



# Transitions

July 2015

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Dear Colleagues,

Twenty-five years ago a life changing law was enacted – July 26, 2015 marks the 25th anniversary of the passage of the Americans with Disabilities Act. This groundbreaking legislation was enacted to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities – both visible and hidden.

DTA is committed to upholding the protections outlined in the ADA by providing equal access to services for all those whose lives we touch – whether it is via email, telephone, or in our offices. In order to uphold these protections, we will seek to readily make accommodations to serve members of the disabled community without impediment.

As this historic anniversary approaches we recognize the impact the ADA has had on the lives of countless Americans, and renew our commitment to those with disabilities.

With the anniversary of the passage of the ADA, it seems timely to share with you all that Kate Brown will be joining the Department in a dual capacity as a Regional Director and the Director of Disability Access. Kate brings over 30 years of experience in the public, private, and academic sectors back to DTA where she served in a number of roles throughout the 1980s. Her experience as a consultant, public servant, and manager will be an asset to both our clients and our staff.

We have come a long way in the past 25 years, but there is still much to be accomplished to ensure equal access and equal rights for individuals with disabilities.

Thank you for your continued hard work and dedication to serving those in need of assistance.

Sincerely,

Jeff McCue  
Commissioner



## Quality Corner

This month we will review a SNAP error and an invalid denial.

### **Adding a Family CAP child to SNAP**

The SNAP household included the grantee and four dependents. The family shared housing with the grantee's mother but purchased and prepared meals separately from her. According to the BEACON record, the grantee paid \$50 per week for rent and \$10 per month towards the heating bill.

On November 24, 2014, the client gave birth to a child subject to the family cap rule. She reported the addition of the newborn to her household by sending a Notification of Birth (NOB) to the Electronic Document Management Center (EDMC) on January 9, 2015. When the required family cap paper work was submitted to the TAFDC case manager, the newborn was subsequently added to the SNAP household effective for March.

The Quality Control reviewer determined that the client actually only paid \$40 per week for rent and that the child should have been added to the SNAP household for February. This resulted in an underissuance of \$163 in SNAP benefits for the review month.

### **What's a Case Manager to do?**

When a client reports the birth of a child, you must explore the new household member's eligibility including whether there is income, etc. If the child is subject to TAFDC family cap rules, the Family Cap Exception/Waiver Request form must be completed. However, since family cap rules do not apply to SNAP, the child should have been opened retroactively to include benefits for the month of February. For more information on Department Responsibility to Take Timely Action, see 106 CMR 366.120 (A).

### **Veterans Benefits and Medical Reimbursements**

This case was a household of one. The client received \$1206 per month in veterans' benefits and paid rent of \$129 per week. His only utility expense was a phone. At his August 2014 recertification, the client presented a letter from the Department of Veterans' Services which stated that he received \$1206 monthly in veterans' benefits and that he was also reimbursed \$368.43 for his medical insurance. The letter further stated that the reimbursement would end in June. The case manager combined the monthly benefit payment and the reimbursement amounts which totaled \$1574.43. The client's recertification was subsequently denied for being over income.

The Quality Control reviewer determined that this was an invalid denial as medical reimbursements are noncountable. This caused an invalid denial for the review month. Using the correct income amount, the client was eligible for \$16 in SNAP benefits.

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## Quality Corner *(Continued from Page 2)*

### What's a Case Manager to do?

Clients who receive veterans' benefits are sometimes disabled and may receive additional benefits other than the regular monthly payments. This is also true of other programs such as RSDI where the federal government sometimes pays for a client's health insurance. In this situation, the client was reimbursed for payments made for medical insurance. These reimbursement payments are noncountable. In addition, the verification letter provided by the client indicated that this reimbursement would have ended in June but the case manager erroneously included it as income for the August recertification.

When processing a case, it is important to pay attention to details on the award letter. If unsure of how to treat a particular type of income, reimbursement, or an expense, consult your supervisor. For more information on noncountable income for SNAP, see 106 CMR 363.230 (F).

