



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
 600 Washington Street • Boston MA 02111

William F. Weld
 Governor
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 Lieutenant Governor
 Joseph Gallant
 Commissioner

FAX 96-59

Field Operations Memo 96-22
June 20, 1996

TO: Local Office Staff
FROM: Joyce Sampson, Assistant Commissioner for Field Operations
RE: Right to File an Application

Right to File

Every person has the right, and must be afforded the opportunity, to apply for any category of assistance administered by this Department. This means that everyone has the right to file an application regardless of whether or not he or she appears to be eligible. It is the Department's obligation and your responsibility to uphold this right.

Ineligible Applicants

If an applicant is clearly ineligible, you may inform the applicant that he or she appears to be ineligible; however, you must also advise the applicant of the right to file an application. You must be absolutely clear that it is the applicant's decision whether or not to continue with the application process.

Remember, although you may know an applicant is ineligible and you may want to save valuable time, it is a violation of a person's rights and a violation of your responsibility to refuse to take an application.

Reminder

If an individual is applying for both cash and food stamps and you determine that the applicant is ineligible for cash assistance, you must still make a determination on food stamp eligibility. Refer to Field Operations Memo 95-33 for instructions on how to handle MA for a denied TAFDC applicant.

Policy References

Refer to AFDC: 106 CMR 302.110, TAFDC: 106 CMR 202.115, EAEDC: 106 CMR 319.110, EA: 106 CMR 309.020 and FS: 106 CMR 361.050-361.130.

Questions

If you have any questions, have your Hotline designee call the Policy Hotline at (617) 348-8478.
