Rights and Responsibilities

You have specific rights and responsibilities when you apply for or get financial assistance, food benefits, medical assistance or services. Please read these carefully and ask if there is something you do not understand.

**Your rights (things you can expect)**

- You will be treated with respect in a fair and polite way;
- You have the right to ask about and apply for any program. This local office may also refer you to other services you need;
- You can ask for the help of an interpreter to help you apply, fill out forms or report changes;
- You do not have the right to receive Senior Farm Direct checks if you are already participating in another state’s Senior Farmer’s Market Nutrition Program;
- The things you tell the Department of Human Services (DHS) will be kept private and confidential; if a third party needs to be contacted to verify information, your written permission must be received before contacting an outside person;
- DHS will do its best to meet your special needs if you have a disability. DHS follows the Americans with Disabilities Act and Section 504 of the Rehabilitation Act;
- You will receive a decision on eligibility for food benefits within 30 days (*7 days if you qualify for quicker service*) from the day you filed your application, within 45 days for Medicaid or 90 days for a medical decision based on disability (*except in unusual circumstances*);
- You can ask for a hearing if you do not agree with a decision. To ask for a hearing, contact your local office or call 1-800-282-8096 for the office near you;
- You may expect courteous and fair treatment without discrimination in regard to age, race, color, sex, sexual orientation, religion, national origin, political belief, marital status or disability.

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Your responsibilities (things you must do)

- Give true and complete information about your eligibility;
- Give proof of the things you report. If you cannot get proof, you must let us contact other persons or agencies for proof;
- Allow DHS staff to visit your home to get information about your case;
- Apply for and use certain benefits or money you qualify for. This may include, but is not limited to, Social Security, Railroad Retirement, income tax refunds, Veteran’s Benefits, lodge and union benefits, long-term care insurance, medical insurance and Medicare;
- You must take any medical examination needed to complete your application for medical assistance;
- Tell medical providers if you have other health coverage (such as Medicare, Veterans or other coverage). They should bill the insurance before they bill the Department of Human Services for your medical care. If you have a state-issued Medical ID card, give your ID number before receiving services;
- Cooperate with DHS if your case is chosen for a review;
- If required, make a monthly payment to keep getting medical and service benefits. These amounts will be adjusted, as needed, by changes in your financial situation.
- Report and give proof of your shelter, medical and dependent care costs if you want these costs used to figure your food benefits. If you do not report or verify these costs, they will not be used to figure your food benefits. If you don’t report changes and get too many benefits, you might have to pay them back.
- You must report certain changes that affect you or anyone you get benefits for. Report these changes within 10 days, except if you get food benefits and are in the simplified reporting system, in which case, see the last bullet below.

Changes in your situation can be:
- Change of address or name. If you move, change in housing and utility costs;

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Changes in your situation can be (continued):

- Change of who lives with you or marital status;
- Change of where your money comes from;
- Change of more than $50 in the amount of your unearned income if receiving food benefits and are in the change reporting system. Any change in income for all other programs. If you start getting cash benefits, the amount of your food benefits will go down;
- Change in the amount of earned income of more than $100 per month, if receiving food benefits and are in change reporting system. Any change in earned income for all other programs;
- Change of how much you have in cash, things worth money, and the sale of property;
- Change of medical insurance coverage;
- Buying, selling or trading vehicles;
- You are involved in an injury accident;
- If anyone starts or stops working you must report changes within 10 days of first paycheck or 10 days from your last day of work;
- Simplified reporting for food benefits only — you must report when your income goes over the countable income limit.
- If you were told you are an ABAWD (able-bodied adult without dependents), report if your working hours (paid or unpaid) go below 20 hours a week. You must report this if the working person is age 18 to 50 and there is no child under age 18 living with you. You must report this change within 10 days of it happening.

Penalty for transferring assets

To avoid penalties, report to your worker before selling or giving away any assets. Assets are things of value, like a home, property, vehicles, money or investments. People can be disqualified from receiving long-term care services for selling or giving away assets for less than the asset’s value. Long-term care services include adult foster homes, assisted living facilities, in-home services, nursing facilities and other care settings.

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Penalty for transferring assets (*continued*):

When you give away or sell an asset we say that the asset has been transferred. We look back 5 years to see if assets have been transferred for less than their value. The penalty for transferring assets begins when you apply for long-term care services or are otherwise eligible. Here are examples of what we look at:

- You have resources that exceed the Medicaid Limit and you transfer them;
- You do not need long-term care services, but you transfer an asset and need long-term care services in the future; and
- You are receiving long-term care services and you transfer an asset that we are not counting (*such as the home you live in or property listed for sale*).