

# State Public Assistance Legislation, 1959\*

*The 1959 legislative sessions were, in most States, the first since the enactment of the 1958 amendments to the Social Security Act. Much of the public assistance legislation adopted was related, directly or indirectly, to these changes in the Federal law, as shown in the following survey.*

**M**OST State legislatures met in regular or special session in 1959. Although fewer public assistance laws were enacted than in earlier bienniums, the varied pattern of previous years was repeated. No major trends are apparent; rather, the 1959 legislation reflects both interest in the gradual broadening of program scope and concern with program and administrative detail. In general, more laws were passed in States that incorporate in their statutes specific program and administrative provisions. There was relatively little legislative activity in States where the statutory pattern gives the administrative agency more flexibility to adjust to developments and needs in the State program and to changes in the Federal law relating to public assistance.

During 1959, as in earlier years, major factors in stimulating State legislative bodies to consider and act upon public assistance measures were the amendments to the public assistance titles of the Social Security Act. In 1958 the most significant amendments to these titles were the provisions changing the method of determining the Federal share in the assistance programs. Since the passage of the Social Security Act, Federal financial participation in money payments to recipients had been related to the maximum on the amount of an individual payment that was subject to Federal sharing. Effective October 1, 1958, however, Federal sharing in State assistance expenditures became subject to a limitation based on an average payment per recipient. The new limitation covers both money payments to the recipi-

ents and payments to vendors for their medical care; from July 1957 through September 1958, medical care had been separately financed.

The amendments also changed the basis for computing the Federal share of State expenditures. Since September 30, 1958, a portion of the Federal contribution has been determined by the relative fiscal ability of the State, measured by per capita income. According to the revised formula, the Federal Government continues to pay \$24 of the first \$30 per recipient of old-age assistance, aid to the blind, and aid to the permanently and totally disabled. Instead, however, of paying half the remainder within an individual maximum of \$60, the Federal Government now pays 50-65 percent of the balance of expenditures up to \$65 times the number of recipients. The exact percentage that each State receives is related to its per capita income for the most recent 3-year period.

The Federal share in the program of aid to dependent children continues at \$14 of the first \$17 per recipient, but the Federal share in the remainder, up to an average limitation per recipient of \$30, is related to the individual State's per capita income. As in the adult programs, the formula covers both money payments to recipients and payments to vendors for their medical care.

Although 50-50 matching was continued for Puerto Rico and the Virgin Islands, a new and somewhat higher Federal limitation was set—\$35 per recipient in the adult categories and \$18 per recipient in aid to dependent children, including both money payments and payments for medical care. Congress applied the same formula in extending Federal participation in public assistance expenditures to the Territory of Guam. At the

same time, Congress increased the dollar limitation on the total amount of Federal funds paid annually for public assistance to Puerto Rico and the Virgin Islands and established a similar limitation for Guam.

## *Payments to Recipients*

Following the 1958 amendments, which made available for each State some additional funds, many States took various actions—legislative and administrative—to increase payments to recipients. Maximums or other limitations on individual assistance payments were made less stringent or, in some States, eliminated. More often, States raised the cost standards for certain basic items included in their standards for the requirements of recipients. Among the States that require legislative approval before some specified changes can be made, there were a few that revised their statutory limitations on money payments to assistance recipients.

There has been a tendency for some States to regard the maximum established as a limit for Federal participation in assistance expenditures as a limit on the monthly payment to an individual recipient. Under the new Federal formula based on the average expenditure per recipient, this tendency should be minimized. The removal of State maximums makes for a more flexible and equitable administration of assistance and enables a State to relate its assistance payments more realistically to unusual needs, especially need for medical care, in individual cases.

Two States adopted legislation removing the maximums on the amount of an individual assistance payment. South Dakota revised its law to provide for an average expenditure per recipient of \$65 in the programs for the aged, the blind, and the disabled—the same as the average matchable expenditure under the Federal act. In aid to dependent children the average expenditure per recipient was set at \$35, which is \$5 more than the

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Federal law specifies for matching purposes. In Ohio the legislature removed the maximums in old-age assistance, aid to the blind, and aid to the permanently and totally disabled.

Legislative changes in maximums were made in a number of States. Alaska increased the maximums in the two major programs of old-age assistance and aid to dependent children. In old-age assistance the increase raised the maximum from \$90 to \$100. In aid to dependent children, the maximum was raised from \$60 to \$80 for the adult person responsible for the child's care and for the first dependent child; there was no change in the maximum (\$30) for each additional child.

