



Argeo Paul Cellucci
Governor

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

William D. O'Leary
Secretary

Claire McIntire
Commissioner
Fax 99-5

Field Operations Memo 99-2
January 7, 1999

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

Background

A preliminary injunction has been granted in the *Thibault v. DTA* lawsuit. As a result of the injunction, the Department in certain limited circumstances is required to stop the reduction or termination of TAFDC benefits due to the 24-month time limit or failure to comply with work program requirements.

This preliminary injunction applies to TAFDC recipients who:

- requested a disability exemption from DTA between November 1, 1995 and July 1, 1998;
- had their Disability Supplements sent to HealthPro for review;
- were sent an Initial Appointment for Medical Treatment (IAMT) letter; and
- for the **sole** reason of not complying with the IAMT letter were determined **not disabled**.

The injunction is effective December 29, 1998 and is prospective. No cases closed or reduced prior to December 29, 1998 are covered by the preliminary injunction.

This Field Operations Memo is a follow-up to the cc:Mail sent to Transitional Assistance Office Directors on December 31, 1998. The cc:Mail informed TAO Directors that the preliminary injunction had been granted and that detailed information would be provided during the week of January 4, 1999.

**Identifying
Affected Cases**

Central Office has identified cases affected by this preliminary injunction. These cases have been identified on the PACES RECD Screen using code 99 in the STATESHLD Block. Code 99 prevents the system from accepting negative actions taken on these cases due to the 24-month time limit or work program.

The negative actions being prevented are action reasons 29, 52 or 68 related to the 24-month time limit and action reasons 27 or 73 related to the work program. Code 99 forces the system to reject these action reasons, and data entry will receive a message stating *AR INVALID-HEALTHPRO LAWSUIT*. All other actions on these cases will be accepted.

These cases will remain unaffected by closings or reductions due to the 24-month time limit and the work program. Transitional Assistance Workers shall continue to submit all other case actions as normal. An additional Field Operations Memo will be issued with more specific information on how to process these cases.

Printout

The *HealthPro SSN Found on Recipient File* printout contains a list of 11 cases that were closed since 12/29/98.

The following Transitional Assistance Offices will receive a copy of this printout:

Greenfield, Malden, Newmarket Square, Roslindale,
Southbridge, Springfield/State, Westfield and Worcester.

Transitional Assistance Workers receiving this printout must reopen these cases back to the date of closing, using the previous action reason and program code.

**Cases Pending
to Close or be
Reduced**

Transactions have been removed by MIS for cases pending to close or be reduced with action reason 29, 52, 68, 27 or 73.

**Recipients
Identified with
Code 99 on
PACES**

The Department is currently developing a process for notifying recipients identified with code 99 on the PACES RECD Screen. These individuals need to have their disability determined by UMASS Disability Evaluation Services (DES). Transitional Assistance Workers will receive a printout of these identified recipients and further instructions as soon as possible.

Questions

Policy questions should be referred to the Policy Hotline at (617) 348-8478. Systems questions should be referred to the Systems Customer Support Services at (617) 348-5290.
