to the promulgation of rules and regulations. Fewer provisions than usual were adopted in 1953, possibly because a large number of States already have such legislation. In Missouri, the administrative decisions of all State departments are subject to court review in certain circumstances. Nebraska revised its procedures for the issuance of rules and regulations. The Governor is now authorized to waive the requirement that there be a hearing before the adoption of or change in a rule, but all rules or changes in rules have to be approved by him. The Massachusetts Legislature repealed the provision that all rules and regulations for aid to dependent children require public hearings and approval by the Governor; now only approval by the State advisory board is required. Wisconsin enacted a provision relating to legislative review of rules and appropriated funds to its Joint Legislative Council for a study and report on problems relating to the rule-making powers and activities of administrative agencies.

The New York State Legislature extended to February 1954 the life of the committee to study federally aided welfare programs and also extended the life of the legislative committee on problems of the aged. Nebraska established a commission to study the medical, social, and economic problems of the aged and the mentally ill, and one to examine relatives' responsibility in the administration of old-age assistance. The California Legislature extended the life of the legislative committee on the care of the aged.

A legislative committee was established in Oregon to study the public assistance programs. While the study is to be focused on the financing, functioning, and administration of the State public welfare department, attention will also be given to medical, hospital, and nursing home care and the administration of the relatives' responsibility laws. South Dakota established a committee to study all aspects of State government and also authorized a survey of the care given the aged.

Fiscal Provisions

Two State legislatures enacted bills setting forth a new plan of fiscal relationship between the State and the localities in the financing of public assistance. In New York, State aid is to be extended to all local welfare functions — including public home care, foster care, and burial — under the Social Welfare Law. Hospital care for persons whose care is a responsibility of the locality is limited to certain specified groups, including recipients in the federally aided categories. All Federal funds received by the State are to be passed on to the localities. State funds will pay half the remainder of the cost. State participation in the cost of general assistance is reduced under this legislation from 80 percent to 50 percent. If, however, the number of recipients exceeds 1 percent of the population, the State will pay 80 percent.

In the State of Washington, legislation affecting all programs provides that after January 1, 1954, the State will levy a special 2-mill tax out of which assistance costs shall be met. Formerly, the State used general revenue as appropriated, together with local funds raised by a 2-mill tax. The State, instead of the counties, will now issue all assistance checks. The law also provides that assistance shall be payable from the date eligibility is established rather than from the date of application.

Montana extended for two more years the authority of the counties to levy an additional tax for assistance purposes. North Carolina legislation authorizes the counties to levy a special tax (up to a specified maximum) to finance the local share of assistance costs for aid to the permanently and totally disabled. Hitherto, counties used revenues collected for general assistance. Counties are authorized but not required to levy the tax and may use funds raised from any other source of revenue. The legislation also provides that appropriations for aid to the permanently and totally disabled shall not lapse, and unexpended balances may be taken into consideration when making further appropriations. The counties may transfer funds among the programs of old-age assistance, aid to dependent children, and aid to the permanently and totally disabled without prior approval of the State Board of Allotment and Appeal. North Dakota reenacted without change provisions of 1949 legislation that provided for a portion of the retail sales tax revenue to be allotted for assistance purposes.

Colorado adopted legislation establishing a third classification of recipients to receive old-age pensions. In the past there have been two groups —individuals aged 65 and over who receive assistance through a program in which the Federal Government participates financially, and persons aged 60–65 who have resided in the State for 35 years and in whose assistance the Federal Government does not participate. The new classification is for persons aged 60 and over who are inmates of the Colorado State Hospital and the two State homes and training schools. To be eligible, individuals must be citizens, in need, and resident for 35 years in the State, if they are between the ages of 60 and 65. Eligible persons aged 65 years and over must have resided in the State 5 years out of the last 9 years. This new group is to share with the other two groups the proceeds of the special taxes used to finance assistance programs for the aged. The Federal Government does not participate in the costs of the new program.

In Texas, the constitution contains a maximum limitation on the amount of State funds that may be appropriated for public assistance. The legislature in 1953 acted to give the people an opportunity to vote on an amendment increasing that amount from \$35 million a year to \$42 million.