California enacted legislation, effective January 1, 1960, relating to maximums on payments to the aged, the blind, and the disabled. In old-age assistance the maximum for basic needs was set at \$95 (formerly \$90), but recipients with special needs may receive as much as \$115 if their income plus the basic grant does not meet the total need. Another change increased the maximum in aid to the blind \$5, to \$115. Needy persons receiving aid to the permanently and totally disabled may be paid an amount that is equivalent to actual needs, but the total cannot exceed an average monthly expenditure of \$98 per recipient. There is also a provision for establishing a standard of assistance in this program, with an amount for basic needs not to exceed \$106. Within the limits of the average expenditure per recipient, the agency may provide for payment of an additional amount to individuals whose condition requires attendant services.

In Indiana the maximum on payments to recipients of old-age assistance was increased from \$60 to \$70. This amount may be exceeded to meet certain special needs.

Early in 1959, Missouri adopted legislation increasing the maximums on individual money payments and providing for payments in excess of these amounts in certain circumstances. The result was to raise from \$60 to \$65 the maximum money payment in old-age assistance, aid to the blind, and aid to the permanently and totally disabled. In aid to de-

pendent children the maximum was established at \$32 each for the first child and the needy eligible relative and at \$23 for each additional child. There was also an increase to \$65 in the maximum payable to an individual recipient in general assistance. Payments up to \$100 a month, however, may be made to or on behalf of a public assistance recipient who is totally disabled and completely bedfast. If the amount of available funds is insufficient to pay the full amount of aid to each recipient, a pro rata reduction is to be made in all payments.

Minnesota increased from \$90 to \$115 the amount of old-age assistance that can be paid when the recipient requires congregate or foster care or the services of a homemaker or a housekeeper, under standards established by the Department of Public Welfare and approved by the county board.

In Nebraska the maximum payment under aid to dependent children for the first child was increased from \$85 to \$100 a month. Vermont raised maximums in old-age assistance, aid to the blind, and aid to the permanently and totally disabled from \$63 to \$75 and in aid to dependent children from \$32 to \$45 for the eligible adult, from \$40 to \$45 for the first child, and from \$23 to \$25 for each additional child.

The 1959 appropriation act in the State of Washington included several provisions affecting standards of assistance and payments. The act limits the standards of assistance for any payments to applicants and recipients to reasonable allowances for shelter, fuel, food, clothing, household maintenance and operation, personal maintenance, and necessary incidentals. Amounts provided for clothing and personal incidentals when the recipient is in a nursing home or hospital cannot be more than 50 percent of the amount that would be included if the recipient were living in his own home. In Nevada the appropriations for old-age assistance were sufficient to increase the average payment by \$4.50.

### *Medical Care*

The formula for determining the limitation on Federal sharing in State

public assistance expenditures is now, as noted earlier, based on an average expenditure per recipient instead of a maximum on each assistance payment. This average amount includes expenditures in the form of both money payments to recipients and medical care payments on their behalf. From July 1957 through September 1958 the Federal Government participated financially under a separate formula in State expenditures for medical care and any other remedial care in behalf of public assistance recipients. The Federal Government paid one-half such medical care payments within an average monthly expenditure of \$6 per recipient in the programs for the aged, the blind, and the disabled and \$3 per dependent child and \$6 for the relative caring for the child under aid to dependent children.

Many State public assistance programs include provisions for meeting the medical care needs of recipients. Under the stimulus of Federal legislation in 1956 and 1958 relating to the financing of medical care, the States have gradually been broadening the scope of their activities in this area. It is noteworthy that States with low per capita income are responding to this stimulus and taking significant action relating to their provisions for meeting the medical care costs of public assistance recipients.

Legislation in Missouri authorized the Division of Welfare to make medical care payments on behalf of recipients of public assistance to provide inpatient hospital care for medical emergencies and acute, serious illness. Such payments may be made in addition to the maximum money payments. The law also provides for an advisory committee of seven members (including at least three physicians), appointed by the director of the Division of Welfare, to provide professional and technical consultation on the medical care aspects of the program.

When California provided for medical care in its public assistance programs in 1957 the legislation did not include the program of aid to the permanently and totally disabled, which was established late in the 1957 legislative session. In 1959 the legislature authorized a monthly de-

posit of \$6 per disabled recipient into the premium fund from which vendor payments are made for medical care to recipients of aid to the permanently and totally disabled.

In Arkansas, 1957 legislation made it necessary for the Department of Welfare to expend a specified portion of the appropriation to provide hospital care to public assistance recipients at the State University Medical Center. The 1959 appropriation act makes funds available to the department to meet the cost of hospital care for recipients at the medical center and at other hospitals on the same basis.

The Florida Legislature provided \$625,000 a year to pay the cost of hospitalization for assistance recipients. The funds are appropriated to the Department of Health and may be transferred to the Department of Welfare if necessary. The two departments are directed to enter into an agreement for carrying on such a program with Federal financial participation.

