

106 CMR: DEPARTMENT OF TRANSITIONAL ASSISTANCE

106 CMR 705.000: TRANSITIONAL ASSISTANCE CASH PROGRAMS (TCAP): RELATED BENEFITS

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705.000: Overview of Related Benefits

106 CMR 705.000 describes the program-related benefits provided by the Department which applicants or clients may be eligible to receive. Some benefits are available to all clients; others are intended for special needs or situations. Unless otherwise stated, 106 CMR 705.000 applies to TAFDC and EAEDC applicants and clients. Descriptions of the benefits are found under the following headings:

- (A) MassHealth, 106 CMR 705.100;
- (B) SNAP, 106 CMR 705.200;
- (D) Social Services, 106 CMR 705.400;
- (E) Food Vouchers for Temporary Visits, 106 CMR 705.500;
- (F) Infant Benefits, 106 CMR 705.600;
- (G) Funeral and Final Disposition Benefits, 106 CMR 705.700;
- (I) Maximum \$50.00 Support Payment, 106 CMR 705.900;
- (J) Rent Allowance, 106 CMR 705.910;
- (L) Voter Registration, 106 CMR 705.950.

705.100: MassHealth

MassHealth provides medical services for individuals who meet specific income and other eligibility requirements. Current TAFDC and EAEDC clients are eligible for MassHealth without filing a separate application.

The following are eligible to receive MassHealth benefits:

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- (A) Extended MassHealth Eligibility Subsequent to Termination of TAFDC or EAEDC. Members of a TAFDC or EAEDC assistance unit whose TAFDC or EAEDC assistance has been terminated shall receive MassHealth until a determination of ineligibility is made by MassHealth.
- (B) Extension of MassHealth after the TAFDC Termination for Employment Reasons
- (1) Members of a TAFDC assistance unit who are ineligible for TAFDC remain eligible for MassHealth for the 12-calendar-month period beginning with the month in which the family becomes ineligible for TAFDC provided that the unit:
- (a) continues to include a child who meets the age requirements provided in 106 CMR 703.220: *TAFDC Dependent Child: Younger than 18 Years Old* and 703.230: *TAFDC Dependent Child: 18 years of Age*) of a dependent child getting TAFDC;
- (b) became ineligible for TAFDC because of an income increase from the grantee's work; and
- (c) has a member who continues to work.
- (C) EAEDC Medical Assistance.
- (1) The EAEDC program provides EAEDC medical assistance (*i.e.*, limited medical services) to applicants and clients of EAEDC. These services shall be specified in MassHealth regulations of the Division of Medical Assistance.
- (2) Certain clients of EAEDC may also be eligible for MassHealth in accordance with the MassHealth regulations of the Division of Medical Assistance.
- A client is ineligible for EAEDC Medical Assistance if he or she receives benefits under MassHealth.

705.110: General Medical Care

All cash grantees receive MassHealth cards, which may be used to obtain medical services for the listed members of his or her assistance units, subject to MassHealth regulations of the Division of Medical Assistance.

The Department must provide the grantee with information about where to obtain medical care, if necessary.

705.130: Early and Periodic Screening, Diagnosis and Treatment Services (EPSDT)

The purpose of EPSDT is to provide all persons in the assistance unit younger than 21 years old the opportunity for preventive health care, including medical checkups, immunizations, and dental checkups. A full description of the EPSDT program is provided in MassHealth regulations of the Division of Medical Assistance.

705.140: Family Planning Referrals

The purpose of family planning is to help members of the assistance unit obtain counseling and medical services related to having or not having children. Participation in this is voluntary. All TAFDC clients are eligible for family planning referrals and must be informed of the program. MassHealth pays for medical services related to family planning.

705.150: Medical Transportation

Medical transportation is a benefit provided by MassHealth in accordance with its regulations.

