

106 CMR: DEPARTMENT OF TRANSITIONAL ASSISTANCE

106 CMR 705.000: RELATED BENEFITS

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705.000: Overview of Related Benefits

106 CMR 705.000 contains a description of the program-related benefits provided by the Department of Transitional Assistance (Department) which applicants or recipients may be eligible to receive. Some benefits are available to all recipients; others are intended for special needs or situations. Unless otherwise specified 106 CMR 705.000 applies to TAFDC and EAEDC applicants and recipients.

These benefits are described under the following headings:

- (A) MassHealth, 106 CMR 705.100;
- (B) Food Stamps, 106 CMR 705.200;
- (C) Emergency Assistance, 106 CMR 705.300;
- (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;
- (H) Transportation Assistance, 106 CMR 705.800;
- (I) Maximum \$50.00 Support Payment, 106 CMR 705.900;
- (J) Rent Allowance, 106 CMR 705.910;
- (K) Reserved;
- (L) Voter Registration, 106 CMR 705.950.

705.100: MassHealth

MassHealth provides medical services for those persons who meet specific income and other eligibility requirements. Current TAFDC and EAEDC recipients as well as those deemed to be in receipt of TAFDC and EAEDC are eligible for MassHealth without filing a separate application. Such persons are subject to all requirements of the MassHealth Eligibility Requirements.

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The following are categorically eligible to receive MassHealth benefits.

(A) Recipients Whose TAFDC Payment Would Be Less Than \$10. Assistance units that do not receive a TAFDC payment solely because the monthly payment would be less than \$10 are deemed to be in receipt of TAFDC for purposes of MassHealth eligibility. This provision also applies to participants in the Full Employment Program as specified in 106 CMR 207.180 and the Supported Work component specified in 106 CMR 207.160.

(B) Children Receiving Adoption Assistance or Foster Care Maintenance. Any child for whom adoption assistance or foster care maintenance payments are made under Title IV-A or Title IV-E of the Social Security Act is deemed to be receiving TAFDC and will be eligible for medical assistance provided by the state making such payments, regardless of whether the child resides in that state.

(D) Child Born to Recipient of TAFDC. A child born to a woman who is eligible for and receiving TAFDC on the date of the child's birth will be eligible for MassHealth without further application for a period of one year from the date of his or her birth, provided the child continues to live with the mother. The mother's continued eligibility for TAFDC is not required for the child to remain eligible for MassHealth.

(E) Extended MassHealth Eligibility Subsequent to Termination of TAFDC. Members of a TAFDC or EAEDC assistance unit whose TAFDC or EAEDC assistance has been terminated shall continue to receive MassHealth until a determination of ineligibility is made by the Division of Medical Assistance.

(F) Extension of MassHealth Subsequent to Termination of TAFDC for Employment Reasons. Members of a TAFDC assistance unit who have become ineligible for TAFDC shall 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:

- (1) continues to include a child who meets the age requirements in 106 CMR 203.570 and 203.575 of a dependent child receiving TAFDC;
- (2) became ineligible for TAFDC because of an increase in income from employment of the grantee; and
- (3) has a member who continues to be employed.

(G) EAEDC Medical Assistance.

(1) The EAEDC program provides limited medical services to applicants and recipients of EAEDC. These services shall be specified by the Division of Medical Assistance.

(2) Certain recipients of EAEDC may also be eligible for MassHealth in accordance with the requirements of the MassHealth specified in 130 CMR.

A recipient is ineligible for EAEDC medical assistance after he or she receives benefits under MassHealth.

705.110: General Medical Care

A grantee receives a MassHealth card(s), which may be used to obtain medical services for the listed members of his or her assistance unit(s), subject to 130 CMR.

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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 under the age of 21 with the opportunity for preventive health care, including medical checkups, immunizations, and dental checkups. A full description of the EPSDT program is provided in 130 CMR.

705.140: Family Planning

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

705.150: Medical Transportation

Medical transportation is a benefit provided under the MassHealth. The Division of Medical Assistance must provide this service in accordance with 130 CMR.

705.160: Reimbursement of Certain Recipients for Out-of-Pocket Expenses

(A) Requirements. The following individuals shall be entitled to reimbursement for certain medical expenses paid by them subject to the provisions of 106 CMR 705.160:

(1) An individual who:

- (a) applied for SSI; and
- (b) was denied SSI benefits by the Social Security Administration; and
- (c) had his or her initial Social Security Administration decision overturned through the reconsideration process, administrative hearing, Appeals Counsel review, Federal Court review, or reopening under the Social Security Administration rules on administrative finality.

