

November 15, 1950

Op. No. 50-250

Wilson
Mr. Shelby McCauley
Grand Secretary, Independent
Order of Odd Fellows
100 Grand Canyon Avenue
Flagstaff, Arizona

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ARIZONA ATTORNEY GENERAL

Dear Mr. McCauley:

We have held your letter of October 30, in order to review the entire question of old age assistance grants to persons contemplating entering the Odd Fellows Home.

The copy of the opinion of this office dated October 28, 1947, which you received has been reviewed in the light of recent amendments to the public assistance laws, and also with regard to the rules and regulations governing entrance to the Odd Fellows home.

It is our information that while you make a charge of \$45.00 per month subsistence to any member who is able to pay it, nevertheless under your regulations if there is an indigent member who is unable to pay, and who has been in good standing in your organization for sufficient time, you would still accept such person as an inmate of your home.

Old age assistance, under Arizona law, is granted only to persons who have no resources for their support and maintenance except certain specified items as follows: a home, household furnishings, wearing apparel and necessary personal effects, domestic livestock, one automobile, a burial lot in a cemetery, other property or assets of the total approximate market value of \$1,000.00.

Old age assistance is based upon the theory that the person applying therefor has no other resources (except those listed above) on which he can depend for maintenance. Unless your organization, without exception, should deny the facilities of the home to any member unless he could and would pay for his board and lodging in the same amount as any other inmate pays, the Department, under the law, could not grant public assistance to inmates of your home.

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The Department, under our law, cannot furnish medical attention; this is a responsibility of the county board of supervisors under our law and court decisions.

Denial of assistance to an inmate of your home is not on the basis of any fraternal or other affiliation, but only on the basis that a resource is available to such inmate regardless of his financial condition which is not available to a non-member. Trusting this answers your inquiry, we are

Very truly yours,

FRED O. WILSON
Attorney General

LORNA E. LOCKWOOD
Assistant Attorney General

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