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**Field Operations Memo 2001-37**  
**November 23, 2001**

**TO:** Transitional Assistance Office Staff

**FROM:**  Cescia Derderian, Acting Assistant Commissioner for Field Operations

**RE:** TAFDC: New Five-Year (60-Month) Period

**Overview**

On December 1, 1996, the Department instituted a five-year (60-month) period for all recipients. Nonexempt TAFDC recipients could receive up to 24 months of time-limited benefits within this 60-month period. As of November 30, 2001, the five-year period is ending for some recipients. These recipients begin another five-year period.

Because the five-year period is a "rolling" five-year period, not all recipients subject to this rule are eligible for a new five-year period at the same point. Any recipient whose five-year period began December 1, 1996 begins a new five-year period effective December 1, 2001. Any recipient whose five-year period began January 1, 1997 begins a new five-year period effective January 1, 2002 and so on.

Additionally, the new five-year period:

- resets the 24-month clock;
- resets the 60-day work-search period (106 CMR 203.400 (A)); and
- gives the recipient a new first-time claim of disability (a period of presumptive eligibility should he or she claim a disability) (106 CMR 203.530 (F) and (G)).

**Processing  
Applications for  
Former  
Recipients**

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Any former recipient whose 60-month period has ended is eligible to reapply for TAFDC even if he or she has used 24 months of time-limited benefits.

Before taking any application, it is important to review:

- the Time Limits window in the Program Administration workflow to determine if the applicant is eligible for a new 60-month period; and
- the Work Requirements window to determine if the applicant is subject to a new work-search period.

Each applicant must be reminded that:

- if applicable, a new 60-day work-search period begins on the application date (and will be automatically reset on BEACON);
- the new 60-month period also begins on the application date (and will be automatically reset on BEACON); and
- if applicable, he or she may be presumptively eligible under a first-time medical disability claim and be exempt from the Work Program and time-limited benefits.

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**Revised View on  
BEACON**

The "State Clock Months for Nonexempt AUs" View is being revised. The revised View "State Clocks," contains information on months used for 24 months of time-limited benefits (listed on the "Count" field), the last time the 24-month clock was adjusted (listed on the "Entered" field) and ALL currently active, exempt and nonexempt TAFDC AUs and their respective 60-month period (listed on the "Start" and "End" fields). To determine who must be seen to discuss the impact of the new 60-month period on the AU, AU Managers should look at the "End" field on this View. For those needing appointments, schedule them no more than two months in advance.

**Example:** Lisa Smith is listed on the "State Clocks" View with an end date of 5/01/02. She needs an appointment scheduled to discuss the impact the new 60-month period has on the AU. Her AU Manager will schedule an appointment no earlier than March 2002.

This revised View will be available on December 3, 2001 with BEACON Increment 2.0.9.

**Active Recipient Groups**

The chart below breaks down all active recipients appearing on the State Clocks View into four groups and the impact on each group once they reach the beginning of the new 60-month period:

Group	60-Month Period	24-Month Clock	60-Day Work Search
Currently Exempt Used None of 24 Months	Reset* to zero	NA	NA
Currently Exempt Used Less Than or All of 24 Months	Reset* to zero	Reset* to zero	NA
Currently Nonexempt+ Used Less Than 24 Months	Reset* to zero	Reset* to zero	Reset* Work Search Period, if applicable
Currently Nonexempt+ Extension Related	Reset* to zero	Reset* to zero	Reset* Work Search Period, if applicable

\* (Reset centrally by Systems Division)

+ (Special procedures for nonexempt recipients who have a Domestic Violence Waiver found later in this memo.)

**Reminder:** 60-month period and 24-month clock information are found on the Time Limits window.  
60-day work-search period is found on the Work Requirements window.

The remaining sections contain procedures for processing the various groups on this View.

**Currently Exempt Used None of 24 Months**

No AU Manager contact is necessary now. Recipients who begin a new 60-month period must be told about it at the next TAO contact. AU Managers must then review the Time Limits window to ensure the 60-month period has been reset, which should be recorded on the Narrative Tab of the Eligibility Explorer window.

**Currently Exempt  
Recipients: Used  
Less Than or All  
of 24 Months**

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No AU Manager contact is necessary now. Recipients who begin a new 60-month period must be told about it at the next TAO contact. AU Managers must then review the Time Limits window to ensure the 60-month period and 24-month clock have been reset, which should be recorded on the Narrative Tab of the Eligibility Explorer window. Systems will automatically reset the 24-month clock when the recipient begins a new 60-month period.