(2) An individual who:

- (a) applied for TAFDC; and
- (b) was denied TAFDC benefits by the Department; and
- (c) has had his or her initial incorrect Department decision overturned by a subsequent decision by the Department, the Department'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 recipient is notified of MassHealth eligibility. The bill must have been paid by the recipient or spouse, or the parent or legal guardian of a minor recipient.

Reimbursement under 106 CMR 705.160(A) 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 exceed the MassHealth rate. Prior to reimbursing a recipient for care or services that would have required prior approval, the Department may require submission of 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.

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(B) Verification. Persons seeking reimbursement must provide the Department with:

- (1) A bill for medical services that includes:
 - (a) the provider's name;
 - (b) a description of the services provided;
 - (c) the date the service was provided; and
- (2) Proof of payment of the bill presented, such as a canceled check or receipt.

Recipients of SSI must also provide documents from the Social Security Administration establishing the date of application and the date of the denial.

705.200: Food Stamps

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

705.210: Obtaining Food Stamps

(A) An applicant or recipient may also apply for and be eligible for food stamps. The worker must inquire whether the applicant wants to apply for food stamps, and if so, must ensure that the food stamp application is processed appropriately. When all the members of the food stamp household are receiving TAFDC and/or SSI benefits, the household is categorically eligible for food stamps. (*See* 106 CMR 365.180.)

(B) Individuals and assistance units that are ineligible for TAFDC solely as a result of a provision(s) under the demonstration shall continue to be eligible for food stamps to which they otherwise would be eligible for in the absence of the demonstration.

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

The amount of SNAP benefits for which an assistance unit is eligible depends upon the amount of income available to it, including the monthly 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 in 106 CMR 705.250(A)(1) through (4) to be eligible for SNA benefits:

- (1) receive NPA SNAP benefits and for the purposes of SNA only, this criterion is only met once the household has received its first cyclical month's issuance; and
- (2) be categorically eligible for TANF assistance in accordance with 106 CMR 365.180(A)(4)(a)(b)(c); and
- (3) contain no household member who is an active TAFDC recipient; and
- (4) contain at least one parent or caretaker relative who is working and who is a citizen or meets the noncitizen requirements of 106 CMR 203.675; and
 - (a) for a single-parent or caretaker-relative household, the parent or caretaker relative must be working:
 - (i) a minimum of 30 hours per week, if the household does not contain a child under age six; or
 - (ii) a minimum of 20 hours per week, if the household contains a child under age six; or
 - (b) for a household that contains two parents or two caretaker relatives; and
 - (i) one of the parents or caretaker relatives is not a citizen and does not meet the noncitizen requirements of 106 CMR 203.675, the parent or caretaker relative, who is a citizen or meets the noncitizen requirements of 106 CMR 203.675, must be working a minimum of 30 hours per week; or
 - (ii) one of the parents or caretaker relatives is disabled, either parent or caretaker relative, who is a citizen or meets the noncitizen requirements of 106 CMR 203.675, must be working a minimum of 30 hours per week; or

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- (c) for a household that contains two parents; and
 - (i) both parents are citizens or meet the noncitizen requirements of 106 CMR 203.675; and
 - (ii) neither parent is disabled, at least one parent must be working a minimum of 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 that contains two caretaker relatives; and
 - (i) both caretaker relatives are citizens or meet the noncitizen requirements of 106 CMR 203.675; and
 - (ii) neither caretaker relative is disabled, at least one caretaker relative must be working a minimum of 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 in order to stay within appropriated funds.

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

705.300: Emergency Assistance

The Emergency Assistance Program provides temporary emergency shelter assistance to families in emergency situations. An assistance unit is not eligible to receive EA benefits if it received EA benefit within the past 12 months, except as provided in 106 CMR 309.040(A)(4).

When it is apparent that TAFDC applicant or recipient needs Emergency Assistance, the worker must inform him or her of the advantages and disadvantages of the program.

The specific requirements and benefits of the EA program are found in 106 CMR 309.000: *Emergency Assistance*.