North Carolina amended its law relating to payments for hospitalization of assistance recipients to provide for payments to out-of-State hospitals. It also enacted legislation prohibiting the payment of any public welfare or public assistance funds for care of any person in a nursing home or home for the aged that is owned or operated by members of public welfare boards and certain other bodies, officials of public welfare departments, and relatives of such members and officials.

The South Carolina Department of Public Welfare was authorized by law to provide hospital care to recipients of public assistance, including general assistance, through vendor payments. Provision was made for financing the program by withholding from the portion of the annual State income tax that is allotted to the counties a sum equal to 30 cents per capita. Approximately \$735,000 a year will be available to the Department of Public Welfare from this source. The money thus made available will be expended throughout the State, without relation to the county from which taxes are withheld.

Texas had previously amended its constitution to allow legislation that

would provide a hospital program for public assistance recipients. A bill to implement the constitutional amendment failed to pass when it was considered in relation to available revenues.

In West Virginia new legislation related to the authority of counties to make contributions to the medical services fund of the State Department of Public Assistance. "Non-State aid" counties that have met the cost of services under the State medical plan solely from county funds may now contribute to the State fund and benefit from Federal funds available for this purpose.

Under a Vermont law, 30 percent of the cost of hospital and nursing-home care rendered eligible individuals will be met by local governments. Hospitalization is limited to 10 days in a year. The new law was implemented by an appropriation of \$125,000 in State funds.

### *Legal Representative*

Some States have encountered difficulties in invoking guardianship laws and procedures on behalf of assistance recipients. In recognition of the problems presented by two States, Congress amended the Federal law in 1958. Beginning July 1, 1958, money payments to recipients include payments on behalf of an individual made to another person who has been judicially appointed as his legal representative for the purpose of receiving and managing his assistance payment, whether or not he is his legal representative for other purposes. The effect of this amendment is to allow Federal participation in payments to recipients of public assistance made under laws already effective in the two States.

Two additional States enacted laws following the Federal amendment. North Carolina provided for a personal representative under certain conditions for recipients of old-age assistance, aid to dependent children, and aid to the permanently and totally disabled. The South Dakota Code was amended to provide that the county court may appoint a guardian for recipients of public assistance to receive and manage their assistance payments.

Montana passed an atypical guardianship statute limited in application to the program of aid to dependent children and giving rise to a question of Federal financial participation. The law provides that, when it is found that the parent or adult caretaker is not properly using the assistance payment for the needs of the children, he shall be named as their guardian. He must then, as guardian, render an accounting to the court on the expenditure of the assistance payment.

### *New or Expanded Programs*

In 1958 Congress extended the provisions of the public assistance titles of the Social Security Act to the Territory of Guam. Legislation enacted by the Territorial legislature in 1959 established in the Department of Finance a division of public welfare, with responsibility for administering the four federally aided programs of public assistance. The Territory's public assistance plans were approved by the Commissioner of Social Security, effective July 1, 1959, and Guam became the fifty-fourth jurisdiction with public assistance programs under the Social Security Act.

Iowa enacted legislation to provide aid with Federal financial participation to disabled individuals aged 18-65. The legislation was passed as a rider to an appropriation bill for the biennium ending June 30, 1961. Under the law, the term "disabled" is administratively defined, and effective January 1, 1960, the State put into operation a program of aid to the permanently and totally disabled. Iowa is the fiftieth jurisdiction with such a federally aided program. Alaska, Arizona, Indiana, and Nevada do not have such programs.

Nebraska enlarged its definition of total and permanent incapacity to include mental as well as physical impairment under its program of aid to the disabled. The amendment includes a limitation on the expenditure of State funds during the biennium for aid to mentally impaired individuals. Aid to dependent children was extended to children up to age 18 if they are attending school and maintaining satisfactory grades

or if they are physically or mentally incapacitated.

In New Jersey, a new statute brings within the scope of the program of aid to dependent children those children living with any of the relatives specified in the definition of a dependent child under title IV of the Social Security Act. Formerly, the program was limited to children living with the mother or woman standing in loco parentis.

Wisconsin amended its definition of total and permanent disability to liberalize its program of assistance to disabled persons. In Oregon, amendments deleted the words "permanently and totally" from the statute providing for aid to the permanently and totally disabled. The program is now identified as "aid to the disabled." The term "disabled" is defined, as formerly, to mean having a bodily impairment that is both permanent and total.

### *Residence and Citizenship*

Several States adopted legislation liberalizing their residence requirements in one or more of the federally aided programs, and one State lengthened the qualifying period.

New Jersey eliminated its 1-year residence requirement in aid to dependent children under a new statute that makes major program and administrative changes, effective January 1, 1960.

