



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
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Claire McIntire
Commissioner

Field Operations Memo 99-2D
March 12, 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, notices and a Disability Supplement were sent in February to approximately 672 active recipients affected by the preliminary injunction granted in the *Thibault v. DTA* lawsuit. These recipients were instructed to complete and return the Disability Supplement to Transitional Assistance Offices by March 1, 1999 to have their disability exemption requests reviewed.

On February 26, 1999 a Supplemental Preliminary Injunction was issued requiring the Department to review the recipient's disability exemption regardless of whether a Disability Supplement was returned from the February mailing. The court has ordered the Department not to reduce or terminate these TAFDC cases due to the 24-month time limit or for failure to meet work program requirements, until the recipient's last disability exemption request, handled by HealthPro, is reviewed by DES.

Disability Supplements returned from the February mailing must continue to be submitted to DES as instructed in Field Operations Memo 99-2B. This information will be used by DES to assist them in making a decision.

Important: These active cases will remain identified on the PACES RECD Screen with code 99 in the STATEHSHLD Block to prevent closings or reductions due to the 24-month time limit or for failure to meet work program requirements, until further notice.

**The *HealthPro*
TAFDC Cases
Printout**

As stated in Field Operations Memo 99-2B, Transitional Assistance Workers should have annotated the *HealthPro TAFDC Cases* printout with the date Disability Supplements were returned or with "Supplement not returned" if recipients had not responded by March 8, 1999. Transitional Assistance Office Directors should have faxed these printouts to Regional Directors.

Note: The Transitional Assistance Worker should continue to track any Disability Supplements returned after March 8, 1999. These Disability Supplements must be submitted to DES following instructions in Field Operations Memo 99-2B.

**Additional
Instructions**

Transitional Assistance Workers will receive further instructions, as soon as possible, on how to process cases once DES has made a disability determination.

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.
