

## CHAPTER 252

### SUPPORT OF THE POOR

Referred to in [§217.30](#), [232.159](#), [235.7](#), [331.381](#), [331.427](#)

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#### 252.1 “Poor person” defined.

The words “*poor*” and “*poor person*” as used in [this chapter](#) shall be construed to mean those who have no property, exempt or otherwise, and are unable, because of physical or mental disabilities, to earn a living by labor; but [this section](#) shall not be construed to forbid aid to needy persons who have some means, when the board shall be of opinion that the same will be conducive to their welfare and the best interests of the public.

[C97, §2252; C24, 27, 31, 35, §5297; C39, **§3828.073**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.1]

**252.2 through 252.9** Repealed by 2015 Acts, ch 14, §3.

**252.10 through 252.12** Reserved.

#### 252.13 Recovery by county.

Any county having expended money for the assistance or support of a poor person under [this chapter](#), may recover the money as follows:

1. If the poor person is living, from the person if the person becomes able, by action brought within two years after the person becomes able.

2. *a.* If the poor person is deceased, from the person’s estate, by filing the claim as provided by law.

*b.* There shall be allowed against the person’s estate a claim of the sixth class for that portion of the liability to the county which exceeds the total amount of all claims of the first through the fifth classes, inclusive, as defined in [section 633.425](#), which are allowed against that estate.

[C51, §806; R60, §1374; C73, §1350; C97, §2222; C24, 27, 31, 35, §5309; C39, **§3828.085**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.13]

[92 Acts, ch 1212, §11](#); [2014 Acts, ch 1026, §54](#); [2015 Acts, ch 14, §1](#)

Referred to in [§252.14](#)

Claims against estate, [§633.410](#) et seq.

#### 252.14 Homestead — when liable.

When expenditures have been made for and on behalf of a poor person and the person’s family, as contemplated by [section 252.13](#), the homestead of such poor person is liable for

such expenditures when such poor person dies without leaving a surviving spouse, or child, as defined in [section 234.1](#).

[C31, 35, §5309-c1; C39, §3828.086; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.14]  
See also [§561.21](#)

**252.15 Recovery by relative.** Repealed by 2015 Acts, ch 14, §3.

**252.16 Settlement — how acquired.** Repealed by 2018 Acts, ch 1137, §30.

**252.17 Settlement continues.** Repealed by 2018 Acts, ch 1137, §30.

**252.18 Foreign paupers.** Repealed by 2018 Acts, ch 1137, §30.

**252.19 through 252.21** Reserved.

**252.22 Contest between counties — chapter applicable to county public hospitals.** Repealed by 2018 Acts, ch 1137, §30.

**252.23 Legal settlement disputes.** Repealed by 2018 Acts, ch 1137, §30.

**252.24 County of residence liable — exception.**

1. The county of residence, as defined in [section 331.394](#), shall be liable to the county granting assistance for all reasonable charges and expenses incurred in the assistance and care of a poor person.

2. When assistance is furnished by any governmental agency of the county, township, or city, the assistance shall be deemed to have been furnished by the county in which the agency is located and the agency furnishing the assistance shall certify the correctness of the costs of the assistance to the board of supervisors of that county and that county shall collect from the person's county of residence. The amounts collected by the county where the agency is located shall be paid to the agency furnishing the assistance. This statute applies to services and supplies furnished as provided in [section 139A.18](#).

3. [This section](#) shall apply to assistance or maintenance provided by a county through the county's mental health and disability services system implemented under [chapter 331](#).

[C51, §815; R60, §1383; C73, §1358; C97, §2229; C24, 27, 31, 35, §5319; C39, §3828.096; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.24]

[92 Acts, ch 1212, §14](#); [2000 Acts, ch 1066, §44](#); [2012 Acts, ch 1120, §125, 130](#); [2018 Acts, ch 1137, §26](#)

**252.25 County general assistance.**

1. The board of supervisors of each county shall provide for the assistance of poor persons lawfully in the county who are ineligible for, or are in immediate need and are awaiting approval and receipt of, assistance under programs provided by state or federal law, or whose actual needs cannot be fully met by the assistance furnished under those programs. The county board of supervisors shall establish general rules as the board's members deem necessary to properly discharge their responsibility under [this section](#).

2. All applications, investigation reports, and case records of persons applying for county general assistance under [this chapter](#) are privileged communications and confidential, subject to use and inspection only by persons authorized by law in connection with their official duties relating to financial audits and administration of [this chapter](#) or as authorized by order of a district court. Examination of an individual's applications, reports, and records may also be authorized by a signed release from the individual.