Maine, Ohio, and Vermont lowered their requirements. In Maine the residence requirement for old-age assistance, aid to the blind, and aid to the permanently and totally disabled was reduced to 1 year of continuous residence immediately preceding application. Maine also enacted legislation providing for an interstate compact on welfare services under which other States would join with Maine to make welfare services available on a reciprocal basis to persons who move from one State to another. Such persons would not be ineligible for a welfare service because of failure to meet a State's residence or settlement requirements. Under the compact, welfare services would include the four federally aided assistance programs, as well as general assistance, child welfare services,

care of unwed mothers, and welfare medical services to needy persons. Ohio reduced the residence requirement in both old-age assistance and aid to the blind to 3 out of the most recent 9 years. Vermont lowered the residence requirement in those programs and also in aid to the permanently and totally disabled to 2 years out of the 6 years immediately preceding the application for assistance.

California and South Dakota made other changes in their residence provisions. A California law provides that a recipient may remain outside the State for more than a year without presumptive loss of residence if illness or other good cause prevents his return. South Dakota clarified and broadened the residence requirement in aid to dependent children. As amended the law includes children who have resided in the State 1 year before application, who are living with a parent or other relative who has so resided, who were born within the year and whose parent or relative has resided in the State 1 year before the child's birth or application, or who are eligible under the terms of a reciprocal agreement with another State.

Arkansas formerly had a residence requirement of 1 year in each program. New legislation would require an applicant for old-age assistance, aid to the blind, or aid to the permanently and totally disabled to reside in the State 3 out of the past 5 years, with continuous residence during the year preceding the application. The State has interpreted the new legislation as not excluding an individual who has lived in the State 5 of the past 9 years, which is the maximum permitted under the Federal act.

Several amendments to the Michigan law relate to residence requirements for State programs other than the federally aided public assistance programs. An increase to 2 years in the eligibility requirement for hospitalization of children will, however, affect children receiving aid to dependent children.

Indiana authorized a comprehensive study of the effects of residence requirements under the public welfare and poor relief laws. A special committee of the Legislative Advisory Commission is to make the study and

submit its report before September 15, 1960, for transmittal to the State Legislature.

Legislation relating to citizenship as a condition of eligibility was enacted in two States. Ohio placed assistance to the aged on the same basis as its other federally aided programs by repealing the citizenship requirement in old-age assistance. California legislation eliminated, in its program of assistance to the disabled, the requirement that noncitizens shall declare under oath that they desire to become citizens.

### *Relatives' Responsibility*

In the 1959 sessions several States enacted legislation with respect to the responsibility of relatives for needy persons. For the most part, the provisions were amendatory and clarifying rather than new legislation; to the extent that there was legislation, it indicated concern for strengthening State provisions for the support of children.

Legislation in California, affecting all programs, releases the relative from responsibility for the support of a parent if the relative had been deserted for 2 years before reaching age 18. Connecticut amended its provisions for old-age assistance and aid to dependent children to require the agency to investigate the financial condition of close relatives (husband, wife, father, mother, and children), determine their ability to support under a contribution scale established by the agency, and notify them of their requirement of support. Another law affecting aid to dependent children defines "stepparent" and provides that, in the determination of need, the ability of a stepparent to provide for the support of his minor children living with him shall be considered in the same way as that of a natural parent. This State also made several changes in the statutes pertaining to payments to welfare authorities under various support orders.

Amendments to the Illinois Public Assistance Code clarified the authority of the State agency and the county departments to file support actions directly as well as by requesting the State's attorney to file the actions. The statute spells out the

responsibility of spouses for each other and of parents for children, including children born out of wedlock and legally adopted children. Other Illinois statutes relating to the support of dependents were also amended.

A new law in the State of Washington prescribes the powers and duties of the State's attorney-general and certain local law-enforcement officials to take action under appropriate State statutes to enforce support of dependent children who are not receiving proper care or support or who have been abandoned. The welfare department is to notify these officials when children are receiving or about to receive aid to dependent children, foster-home care, or other assistance. The law also provides that the assistance payment shall not be withheld or reduced as the result of a support order under the act when the support has not been provided.

### *Special Provisions in Aid to Dependent Children*

There was increased interest in the program of aid to dependent children during the 1959 legislative sessions. This program provides assistance and services chiefly to children deprived of parental support or care because of the absence from the home or the physical or mental incapacity of a parent. Increasingly, it is serving the needy families of the Nation that have the most serious and complex social and economic handicaps. In some States, bills were introduced proposing measures directed particularly towards families in which there were illegitimate births. The extent of legislative interest in those proposals varied. The fact that few such bills were enacted indicates growing recognition of the complexity of the problem and realization that the solution is not to be found in measures that would deny aid to children whose need for assistance and services is clearly established.

