

OLD AGE ASSISTANCE: - No person shall receive relief from any public fund and at the same time receive relief under the Old Age Assistance Act.

8.26
August 23, 1935.



Hon. N. Elmer Butler
Prosecuting Attorney
Stone County
Galena, Missouri

Dear Sir:

This will acknowledge receipt of your request for an opinion which reads as follows:

"Do persons, over 70 years of age now drawing a pension for the blind as provided by this state, receive any benefit from the old age pension provided they are eligible in other respects.

"If they do receive a benefit what is the extent of it?"

Your attention is directed to Section 16 of the Old Age Assistance Act, Laws of Missouri, 1935, page 312, relating to persons receiving relief from any public fund other than under the Act. Said section reads as follows:

"Section 16. Persons on pension list shall receive no other public relief. -- No person receiving assistance under this Act shall at the same time receive any other relief from any public funds, except for medical and surgical assistance."

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It is plain from a reading of the above section that no person may receive assistance under the Act and at the same time be entitled to any relief from any other public fund except for medical and surgical assistance.

It is the opinion of this department that if a person is now drawing a pension for the blind as is now provided, he shall not be entitled to receive any benefit under the Old Age Assistance Act as long as he continues to draw a pension for the blind.


Very truly yours,

RUSSELL C. STONE
Assistant Attorney-General.

APPROVED:

JOHN W. HOFFMAN, Jr.
(Acting) Attorney-General

RCS/afj