

II. Jurisdiction

The Division of Human Services of the New Hampshire Department of Health and Human Services administers several welfare programs under the authority of the laws of the State. Assistance provided under these categorical assistance programs is known as Public Assistance. Programs now administered include:

- Temporary Assistance to Needy Families (TANF)
- Old Age Assistance (OAA)
- Aid to the Needy Blind (ANB)
- Aid to the Permanently and Totally Disabled (APTD)
- Medical Assistance (Medicaid)
- The Food Stamp Program (SNAP)
- Programs of social and rehabilitation services which are either provided directly by the Division of Human Services or purchased under the provisions of Title XX of the Social Security Act as amended in 1975.

The County unit of government pays a share of assistance provided to people under some of these programs. (More information concerning these programs is set forth in Appendix B.)

General assistance may be provided by a city or town until a person receives public assistance. As stewards of limited public resources the City takes much effort in determining who is eligible for General Assistance based on family resources (refer to section IX) versus basic needs (refer to Section VII). Only in extraordinary circumstances will a person receiving public assistance also be considered eligible for general assistance. If someone receiving public assistance in the form of cash payments is also receiving one or a combination of the following forms of additional public assistance i.e. Food Stamps; Section 8 Vouchers (HUD) or is living in subsidized housing; and/or Medicaid their financial circumstance will not likely be viewed as “extraordinary” as the bulk of their basic needs are being provided for by non-cash public assistance and cash public assistance.

[RSA 167:27](#) (Effective January 1, 2014) I. Except as provided in paragraph II, no person receiving old age assistance or aid to the permanently and totally disabled under this chapter or [RSA 161](#) shall at the same time receive any other relief from the state, or from any political subdivision thereof, except for medical and surgical assistance. II. Notwithstanding paragraph I, a municipality may provide assistance under [RSA 165](#) to a person who is also receiving old age assistance or aid to the permanently and totally disabled if the guidelines adopted by the governing body under RSA 165:1 authorize assistance to such persons, and the acceptance of such relief shall not operate as a revocation of old age assistance or aid to the permanently and totally disabled.

Any persons residing or temporarily present in a municipality may apply to the welfare official of that municipality for general assistance.

“Residence or residency shall mean a person’s place of abode or domicile. The place of abode or domicile is that designated by a person as his principal place of physical presence for the indefinite future to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is intent to return to such residence or residency as the principal place of physical presence.” ([RSA 21:6-a](#))

Minors. The residence of a minor shall be presumed to be the residence of his or her custodial parent or guardian. The minor’s intent is not relevant nor does this change if the minor is, himself or herself, the parent of a child. In re: Tammy S., 126 NH 734 (1985) (A “minor” is defined as any person under 18 years of age.) Any minor asking for assistance will be referred to the New Hampshire Department of Children, Youth & Families (DCYF) as the parent or legal guardian is financially and legally responsible for said minor and DCYF has the power to seek support and provide protection to the minor.

Adults. For competent adults, the standard for determining residence shall be the overall intent of the applicant as set forth in the definition of residence above.

Nonresidents: No person shall be refused assistance solely on the basis of residence ([RSA 165:1](#)). The application procedure, eligibility standards and standard of need shall be the same for nonresidents as for residents. At the request of a nonresident applicant, any aid, temporary or otherwise, to which he or she would be otherwise entitled under the standards set forth in these Guidelines, may be used by the welfare official to cause the person to be returned to his or her community of residence ([RSA 165:1-c.](#)) Any aid given to a nonresident, including the cost of transportation in order to return home, may be recovered from his or her community of residence ([RSA 165:20.](#))