A Colorado amendment provides for vendor payments for nonmedical needs in aid to dependent children under certain conditions, with a proviso that the measure will not go into effect until such expenditures are matchable under Federal law.

An amendment adopted in Florida sets forth seven criteria for a suitable home, including the effect of the birth of an illegitimate child in the home since the receipt of aid to dependent children. The law also provides that, on a finding that one or more of the criteria exist, the county board shall continue aid and shall work with the family to make the home suitable. If that effort fails, the board shall arrange either for the children's placement with relatives, with the consent of the mother, or referral to the court for determination whether the children should be placed elsewhere or remain in the home. At the same time, a provision in the appropriation act prohibited the payment of assistance for a child living in a home considered unsuitable under State law. An opinion of the Attorney General said that the amendment to the law governing aid to dependent children would not deny aid to any eligible child and thus in effect resolved the potential conflict with title IV of the Social Security Act.

In Louisiana a law was enacted, subject to approval under the Social Security Act, that would exclude from the program for dependent children those children who are born out of wedlock and who have two or more siblings who are illegitimate. The law was found unacceptable by the Social Security Administration as the basis for an approvable State plan under the Federal act.

An amendment to the Illinois law requires that the home of children receiving aid to dependent children shall be visited at least once in each 3-month period to determine continuing need and to provide services to parents and children. Wisconsin amended its law relating to eligibility for aid to dependent children so that aid may be granted in certain situations in which action to compel support has been instituted and the court order is either insufficient to adequately meet the child's needs or is unenforceable.

In Washington the appropriation act prohibits payments under aid to dependent children for an employable parent or relative with whom the child is living unless it is determined that such employment is detrimental

to the physical or mental well-being of the child. North Carolina enacted a measure, with a proviso that no action would be taken if it did not meet the requirements of Federal law, requiring the State Board of Public Welfare to give each solicitor of the Superior Courts a list of all mothers living in his district who are receiving aid to dependent children so that he may ascertain whether they are refusing to support their children. This measure was found to be unacceptable as part of an approvable State plan under the Social Security Act.

### *Property Limitations and Need Determination*

Several States adopted legislation relating to the effect of ownership, assignment, and transfer of real and personal property on eligibility for assistance or to the consideration of an individual's income and resources in determining need and the amount of his payment.

Missouri increased the amount of cash or securities that the needy recipient of old-age assistance, aid to the blind, or aid to the permanently and totally disabled may retain. The amount was raised from \$500 to \$750 for a single person and from \$1,000 to \$1,500 if the recipient is married and living with his spouse. In aid to dependent children the limit on the family's personal property was raised from \$1,000 to \$1,500. In Nebraska a resolution of the legislature directed the State Division of Public Welfare to increase from \$500 to \$750 the maximum available resources that may be owned by a recipient of public assistance. A family may have up to \$1,500.

The Nevada Legislature dealt specifically with its program of aid to the blind. It removed any limit on the value of real property used as a home and stipulated that all real or personal property exceeding \$1,500 in value, less encumbrances, be used to meet current needs. A vehicle of reasonable value necessary for transportation is not considered as personal property. The proceeds of the sale of real property may be retained for 1 year for the purpose of buying a home. Nevada also increased from

\$90 to \$100 the minimum amount that a blind individual is presumed to need to provide the necessities of life. (In this program the first \$50 of earned income is disregarded, as provided under Federal law.) Another law provides that food and shelter furnished to a recipient of aid to the blind is to be regarded as income in computing the amount of the assistance payment for which he will be eligible.

North Dakota amended its old-age assistance law to exempt personal property, designated by the applicant or recipient and valued at less than \$300, from being transferred in trust to the State Department of Public Welfare. Ohio is another State that enacted specific legislation on property and income limitations in one of its public assistance programs. The old-age assistance law was amended to remove the \$960-a-year limitation on income as an eligibility condition. The homestead exemption was increased from \$6,000 to \$12,000. The amount of insurance that may be held for burial expenses was raised from \$300 to \$500, and an identical increase was made in the amount of insurance that a recipient may hold without placing it under agency control.

In California there were several changes, technical and clarifying in nature, concerning property holdings. One amendment relates to the retention of proceeds from the sale of real property; the proceeds are considered real property for a period of 1 year if they are held for the purpose of purchasing a home. The amendment makes clear that the provision applies to conversions occurring before the application for assistance.

Connecticut, Florida, and Minnesota amended their provisions governing the period of time within which an assignment or transfer of property made before the application for assistance might affect eligibility. Formerly, in Connecticut, an applicant for old-age assistance or aid to dependent children was not eligible if he had assigned or transferred property within 3 years before his application, without reasonable consideration, in order to qualify for assistance. An amendment deletes the 3-year limit on such transfers and also

provides that ineligibility shall continue only as long as the fair value of such property would furnish support at a reasonable standard of health and decency.