705.160: Reimbursement of Certain Clients for Out-of-pocket Expenses

- (A) Requirements. The following individuals shall be entitled to reimbursement by MassHealth for certain medical expenses:
- (1) An individual who:
- (a) was denied SSI benefits by the Social Security Administration (SSA); and
- (b) the initial SSA decision was overturned through the reconsideration process, administrative hearing, Appeals Counsel review, Federal Court review, or reopening under SSA rules on administrative finality.

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- (2) An individual who:
- (a) was denied TAFDC benefits by the Department (DTA); and
 - (b) has had his or her initial DTA decision overturned by a subsequent decision by DTA, DTA's fair hearing process, or the judicial review process.

Reimbursement is limited to bills that are incurred on or after the date of initial MassHealth eligibility, and that are paid between the date of the erroneous application decision and the date on which the client is notified of MassHealth eligibility. The bill must have been paid by the client or spouse, or the parent or legal guardian of a minor client.

Reimbursement under 106 CMR 705.160 is for amounts actually paid for care or services that would have been covered under MassHealth had eligibility been determined correctly even though those amounts may exceed the MassHealth rate. Prior to reimbursing a client for care or services that would have needed prior approval, the Department may require that the client submit medical evidence for consideration under the prior approval standards. Reimbursement is available even though the medical care or services were furnished by a provider who does not participate in MassHealth.

- (B) Verification. Persons asking for reimbursement must provide MassHealth with:
- (1) A bill for medical services that includes:
 - (a) the provider's name;
 - (b) a description of the services provided; and
 - (c) the date the service was provided; and
 - (2) Proof of payment of the bill presented, such as a canceled check or receipt.
- SSI clients must also provide documents from the Social Security Administration establishing the dates of application and denial.

705.200: Supplemental Nutrition Assistance Program (SNAP)

The purpose of SNAP is to ensure adequate nutrition for low income households. The program is administered by the Department.

705.210: Obtaining SNAP

- (A) An applicant or client may also apply for and be eligible for SNAP benefits. The worker must ask whether the applicant wants to apply for SNAP, and if so, must ensure that the application is processed appropriately. When all the members of the SNAP household are receiving TAFDC and/or SSI benefits, the household is categorically eligible for SNAP. *See* 106 CMR 365.180: *Categorically Eligible Households*.

705.220: Amount of Supplemental Nutrition Assistance Program (SNAP) Benefits

The amount of SNAP benefits an assistance unit is eligible for depends upon the amount of income available to it, including the monthly cash grant. When there is a change in the grant, or in the assistance unit, there may be a corresponding change in the SNAP benefits.

705.250: Supplemental Nutrition Assistance

- (A) Requirements. The Department provides Supplemental Nutrition Assistance (SNA) benefits to certain households receiving Non-public Assistance (NPA) SNAP benefits. These households must meet the criteria 106 CMR 705.250(A)(1) through (4) to be eligible:
- (1) receive NPA SNAP benefits, this is met once the household has received its first cyclical month's issuance;
 - (2) be categorically eligible for TANF assistance (*see* 106 CMR 365.180(A)(4)(a) through (c));
 - (3) contain no household member who is an active TAFDC client; and
 - (4) contain at least one parent or caretaker relative who is working and who is a citizen or meets the noncitizen requirements provided in 106 CMR 703.430 as follows:
 - (a) for a single-parent or caretaker-relative household, the parent or caretaker relative must be working;

