



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

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Commissioner

Field Operations Memo 99-2C
February 9, 1999

To: Transitional Assistance Office Staff
From: Joyce Sampson, Assistant Commissioner for Field Operations
Re: *Thibault v. Department of Transitional Assistance* Lawsuit

Background

As stated in Field Operations Memo 99-2B dated February 5, 1999, notices were sent to active recipients affected by the preliminary injunction granted in the *Thibault v. DTA* lawsuit. Transitional Assistance Workers received the *HealthPro TAFDC Cases* printout during the week of February 1, 1999, which lists all active TAFDC recipients who got the notices.

This Field Operations Memo explains that certain closed TAFDC cases are also being sent a notice to inform them of the court's opinion about the Initial Appointment for Medical Treatment (IAMT) letter.

**Notices to
Closed Cases**

The notice in Attachment A will be sent on February 10, 1999 only to closed TAFDC individuals who:

- ▶ requested a disability exemption between November 1, 1995 and July 30, 1998; and
- ▶ were denied a disability exemption for failure to respond to the IAMT letter; and
- ▶ have not been reviewed by HealthPro or UMASS Disability Evaluation Services (DES) since the IAMT-related denial.

The notice informs individuals of the court decision. It states that individuals must reapply for TAFDC benefits to have their disability reviewed again. Individuals are also informed that all TAFDC program requirements must be met to be eligible.

**Transitional
Assistance
Workers'
Responsibilities**

Transitional Assistance Workers are not required to take any special action on these cases. If these cases reapply, the case should be treated as a regular TAFDC application. Refer to the *Disability Determination Guide* for instructions on processing Disability Supplements.

Reminder: If a recipient requested a disability exemption before December 1, 1996 and the request was denied, the first request after December 1, 1996 should be treated as an initial request and the disability is presumed pending a decision. Refer to *Transitions Update*, No. 6 dated November 27, 1998 for further details.

Transitional Assistance Workers must help individuals complete Disability Supplements when requested. Individuals can also be referred to Disability Coordinators in certain Transitional Assistance Offices or can call DES at 1-888-497-9890.

Note: If the Transitional Assistance Worker is told or has reason to believe that an individual has a physical or mental condition which prevents him or her from completing and/or returning the Disability Supplement, the Transitional Assistance Worker should take steps to follow up, for example, call or send the individual a letter offering your assistance. If the Transitional Assistance Worker is not sure what to do in this situation to accommodate the individual, contact Judith Subanny, Director of Equal Opportunity at (617) 348-8490. Refer to Field Operations Memo 98-50 for further details.

Questions

If you have any policy questions, have your Hotline designee call the Policy Hotline at (617) 348-8478. Systems questions should be directed to the Systems Customer Service Center at (617) 348-5290.



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Important Notice

Our TAFDC files show that you asked for a disability exemption between November 1, 1995 and July 1, 1998. You were found not disabled. This is because you did not fill out and return a letter that was sent to you. Your case was later closed.

A court has decided that the letter we sent you may have been hard to understand. We are sending you this notice to tell you that you can have another chance to prove your disability. If you want to have your disability reviewed again, you must contact your Transitional Assistance Office. You will need to reapply for TAFDC benefits. Bring this notice with you when you reapply.

To be eligible, you must meet all TAFDC program requirements. A worker will explain all the TAFDC program requirements and give you a form about your disability. After you fill out and return the form, we will look at your case again. We will decide if you are eligible for a disability exemption.

We will send you a notice about our decision.

If you have any questions about this notice, please call your Transitional Assistance Office.