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### Diversity Quote

**No matter how big a nation is, it is no stronger than its weakest people, and as long as you keep a person down, some part of you has to be down there to hold him down, so it means you cannot soar as you might otherwise.**

**Marian Anderson (U.S. Contralto, 1897-1993)**

## From the DTA Mailbox

If you have any questions on this column or other policy and procedural material, please have your manager or supervisor contact the **DTA Mailbox**.

- Q. 1.** My TAFDC applicant requested an exemption from time-limited benefits and the reduced need and payment standard, as a disabled grantee. He says he has a permanent disability. When does his exemption start?
- A. 1.** If this is your applicant's first claim of disability for an exemption per 106 CMR 203.100, his disability exemption status begins the same date as his TAFDC eligibility start date. The TAFDC Program allows clients one presumptive disability exemption from time-limited benefits and the reduced need and payment standard in a continuous 60-month period.
- Q. 2.** My TAFDC client has been exempt as a disabled grantee. Today, when I was interviewing her she mentioned she was pregnant. With verification, can I change her exemption status to a pregnant woman whose child is expected to be born within the next 120 days?
- A. 2.** If your TAFDC client was exempt as a disabled grantee and is now pregnant, explain to her that disability and expecting a child within the next 120 days are both acceptable exemption reasons. However, she must also be told that if she switches her exemption to pregnancy and requests another disability exemption after her pregnancy ends, she will not receive presumptive eligibility for an exemption due to that disability. She may, however, make another disability exemption request at any time within the continuous 60-month period but will be considered non-exempt until DES approves her disability request.
- Q. 3.** I have an applicant who had received TAFDC as a disabled grantee. She subsequently moved out of state and her TAFDC case closed. She came back to Massachusetts last month and is reapplying for TAFDC. She states she is disabled. How do I process her disability request?
- A. 3.** It depends.  
As long as your client's disability end date has not passed, a presumptive disability request upon your client's return to Massachusetts is unnecessary, as your client would still be considered disabled. However, once your client's DES-approved disability period ends, your client would fall into one of two categories:
- eligible for a presumptive disability because she has started a new 60 month period, **or**
  - ineligible for second presumptive disability within the same 60 month period, because she has already used her one presumptive disability exemption request.

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**From the DTA Mailbox** *(Continued from page 4)*

- Q. 4.** I have a TAFDC client who is residing in an Emergency Assistance (EA) shelter. His only child is 3 years old. He states that he cannot participate in a work program activity because he is doing housing search. Is he work program required?
- A. 4.** Yes. The client is work program required for 20 hours per week, however he can satisfy this requirement by complying with the EA housing search requirements. It is important to reiterate to the client that he is still subject to time-limited benefits and that obtainment of employment is vital to securing more stable housing and economic self-sufficiency.
- Q. 5.** I have a client who has been meeting her work program requirement by performing community service for the past 10 months. She doesn't seem any closer to securing employment. What should I do?
- A. 5.** You should speak with the client about her Employment Development Plan and the progress she is making in moving to economic self-sufficiency. While community service can be valuable in building work experience and professional references, it is not always the best long-term activity for a client. It's important to discuss with the client her time-limited benefits, explore what education and training programs may be more beneficial and encourage the client to enroll in an activity that is consistent with the goal of obtaining and maintaining employment. See 106 CMR 207.110 for additional information.

**Note:** It is important to remind the client that work program activities other than community service are also eligible for transportation reimbursement payments.

## Online Guide Transmittal

### **SNAP: Removal of Views Chapter from Online Guide**

OLGT 2015-37

SNAP

NPA SNAP case managers no longer depend on Views to determine their daily work activities, but instead receive Actions to monitor and process SNAP cases. This Online Guide Transmittal removes the Views chapter from the SNAP section of the Online Guide.

### **SNAP Employment and Training (E & T) Program: Corrected Online Guide Pages**

OLGT 2015-39

SNAP

This Online Guide Transmittal changed the SNAP Work Requirements section by updating information about exemptions to program participation requirements for the exemption reason: unfit for work observed.

The updates were:

- the reference to exemption due to unfit for work observed has been removed from the E & T section; and
- the reference to exemption from E & T participation due to unfit for work observed has been removed from the Work Program section.

## TAO Meeting Notes