Arkansas legislation makes State funds available to pay the cost of examinations by physicians to determine incapacity in aid to dependent children and aid to the permanently and totally disabled. Hitherto, examinations were paid for by the applicants. The Connecticut Legislature voted to permit the State to make vendor payments for other purposes than medical care. Federal financial participation is not available for such expenditures. Massachusetts will make semimonthly payments for aid to dependent children unless the recipient wishes to receive less frequent payment. Oregon legislation establishes a revolving fund to be used by the State welfare department in meeting emergencies caused by any delay in the receipt of Federal funds.

Legislation in Pennsylvania seeks greater budgetary control by providing that the Governor may transfer the comptroller and his subordinates in any State agency to the Governor's office, where they will be under the supervision of the Governor. California repealed legislation establishing a revolving fund to be used in operating the programs for the needy aged and the needy blind. This fund has not been used since the earlier repeal of a related provision in the State constitution. The legislature also eliminated from the law a requirement that the counties file quarterly estimates of public assistance expenditures, which were used as a basis for Statewide estimates of needed Federal funds.

Oklahoma, Texas, and Utah enacted legislation relating to the authority of the State welfare agency

(Continued on page 27)

Table 7.—*Public assistance in the United States, by month, October 1952–October 1953* [1]

[Except for general assistance, includes vendor payments for medical care and cases receiving only such payments]

Year and month	Total [2]	Old-age assistance	Aid to dependent children: Families	Aid to dependent children: Recipients: Total [3]	Aid to dependent children: Recipients: Children	Aid to the blind	Aid to the permanently and totally disabled	General assistance [4]	Total	Old-age assistance	Aid to dependent children (families)	Aid to the blind	Aid to the permanently and totally disabled	General assistance [4]
	Number of recipients								Percentage change from previous month					
1952														
October	------------	2,648,993	567,576	1,979,530	1,483,200	98,562	159,366	270,000	--------	−0.2	−0.5	+0.1	+2.0	−1.3
November	------------	2,647,163	566,483	1,977,795	1,483,378	98,701	161,855	267,000	--------	−.1	−.2	+.1	+1.6	−1.3
December	------------	2,645,864	569,942	1,992,336	1,495,321	98,768	164,193	280,000	--------	(5)	+.6	+.1	+1.4	+4.9
1953														
January	------------	2,639,392	572,355	2,001,459	1,503,973	98,766	166,529	290,000	--------	−.2	+.4	(5)	+1.4	+3.6
February	------------	2,630,060	573,383	2,009,843	1,510,021	98,770	168,306	287,000	--------	−.4	+.2	(6)	+1.1	−1.2
March	------------	2,622,030	575,351	2,018,688	1,517,616	98,728	170,388	283,000	--------	−.3	+.3	(5)	+1.2	−1.2
April	------------	2,616,209	573,145	2,015,513	1,516,161	98,764	173,082	275,000	--------	−.2	−.4	(6)	+1.6	−2.8
May	------------	2,612,868	570,023	2,005,325	1,508,498	98,858	175,672	261,000	--------	−.1	−.5	+.1	+1.5	−5.0
June	------------	2,608,898	564,308	1,983,498	1,493,670	99,032	179,395	255,000	--------	−.2	−1.0	+.2	+2.1	−2.4
July	------------	2,603,173	554,691	1,952,060	1,469,388	99,103	181,620	248,000	--------	−.2	−1.7	+.1	+1.2	−2.7
August	------------	2,599,716	550,405	1,940,984	1,461,793	99,236	184,743	243,000	--------	−.1	−.8	+.1	+1.7	−2.0
September	------------	2,596,451	547,588	1,933,948	1,457,713	99,417	187,411	239,000	--------	−.1	−.5	+.2	+1.4	−1.7
October	------------	2,595,364	543,870	1,923,693	1,448,886	99,633	190,327	240,000	--------	(5)	−.7	+.2	+1.6	+.3
	Amount of assistance								Percentage change from previous month					
1952														
October	$211,500,000	$133,448,650	$47,115,857			$5,355,793	$8,440,097	$13,088,000	+5.0	+5.1	+5.8	+4.5	+6.8	+1.8
November	212,144,000	133,961,549	47,231,298			5,397,339	8,632,947	12,876,000	+.3	+.4	+.2	+.8	+2.3	−1.6
December	214,986,000	134,683,742	47,777,342			5,423,341	8,784,411	13,950,000	+1.3	+.5	+1.2	+.5	+1.8	+8.3
1953														
January	215,827,000	135,050,787	48,124,808			5,416,449	8,902,704	14,262,000	+.4	+.3	+.7	−.1	+1.3	+2.2
February	214,567,000	133,851,586	48,166,960			5,416,222	8,990,750	13,893,000	−.6	−.9	+.1	(5)	+1.0	−2.6
March	214,877,000	133,809,675	48,401,773			5,433,872	9,095,633	13,961,000	+.1	(5)	+.5	+.3	+1.2	+.5
April	214,190,000	133,558,012	48,336,101			5,446,514	9,253,349	13,297,000	−.3	−.2	−.1	+.2	+1.7	−4.8
May	213,381,000	133,491,089	48,212,598			5,499,296	9,466,677	12,442,000	−.4	−.1	−.3	+1.0	+2.3	−6.4
June	212,108,000	133,271,522	47,391,588			5,499,070	9,636,900	12,033,000	−.6	−.2	−1.7	(5)	+1.8	−3.3
July	209,627,000	132,637,753	45,947,547			5,482,047	9,711,983	11,694,000	−1.2	−.5	−3.0	−.3	+.8	−2.8
August	[7] 207,691,000	[7] 131,798,519	[7] 45,385,681			[7] 5,471,478	[7] 9,790,782	11,369,000	−.9	−.6	−1.2	−.2	+.8	−2.8
September	[7] 207,960,000	[7] 131,523,577	[7] 45,463,591			[7] 5,485,775	[7] 9,865,528	11,378,000	+.1	−.2	+.2	+.3	+.8	+.1
October	[7] 208,742,000	[7] 131,935,869	[7] 45,422,806			[7] 5,518,382	[7] 10,086,901	11,608,000	+.4	+.3	−.1	+.6	+2.2	+2.0