Florida reduced to 2 years the time limit on property assignments and transfers made to qualify or maintain eligibility for old-age assistance. Formerly transactions of this kind made within the 3 years immediately preceding the application disqualified the individual for assistance. In Minnesota the law had prohibited the payment of assistance to an individual whose spouse, living with the person, had assigned or transferred property for the purpose of qualifying either person for old-age assistance. In 1959 this provision was liberalized by limiting its application to transfers made under such circumstances within 5 years before the date of the application for assistance.

Montana enacted a law stipulating that, in determining need and the amount of the assistance payment to members of the recognized Indian tribes, per capita payments from tribal lands or tribal profits not exceeding \$100 a year are to be disregarded. This law has a saving clause providing that it is to be effective only when Federal law permits.

### *Safeguarding Information*

Indiana amended its law providing for public access to certain records of public assistance disbursements in order to broaden the scope of the information available regarding recipients of old-age assistance and aid to dependent children. Louisiana further strengthened its provisions that declare all public assistance records confidential by adding the words "not subject to waiver." This phrase precludes the recipient from permitting information from the case records to be made available to outside sources, including insurance companies, bill collectors, and others, for purposes unrelated to the administration of public assistance.

Wisconsin law now requires that any person other than a public officer may inspect public assistance records only upon signing a statement that contains his address and the reason for seeing the record. The law fur-

ther requires that the agency notify the recipient of the fact and give him the name and address of the person inspecting the record within 72 hours of such inspection. A North Carolina amendment authorizes members of the county boards of public welfare to inspect records concerning applications for public assistance on file in the office or in the custody of staff of the county director of public welfare; it prohibits the board members from disclosing any information thus acquired.

### *Organization and Administration*

During their 1959 legislative sessions, Alaska and Hawaii, in the organization of their State governments, authorized extensive changes from the patterns under the Territorial form of government. In Alaska, State health and welfare functions were merged in a new Department of Health and Welfare under the direction of a Commissioner of Health and Welfare; he is appointed by the Governor, subject to confirmation by the members of the legislature in joint session. In Hawaii the reorganization act provides for a Department of Social Services and a Department of Health. The Department of Social Services will have varied functions previously carried by independent agencies, including the provision of medical care to recipients of assistance and to the medically indigent. The act also specifies the qualifications of the chief of the Department of Social Services.

Seven other States made changes affecting the way in which their public welfare responsibilities are carried out. Florida increased the membership of the State welfare board, which administers the public assistance and related welfare programs, from seven to nine members, appointed by the Governor and confirmed by the Senate. One member is appointed from each of the congressional districts and one member from the State at large.

A new Indiana law established a committee to act in an advisory capacity to the State Department of Public Welfare in administering the public welfare provisions relating to

assistance to the needy blind. The law specifies the qualifications of the five members, to be appointed by the Governor. Kansas law now makes it possible for any county to appoint a committee to advise the county board in welfare matters, subject to the rules and regulations of the State Board of Social Welfare. It no longer makes mandatory the appointment of such a committee in counties where more than 500 persons receive assistance.

New Jersey enacted a new law relating to the program of aid to dependent children. Effective January 1, 1960, responsibility for this program is placed with the Bureau of Assistance, which will supervise its administration by the county welfare boards along with the other federally aided public assistance programs. Formerly, aid to dependent children was administered by the State Board of Child Welfare through its district offices.

In the area of financing, the non-Federal share of North Dakota's program of aid to dependent children will be financed 75 percent from State funds and 25 percent from county funds; formerly the cost was on a 50-50 basis. Iowa repealed the law that levied a head tax on adults formerly paid into the old-age assistance fund and abolished the liens charged against property for delinquent head taxes.

In the field of staff training and recruitment, Florida designated \$23,064 to be used during the biennium for educational scholarships and training for public assistance positions in consultation with Florida universities and colleges offering such training. Iowa removed the requirement that all employees of the State Department of Social Welfare must have resided in the State at least 2 years immediately before applying for employment, as well as the prohibition against requiring a college education as basic qualification for county welfare professional personnel.

Illinois, Iowa, and Texas authorized existing or new groups to carry on broad study and analysis of public welfare matters in their States. An Illinois law continues the Commission on Public Aid and Assistance

and appropriates funds for its work for a 2-year period. This group has membership representing the State Legislature and the general public and is studying all matters pertaining to public aid and assistance in the State.

The Iowa Legislature established a committee of six senators and six representatives (with both political parties equally represented) to inquire during the next 2 years into all matters relating to public assistance and relief in Iowa. The study is to include but is not limited to the categorical assistance programs, county poor relief, and soldiers' relief and to their administration.