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- (i) at least 30 hours per week, if the household does not contain a child younger than six years old; or
 - (ii) at least 20 hours per week, if the household contains a child younger than six years old;
 - (b) for a household that contains two parents or two caretaker relatives:
 - (i) if one of the parents or caretaker relatives is not a citizen and does not meet the noncitizen requirements provided in 106 CMR 703.430: *TAFDC Noncitizen Status*, the parent or caretaker relative, who is a citizen or meets the noncitizen requirements provided in 106 CMR 703.430: *TAFDC Noncitizen Status*, must be working at least 30 hours per week; or
 - (ii) if one of the parents or caretaker relatives is disabled, either parent or caretaker relative, who is a citizen or meets the noncitizen requirements provided in 106 CMR 703.430: *TAFDC Noncitizen Status*, must be working at least 30 hours per week;
 - (c) for a household with two parents:
 - (i) if both parents are citizens or meet the noncitizen requirements provided in 106 CMR 703.430: *TAFDC Noncitizen Status*; and
 - (ii) if neither parent is disabled, at least one parent must be working at least 30 hours per week and the combined work hours for both parents must be at least 55 hours per week; or
 - (d) for a household with two caretaker relatives:
 - (i) if both caretaker relatives are citizens or meet the noncitizen requirements provided in 106 CMR 703.430: *TAFDC Noncitizen Status*, and
 - (ii) if neither caretaker relative is disabled, at least one caretaker relative must be working at least 30 hours per week.
- Eligibility for these benefits will be determined on a monthly basis and may be subject to a maximum income level as determined by the Department.

(B) Available Benefits. SNA benefits are subject to appropriation and will be in an amount determined by the Department.

705.350: Relocation Benefit

(A) Requirements. A relocation benefit of up to \$1000 for securing permanent housing may be provided to:

- (1) a TAFDC assistance unit or an EAEDC family assistance unit that has been in a temporary emergency shelter for 60 days or more;
- (2) a TAFDC assistance unit that has been in a domestic violence shelter for 60 days or more; or
- (3) a teen parent, 18 or 19 years of age, in a teen structured living program for 60 days or more who meets the conditions for living independently as specified in 106 CMR 703.184: *TAFDC Teen Parent Living Independently*.

(B) Available Benefits. The relocation benefit is for expenses directly related to the assistance unit's inability to secure permanent housing. Such expenses include, but are not limited to: advance rent, security deposit, rent arrearage, utility arrearages or deposit, storage, and moving expenses. A signed statement from the landlord or vendor indicating the amount due is required. The relocation benefit must be in the form of vendor payments. The assistance unit may not receive the relocation benefit more than once in a 12-month period.

705.400: Social Services

The Department of Children and Families (DCF) provides specific services for protecting children and strengthening families to eligible clients. The worker must refer applicants and clients to the DCF for services when asked or the need for services is noted.

705.500: Food Vouchers for Temporary Visits

A child who is in the care or custody of a Department of the Commonwealth or a licensed private agency who does not meet the requirements of 106 CMR 703.330: *TAFDC Living Arrangement* is ineligible for TAFDC, unless he or she has returned to the home of a relative, is expected to remain in the home for a period of more than 30 consecutive days, and meets all other applicable TAFDC requirements.

When this child returns to the home of a relative for a period of 30 days or less, the worker must, if the relative requests, issue a food voucher at the rate of \$1.80 per day for the number of days the child will be in the home, if:

- (A) The relative is currently receiving TAFDC; or
- (B) The relative is a former client of TAFDC who became ineligible, as a result of the removal of the child from the home, and who currently meets the financial eligibility requirements of the SNAP, MassHealth, or other Department programs.

705.510: Verification of Eligibility for Food Vouchers

Eligibility for food vouchers under 106 CMR 705.500 must be verified by:

- (A) Advance written notice from the appropriate Department of the Commonwealth or licensed private agency of the timing and duration of the child's visit; and
- (B) Confirmation by the Department of the Commonwealth or licensed private agency that no payment will be made to the foster family or group-care facility for that same time period.

705.520: Children Returned Home but Still in DCF Custody

(A) Requirements. A child who returns to the home of the relative from the care or custody of a Department of the Commonwealth or licensed private agency, is expected to remain in the home for more than 30 consecutive days, but remains in the custody of a public or private agency, is considered to be living with the relative and is eligible for TAFDC, if he or she meets all other applicable eligibility requirements.