[C73, §1361; C97, §2230; S13, §2230; C24, 27, 31, 35, §5320; C39, §3828.097; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.25]

[90 Acts, ch 1017, §2](#); [92 Acts, ch 1212, §15](#); [96 Acts, ch 1140, §1](#)  
Referred to in [§22.7\(26\)](#)

### **252.26 General assistance director.**

The board of supervisors in each county shall appoint or designate a general assistance director for the county, who shall have the powers and duties conferred by [this chapter](#). In counties of one hundred thousand or less population, the county board may designate as general assistance director an employee of the state department of human services who is assigned to work in that county and is directed by the director of human services, pursuant to an agreement with the county board, to exercise the functions and duties of general assistance director in that county. The director shall receive as compensation an amount to be determined by the county board.

[C51, §819; R60, §1387; C73, §1361, 1364; C97, S13, §2230, 2233; C24, 27, 31, 35, §5321, 5327; C39, **§3828.098, 3828.104**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, §252.26, 252.32; C81, §252.26]

[83 Acts, ch 96, §157, 159](#); [83 Acts, ch 123, §102, 209](#); [92 Acts, ch 1212, §16](#)

Referred to in [§217.30, 331.321](#)

### **252.27 Form of assistance — condition.**

1. The board of supervisors shall determine the form of the assistance. However, legal aid shall be only in civil matters and provided only through a legal aid program approved by the board of supervisors. The amount of assistance issued shall be determined by standards of assistance established by the board of supervisors. They may require any able-bodied person to work on public programs or projects at the prevailing local rate per hour in payment for and as a condition of granting assistance. The labor shall be performed under the direction of the officers having charge of the public programs or projects. Subject to [section 142.1](#), assistance may consist of the burial of nonresident indigent transients and the payment of the reasonable cost of burial, not to exceed two hundred fifty dollars.

2. The board shall record its proceedings relating to the provision of assistance to specific persons under [this chapter](#). A person who is aggrieved by a decision of the board may appeal the decision as if it were a contested case before an agency and as if the person had exhausted administrative remedies in accordance with the procedures and standards in [section 17A.19, subsections 2 through 12](#), except [section 17A.19, subsection 10](#), paragraphs “b” and “g”, and [section 17A.20](#).

[C73, §1361; C97, §2230; S13, §2230; C24, 27, 31, 35, §5322; C39, **§3828.099**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, §252.27; [81 Acts, ch 117, §1039](#)]

[92 Acts, ch 1212, §17](#); [98 Acts, ch 1202, §38, 46](#); [2013 Acts, ch 30, §54](#); [2014 Acts, ch 1092, §54](#)

**252.28 through 252.32** Reserved.

### **252.33 Application for assistance.**

A person may make application for assistance to a member of the board of supervisors, or to the general assistance director of the county where the person is. If application is made to the general assistance director and that officer is satisfied that the applicant is in a state of want which requires assistance at the public expense, the director may afford temporary assistance, subject to the approval of the board of supervisors, as the necessities of the person require and shall immediately report the case to the board of supervisors, who may continue or deny assistance, as they find cause.

[C51, §820; R60, §1388; C73, §1365; C97, §2234; S13, §2234; C24, 27, 31, 35, §5328; C39, **§3828.105**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.33]

[92 Acts, ch 1212, §18](#)

**252.34** Reserved.

**252.35 Payment of claims.**

All claims and bills for the care and support of the poor shall be certified to be correct by the general assistance director and presented to the board of supervisors, and, if the board is satisfied that the claims and bills are reasonable and proper, they shall be paid.

[C51, §821; R60, §1389; C73, §1366; C97, §2235; C24, 27, 31, 35, §5330; C39, §3828.107; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.35]

[83 Acts, ch 123, §103, 209; 92 Acts, ch 1212, §19](#)

**252.36** Reserved.**252.37 Appeal to supervisors.**

If a poor person, on application to the general assistance director, is refused the required assistance, the applicant may appeal to the board of supervisors, who, upon examination into the matter, may order the director to provide assistance, or who may direct specific assistance.

[C51, §823; R60, §1391; C73, §1368; C97, §2237; C24, 27, 31, 35, §5333; C39, §3828.109; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.37]

[92 Acts, ch 1212, §20; 2014 Acts, ch 1092, §55](#)

**252.38 through 252.41** Reserved.**252.42 Cooperation on work-assistance projects.**

The county board of supervisors may join and cooperate with the United States government, or a city within the city's boundaries, or both the United States government and a city within the city's boundaries, in sponsoring work projects, provided that the money used does not exceed the cost per month of supplying assistance to the certified persons working on projects who would be receiving direct assistance if they were not employed on the projects.

[C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252.42]

[83 Acts, ch 123, §104, 209; 92 Acts, ch 1212, §21](#)

**252.43 State support for Indians.** Repealed by 93 Acts, ch 172, §49.