In Texas the legislature created a coordinating commission to study State health and welfare needs. The commissioners of the State departments of employment, education, health, and welfare are members and are to report trends, developments, and needs to the Governor and the Legislative Council and suggest ways to coordinate efforts to meet the needs.

### *Aging*

Continued interest in the needs of the aging and the aged and the provision of services for them is reflected in various legislative actions that directly or indirectly affect the public assistance program.

The Illinois Legislature added a new section to the Code that gives to the Public Aid Commission detailed statutory authority to provide services for older persons; these services had been carried on under a general authorization since 1950. Under the new law the Commission's Advisory Committee on the Aging becomes the Council on the Improvement of the Economic and Social Status of Older People. The legislature also continued for a third biennium the Commission on Aging and Aged, which consists of 15 members—five each from the house and senate and five from the general public appointed by the Governor. This group is analyzing and assessing existing knowledge and programs related to problems of the aging and aged in the State and will report to the next session of the legislature.

In Maine, where the authority of the Committee on Aging was due to expire, the legislature established a permanent State Committee on Aging to continue the study of the problems of the State's aging population and assist in organizing local committees. Maryland established a Commission on the Aging as an advisory body to the Governor to study existing services, coordinate the programs of agencies and departments working with the aging, and report annually on its findings.

Related legislation in a number of States was concerned with the need for facilities for individuals requiring nursing and other personal care and with the establishment and maintenance of standards for these facilities.

Two States adopted legislation to foster the establishment of facilities for the care of the aged and of nursing homes. Illinois authorized the purchase, construction, operation, and maintenance of homes for the aged by the counties. These homes are to be licensed by the Department of Public Health. Aged persons may be admitted who are able to pay rent through private means, public subsidy, or both. Comparable legislative action occurred in North Dakota. A revolving fund of \$1 million will be available to the Public Welfare Board to make loans to counties and non-profit corporations to construct nursing homes and homes for the aged. Homes for the aged will be subject to the regulations of the State Welfare Board, and nursing homes will be regulated by the State Health Department.

In five States the legislation related to their standard-setting provisions for nursing homes and similar facilities. Indiana made various changes in its law relating to licensing, regulation, and inspection of nursing homes. The homes now included under the law are those with more than two unrelated patients, rather than one or more as formerly. Another change prohibits advertising the conduct, maintenance, or operation of a nursing home through any advertising medium before a license is granted, and it provides for action to enjoin such advertising.