(B) Verifications. Verification shall be by a written statement from the appropriate Department of the Commonwealth or licensed private agency, stating the child has returned to the home, is expected to remain in the home for more than 30 consecutive days, and payment to the foster family or group-care facility has ended.

705.600: Infant Benefits

The purpose of Infant Benefits is to provide a one-time payment for equipment needed to care for an infant. If the equipment is not available to the applicant or recipient from any other source, and if payment for the equipment is requested within the six months following the birth of the eligible infant, the following benefits must be authorized at rates set by the Department:

- (A) payment for a crib or mattress for a newborn infant; and
- (B) payment for a layette for a newborn infant.

705.700: Eligibility for Funeral and Final Disposition Expenses

The Department may provide payment for funeral and final disposition expenses of a deceased:

- (1) applicant or recipient;
- (2) person without sufficient resources or financially responsible relatives to pay for funeral and final disposition expenses; or

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(3) tperson whose identity is unknown. If payment is made for such expenses, the Department may assert a claim for reimbursement against the estate and/or other existing resources, including any financially responsible relatives, of the deceased. The Department shall determine the available financial resources that may exist and shall have the right of reimbursement from such resources.

Existing resources include, but are not limited to, savings, life insurance, RSDI and Veterans Administration death benefits.

705.710: Payment of Funeral and Final Disposition Expenses

The Department may pay a sum not to exceed \$1,100 for the funeral and final disposition of an eligible deceased person in accordance with 106 CMR 705.700, provided that the total expense of the funeral and final disposition does not exceed \$3,500 and that the request for payment is made within six months of the decedant's date of death. Payment shall be made directly to the attendant funeral director.

The funeral director shall submit to the Department an itemized bill. Payment shall not be made for a funeral and final disposition for which the total cost exceeds \$3500. The funeral director shall report any payment by or future payment expected from sources other than the Department.

705.900: Maximum \$50 Support Payment

The first \$50 of the monthly obligation for current support received by the Department of Revenue (DOR) shall be paid to the TAFDC assistance unit. The payment shall be made promptly upon notification by DOR of the amount collected, and in no event later than the end of the third month following the month the collection was received.

705.910: Rent Allowance

(A) TAFDC clients shall be eligible for a Rent/Mortgage Allowance of \$40 per month, provided:

- (1) the client does not reside in public, state or federally subsidized housing; and
- (2) the client has rent, mortgage, or room and/or board expenses.

Public housing is housing owned and operated by a housing authority in which the rent is based on a percentage of at least one of the occupants' income.

(B) Subsidized housing is housing occupied under a:

- (1) Section 8 lease or occupancy agreement;
- (2) Massachusetts Rental Voucher Program lease or occupancy agreement;
- (3) Teen Structured Living Program as specified in 106 CMR 703.180: *TAFDC Teen Parent Eligibility* and 703.183: *TAFDC Teen Parent Structured Residential Setting*; or
- (4) other state- or federally-funded program, in which the rent of at least one of the occupants is based in whole or in part on a percentage of his or her income.

705.950: Voter Registration

Voter registration application forms shall be made available at all local offices for applicants and clients who are U.S. citizens, and 18 years of age or older or who will 18 years of age on or before the next election.

(A) The Department shall:

- (1) inform applicants and clients of the availability of these forms at application, eligibility review, and when there is a change of address;
- (2) assist in completing these forms unless assistance is refused; and
- (3) receive completed voter registration application forms at the local offices to send to the proper local election offices.

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(B) The Department shall not:

- (1) seek to influence an applicant's or client's political preference or party registration;
- (2) display any political preference or party allegiance;
- (3) make any statement to an applicant or client or take any action to discourage the applicant or client from registering to vote; or
- (4) make any statement to an applicant or client or take any action, the purpose or effect of which is to lead the applicant or client to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

REGULATORY AUTHORITY

106 CMR 705.000: M.G.L. c. 18, § 10.