

## STATE OF VERMONT

## HUMAN SERVICES BOARD

In re ) Fair Hearing No. 14,273

)

Appeal of )

)

INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare denying her general assistance (GA) benefits to cover the costs of medical treatment she received in October, 1995. The issue is whether the petitioner had an emergency need at the time of her application.

FINDINGS OF FACT

The facts are not in dispute. In October, 1995, the petitioner, who is single, was employed part time doing house cleaning and other odd jobs. On October 19, 1995, she broke her wrist and received treatment in a hospital emergency room. On October 31, 1995, she received follow up treatment at a doctor's office.

The petitioner applied to the Department on November 6, 1995, for help paying these bills. The Department denied her application for GA and had the petitioner apply for medicaid, which was also subsequently denied.

At the hearing in this matter the petitioner admitted that she was never disabled for twelve consecutive months, and, therefore, she does not contest the denial of her medicaid. She also admits that as of the date she applied for GA she had already received medical treatment for her injury and was not facing a continuing emergency medical need. She states she was seeking GA to pay for the medical bills she had already incurred.

ORDER

The Department's decision is affirmed.

REASONS

The regulations provide that GA shall be granted to those eligible individuals "to meet emergency needs only". W.A.M. § 2600(A). Putting aside whether the petitioner was otherwise eligible for GA based on

income and disability, there is no allegation that as of the date of her application, November 6, 1995, she was facing any unmet medical need--much less an emergency. The GA program does not exist to pay medical bills or other emergency expenses after they have occurred. Inasmuch as the Department's decision was in accord with the pertinent regulations, the Board is bound by law to affirm it. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 17.

# # #