[1] For definition of terms see the *Bulletin*, January 1953, p. 16. All data subject to revision.

[2] Total exceeds sum of columns because of inclusion of vendor payments for medical care from general assistance funds, from special medical funds, and, for one State, from funds for the special types of public assistance; data for such expenditures partly estimated for some States.

[3] Includes as recipients the children and 1 parent or other adult relative in families in which the requirements of at least 1 such adult were considered in determining the amount of assistance.

[4] Excludes Nebraska; data not available. Percentage change based on data for 52 States.

[5] Decrease of less than 0.05 percent.

[6] Increase of less than 0.05 percent.

[7] For Illinois includes premiums paid into pooled fund for medical care but excludes vendor payments made for medical services provided before the pooled fund plan began in August.

ASSISTANCE LEGISLATION

(Continued from page 13)

to decide on the disposition of the last checks of deceased recipients and to make payments to appropriate persons. The California agency is now required to mail old-age assistance checks in time for receipt on the first mail delivery of each month.

Miscellaneous

Several laws were enacted in 1953 affecting the procedures of applying for assistance and investigating the eligibility of the applicant. Under North Carolina legislation, the county welfare boards may at their discretion delegate to the local superintendent the authority to process applications and to determine eligibility and the amount of assistance. Each decision is subject to later review by the county board.

Legislation in California expresses the intent of the legislature to encourage the needy aged to seek employment. The law provides for the prompt restoration of assistance following a period of employment. Assistance is to be paid from the first of the month following the request for restoration, and the payment must be delivered to the recipient within 3 days of such request. Other legislation provides that an applicant who has been denied old-age assistance may not apply again for 90 days unless the county agrees or the State department orders it. The law also deletes the specific period of 60 days in which counties were to complete the investigation of applications and provides instead that all applications are to be investigated promptly, with the objective of making payments to eligible people in the least possible time.

Legislation in West Virginia, which applies to all programs, states that all applications are to be investigated promptly and that aid is to be furnished promptly.