*(Continued on page 35)*



**Table 6.—Public assistance in the United States, by month, November 1958–November 1959<sup>1</sup>**

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

Year and month	Total <sup>2</sup>	Old-age assistance	Aid to dependent children			Aid to the blind	Aid to the permanently and totally disabled	General assistance (cases) <sup>4</sup>	Total	Old-age assistance	Aid to dependent children (recipients)	Aid to the blind	Aid to the permanently and totally disabled	General assistance (cases) <sup>4</sup>	
			Families	Recipients											
				Total <sup>3</sup>	Children										
Number of recipients													Percentage change from previous month		
1958															
November		2,454,340	746,271	2,811,134	2,154,928	109,796	325,294	393,000		-0.1	+0.7	+0.2	+0.7	+1.8	
December		2,454,593	756,388	2,850,377	2,185,181	109,837	327,781	434,000		( <sup>5</sup> )	+1.4	( <sup>5</sup> )	+0.8	+10.5	
1959															
January		2,448,033	763,380	2,878,505	2,206,932	109,707	329,479	471,000		-0.3	+1.0	-0.1	+0.5	+8.4	
February		2,438,436	769,185	2,901,369	2,224,849	109,468	330,345	480,000		-0.4	+0.8	-0.2	+0.3	+2.0	
March <sup>6</sup>		2,433,348	775,557	2,916,631	2,235,296	109,259	331,294	480,000		-0.1	+0.8	+0.1	+0.7	( <sup>7</sup> )	
April <sup>6</sup>		2,431,092	781,132	2,940,172	2,253,313	109,542	335,134	450,000		-0.2	+0.5	( <sup>5</sup> )	+0.8	-6.3	
May <sup>6</sup>		2,427,898	781,114	2,942,684	2,255,628	109,538	337,495	413,000		( <sup>5</sup> )	( <sup>5</sup> )	( <sup>5</sup> )	+0.8	-8.2	
June <sup>6</sup>		2,419,959	777,680	2,928,957	2,247,002	109,446	339,233	388,000		-0.3	-0.5	-0.1	+0.5	-6.1	
July		2,413,982	772,268	2,911,173	2,233,710	109,444	341,367	370,000		-0.2	-0.6	( <sup>7</sup> )	+0.6	-4.6	
August		2,407,947	771,194	2,910,722	2,235,360	109,326	342,629	380,000		-0.3	( <sup>7</sup> )	-0.1	+0.4	+2.8	
September		2,404,320	771,970	2,917,570	2,241,834	109,294	344,492	393,000		-0.2	+0.2	( <sup>7</sup> )	+0.5	+3.3	
October		2,401,156	771,464	2,918,093	2,243,846	109,146	346,841	403,000		-0.1	( <sup>5</sup> )	-0.1	+0.7	+2.6	
November		2,397,992	773,088	2,926,346	2,251,366	109,066	348,150	412,000		-0.1	+0.3	-0.1	+0.4	+2.4	
Amount of assistance													Percentage change from previous month		
1958															
November	\$293,582,000	\$155,069,318	\$78,749,954	\$7,446,554	\$20,057,141	\$25,099,000			+0.3	-0.4	+1.3	+0.5	+0.5	+1.3	
December	303,277,000	157,340,068	80,630,305	7,500,736	20,513,094	29,893,000			+3.3	+1.5	+2.4	+0.7	+2.3	+19.1	
1959															
January	306,705,000	157,827,831	81,475,458	7,481,605	20,741,887	31,912,000			+1.1	+0.3	+1.0	-0.3	+1.1	+6.8	
February	308,057,000	156,529,222	82,692,290	7,467,038	20,902,565	32,557,000			+0.4	-0.8	+1.5	-0.2	+0.8	+2.0	
March <sup>6</sup>	310,668,000	156,566,466	83,648,244	7,523,686	21,091,117	33,203,000			+0.8	+0.1	+1.7	+1.1	+1.6	+2.0	
April <sup>6</sup>	309,448,000	156,834,503	84,509,504	7,512,199	21,240,340	30,772,000			-0.4	( <sup>7</sup> )	+0.2	-0.4	+0.2	-7.3	
May <sup>6</sup>	307,286,000	157,332,423	84,732,412	7,578,135	21,632,321	27,752,000			-0.7	+0.4	+0.5	+0.7	+2.0	-9.8	
June <sup>6</sup>	303,079,000	156,713,649	83,157,339	7,556,299	21,497,170	25,497,000			-1.4	-0.4	-1.7	-0.1	+0.2	-8.1	
July	299,894,000	155,564,036	82,665,228	7,563,790	21,587,468	24,673,000			-1.1	-0.7	-0.6	+0.1	+0.4	-3.2	
August	300,730,000	155,477,079	82,475,049	7,554,721	21,687,521	25,713,000			+0.3	-0.1	-0.2	-0.1	+0.5	+4.2	
September	304,716,000	155,912,366	83,451,511	7,541,482	21,946,373	27,344,000			+1.3	+0.3	+1.2	-0.2	+1.2	+6.3	
October	307,950,000	157,584,746	83,773,358	7,536,209	22,238,019	28,582,000			+1.1	+1.1	+0.4	-0.1	+1.3	+4.5	
November	308,284,000	157,090,005	83,996,705	7,522,311	22,161,489	28,741,000			+1.1	-0.3	+0.3	-0.2	-0.3	+4.6	

<sup>1</sup> For definition of terms see the *Bulletin*, October 1957, p. 18. All data subject to revision.

<sup>2</sup> Total exceeds sum of columns because of inclusion of vendor payments for medical care from general assistance funds and from special medical funds; data for such expenditures partly estimated for some States.

<sup>3</sup> 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.

<sup>4</sup> Excludes Idaho; data not available.

<sup>5</sup> Increase of less than 0.05 percent.

<sup>6</sup> Except for general assistance, data included for Illinois understated for March, overstated for April, and partly estimated for May because of administrative change in the processing of payments. Percentage changes for the special types of public assistance based on data excluding Illinois.

<sup>7</sup> Decrease of less than 0.05 percent.

<sup>8</sup> Percentage changes for the special types of public assistance based on data excluding Illinois (data not comparable, see footnote 6).

**STATE PA LEGISLATION**

(Continued from page 29)

A Kansas law was extended to provide for the licensing of all boarding homes and nursing homes for adults and homes for the aged offering care to three or more persons. Formerly, the law applied only to homes caring for public assistance recipients. Montana legislation provides for the

licensing of boarding or nursing homes that have two or more residents.

An Ohio law transfers the responsibility for licensing and regulating nursing and rest homes from the Department of Public Welfare to the Department of Health. It includes new provisions for classifying the homes, prohibiting placement in unlicensed homes by a public official,

and authorizing officials to act to enforce various provisions. Texas enacted legislation providing for the licensing of hospitals under the standard-setting authority of the State Health Department. The Nebraska Legislature directed that the Legislative Council carry on a study of nursing homes, and public hearings will be held before the 1961 legislative session.