705.350: Relocation Benefit

(A) Requirements. A relocation benefit of up to \$1,000 for securing permanent housing shall 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 shelter for victims of domestic violence 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 203.640.

(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/or moving expenses. A signed statement from the landlord or vendor indicating the amount(s) 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 Social Services provides specific services to eligible recipients. The worker must refer applicants and recipients to the Department of Social Services for services when such services are requested or the need for them 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 licensed private agency and who does not meet the requirements of 106 CMR 203.595 is not eligible 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.

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When such a 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, provided one of the following situations applies:

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- (A) The relative is currently receiving TAFDC or EAEDC; or
- (B) The relative is a former recipient 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 Food Stamps, 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) The receipt of advance written notification from the appropriate agency of the timing and duration of the child's visit; and
- (B) Confirmation by the agency that no payment will be made to the foster family or group-care facility for that period of time.

705.520: Return of More Than 30 Days

- (A) Requirements. A child who returns to the home of the relative, is expected to remain in the home for more than 30 consecutive days, and 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 agency, stating that the child has returned to the home, that he or she is expected to remain in the home for more than 30 consecutive days, and that payment to the foster family or group-care facility has been terminated.

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
- (3) person 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. 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.

705.800: Transportation Assistance Program

Subject to available funding, the Department provides transportation assistance to applicants or recipients of TAFDC and EAEDC benefits who have asked for help moving outside the Commonwealth. Transportation assistance is provided through agencies under contract with the Department.

A referral must be made to the contracted agency on a Departmental form and the determination of eligibility shall be made by the contracting agency in accordance with Department standards.

705.810: Eligibility for the Transportation Assistance Program

The contracting agency will determine eligibility for transportation assistance using the following criteria. The individual or family must:

- (A) have a significant social, medical or financial problem which may be substantially alleviated by moving permanently outside the Commonwealth;
- (B) be an applicant or recipient of TAFDC or EAEDC benefits;
- (C) have insufficient resources of their own to move outside the Commonwealth;
- (D) not have previously moved out of the Commonwealth with the assistance of the Transportation Assistance Program; and
- (E) agree to reimburse the Department for the Transportation Assistance Program services by a grant reduction in accordance with 106 CMR 706.290: *Recovery from Current Recipients* if the circumstances described in 106 CMR 705.840 apply.

705.820: Voluntary Participation in the Transportation Assistance Program

The decision of an individual or family to accept referral for Transportation Assistance Program services and to accept transportation assistance, based on the contracting agency's agreement to the soundness of the moving plan, must be voluntary.

705.830: Limitation on Transportation Assistance Program

Transportation assistance is limited to personal transportation for the family or the individual. The cost of moving household goods or furnishings, or costs for luggage or baggage in excess of the transportation carrier's stated limitations for personal effects or belongings, will not be authorized.

705.840: Transportation Assistance Program Reimbursement

An applicant or recipient who is approved for benefits under any cash assistance program administered by the Department within three years after receiving Transportation Assistance Program services must reimburse the Department for the cost of the transportation services provided to those family members who are approved for such benefits. Reimbursement shall be by a grant reduction as specified in 106 CMR 706.290: *Recovery from Current Recipients*.

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. Such payment shall be made promptly upon notification by the Child Support Enforcement Unit of the amount of support collected, and in no event later than the end of the third month following the month in which the collection was received.

705.910: Rent Allowance

(A) Applicants and recipients of TAFDC shall be eligible to a Rent/Mortgage Allowance of \$40 per month provided:

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

(B) 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 occupant's income.

(C) 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 203.600 and 203.630; 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 to applicants and recipients who are (a) U.S. citizens, and (b) age 18 or older or who will be age 18 on or before the next election.

(A) The Department shall:

- (1) inform applicants and recipients of the availability of voter registration forms at application, eligibility review, and when there is a change of address;
- (2) assisted in completing the voter registration application form unless assistance is refused; and
- (3) receive voter registration application forms at the local offices for transmittal to the proper local election offices.

(B) The Department shall not:

- (1) seek to influence an applicant's or recipient's political preference or party registration;
- (2) display any political preference or party allegiance;
- (3) make any statement to an applicant or recipient or take any action, the purpose or effect of which is to discourage the applicant or recipient from registering to vote; or
- (4) make any statement to an applicant or recipient or take any action, the purpose or effect of which is to lead the applicant or recipient 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.

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