Changes were made in the provisions for fair hearings in California,

Table 8.—*Amount of vendor payments for medical care for recipients of public assistance, by program and State, October 1953* [1]

State	Old-age assistance	Aid to dependent children	Aid to the blind	Aid to the permanently and totally disabled	General assistance [2]
Total	[3] $6,617,193	[3] $1,043,825	[3] $173,096	[3] $1,126,740	[4] $3,813,577
Alabama	*97*	*235*	*8*	*109*	21
Alaska	---	---	---	(5)	9,889
California	---	---	---	(5)	60,466
Connecticut	195,972	56,196	4,590	(5)	(6)
Delaware	---	*401*	---	---	(6)
District of Columbia	*747*	*387*	*3*	*624*	167
Hawaii	9,590	15,290	432	7,176	(6)
Illinois	[3] 1,566,120	[3] 158,928	[3] 45,108	[3] 163,424	361,242
Indiana	308,921	39,019	10,273	(5)	126,972
Iowa	---	---	---	(5)	139,452
Kansas	*155,601*	*27,237*	*4,035*	*19,386*	28,940
Louisiana	*76*	4,463	181	1,836	1,539
Maine	---	---	---	(5)	35,167
Massachusetts	*754,712*	72,471	---	*331,197*	*115,811*
Michigan	*104,592*	---	*1,440*	*17,311*	68,118
Minnesota	868,507	50,706	20,992	(5)	135,122
Montana	---	---	---	---	141,205
Nebraska	263,569	11,392	880	(5)	(6)
Nevada	3,475	---	---	(5)	47,107
New Hampshire	82,440	15,295	2,628	2,560	(6)
New Jersey	---	*9,455*	---	---	95,441
New Mexico	25,206	10,497	836	5,292	2,005
New York	1,618,554	438,636	65,897	545,933	(6)
North Carolina	11,390	7,661	---	3,670	139,748
North Dakota	23,307	3,078	231	1,600	18,561
Ohio	220,479	*10,179*	*7,544*	---	564,786
Oregon	---	---	---	---	162,350
Rhode Island	59,299	21,469	1,432	11,536	33,258
South Carolina	---	---	---	---	5,451
South Dakota	---	---	---	---	83,349
Utah	*631*	*546*	*8*	*241*	159
Virgin Islands	80	7	1	15	34
Virginia	---	---	---	---	5,918
Wisconsin	*343,828*	*90,277*	*6,577*	*14,830*	106,299

[1] For the special types of public assistance, figures in italics represent payments made without Federal participation. States not shown made no vendor payments during the month or did not report such payments.

[2] In all States except California, Illinois, Louisiana, Massachusetts, Nevada, New Jersey, Utah, and the Virgin Islands includes payments made on behalf of recipients of the special types of public assistance.

[3] For Illinois includes premiums paid into pooled fund for medical care for October 1953 but excludes vendor payments made in October 1953 for medical services provided before the pooled fund plan began in August.

[4] Includes an estimated amount for States making vendor payments for medical care from general assistance funds and from special medical funds and reporting these data semiannually but not on a monthly basis.

[5] No program for aid to the permanently and totally disabled.

[6] Data not available.

West Virginia, and Wisconsin. Language was added to the law in West Virginia directing the board of review to decide appeals from determinations made by the county councils. The board of review is to conduct hearings and make decisions as provided by the law. In California the legislation specifies that the State social welfare board need not specify the amount of the award in its decisions in appeal cases unless that is the issue in the appeal. The law also sets a limit of 45 days from the filing of an appeal to the hearing. A 30-day continuance of a hearing is permitted if it is necessary, and a decision must be rendered within 90 days after the close of the hearing. The State department is directed to make a complete report annually to the Governor and the legislature on its administration of the appeal provisions. The Wisconsin Legislature specified that hearings are to be granted when recipients believe their awards are insufficient.

Three States enacted legislation with respect to the training of personnel. Vermont legislation gives the State department authority to cooperate with the Federal Government with respect to Federal financial participation in educational training for social workers. Nevada legislation contains a provision against educational leave, and a Tennessee law provides that administrative funds may be used to train personnel.

Connecticut and Michigan enacted laws regarding guardianship of assistance recipients. Connecticut increased from $300 to $1,000 the amount the State administrator, who acts as conservator and guardian under court order for a minor or incapacitated person, is permitted to handle. Michigan provided for the establishment in the county welfare department of a system of public guardians for persons who, the probate court on medical advice has decided, do not need commitment to mental hospitals.