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**Currently  
Nonexempt  
Recipients: Used  
Less Than 24  
Months**

For currently nonexempt recipients who have used fewer than 24 months of time-limited benefits and a minimum of 58 months of the 60-month period, the AU Manager must:

- schedule an eligibility review for the AU, excluding those recipients with a Domestic Violence Waiver (see the section on Domestic Violence Waivers in this memo for procedures);
- at the eligibility review inform the AU of the impact of this new 60-month period on the AU:
  - ♦ the 24-month clock will be reset to “0” on the Time Limits window for the recipient with a new 60-month period; and
  - ♦ if Work Program-required, a new 60-day work search period for the Work Program requirement will be set on the Work Requirements window; and
- ensure the new 60-month period, 24-month period and/or the work search period are accurately reflected on BEACON.

**Mandating  
Non-Work  
Program-Required  
Recipients**

**The AU Manager must inform the nonexempt recipient not work program-required that participation in certain ESP components will be *mandated* subject to both ESP component and child care availability.** ESP participation can be mandated in the following components: Basic Educational Services, Skills Training or Supported Work.

The recipient’s ESP assessment and the number of months of time-limited benefits remaining (e.g., those recipients with fewer months of time-limited benefits remaining should be given priority) must be considered part of the ESP component mandating process. Mandated participation must be documented on the Transition Plan(s).

Participation in Basic Job Search, Structured Job Search or Full Employment Program cannot be mandated, although recipients may volunteer for these activities instead of education or training.

**Currently  
Nonexempt  
Recipients: Used  
Less Than 24  
Months  
(continued)**

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Before mandating participation, the recipient must be advised of all ESP options and afforded the opportunity to voluntarily participate in the ESP component of his or her choice, choosing from Basic Job Search, Structured Job Search or the Full Employment Program instead of the component mandated. The recipient's selection of an ESP component is subject to the approval of an EDP.

If, after enrolling in an ESP component, either as a volunteer or mandated recipient, he or she subsequently fails to meet the participation guidelines, explore good cause and reassess the EDP. If good cause does not exist, the sanction process will be initiated.

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**Currently  
Nonexempt  
Recipients:  
Extension  
Related (In an  
Extension)**

For currently nonexempt recipients who are in an extension and have used the full 60-month period, the AU Manager must at the **end** of the extension period:

- schedule an appointment for the AU;
- close the Extension AU on BEACON following the instructions in *A User's Guide: Transitional Assistance Programs and BEACON*, Chapter XVI, Section E, Page 47;
- ask the TAO Director to update the *ETNA* system with the appropriate action;
- conduct a reapplication interview following procedures found in *A User's Guide*, Chapter IV, Sections A and B, ensuring the new 60-month period, 24-month period and/or the work-search period are accurately reflected on BEACON; and
- inform the AU how this new 60-month period impacts the AU:
  - ♦ the extension will end and the 24-month clock will be reset to "0" for the recipient with a new 60-month period;
  - ♦ if not work program-required, certain ESP components will be *mandated* subject to both ESP component and child care availability; and
  - ♦ if work program-required, a new 60-day work search period for the Work Program requirement will be set.

**Note:** Extension AUs with a new 60-month period pending to close should be allowed to close. Follow the procedures above to process the AU who still wants to receive TAFDC.

**Currently  
Nonexempt  
Recipients:  
Extension  
Related  
(continued)  
(Pending an  
Extension)**

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For currently nonexempt recipients who have a pending extension request and have used the full 60-month period, the TAO Director must:

- deny the Extension AU; and
- update the *ETNA* system with the appropriate denial reason.

Once this is done the AU Manager must:

- schedule an eligibility review for the AU, excluding those recipients with a Domestic Violence Waiver (see the section on Domestic Violence Waivers in this memo for procedures);
- at the eligibility review inform the AU of the impact of this new 60-month period on the AU:
  - the 24-month clock will be reset to “0” on the Time Limits window for the recipient with a new 60-month period; and
  - if Work Program-required, a new 60-day work search period for the Work Program requirement will be set on the Work Requirements window; and
- ensure the new 60-month period, 24-month period and/or the work search period are accurately reflected on BEACON.

For non-work program required recipients, see procedures beginning on page 4 to mandate participation in an ESP component.

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**Domestic  
Violence Waivers  
and the New  
60-Month Period**

Recipients subject to the 24-month time limit, the work program requirement or mandatory participation in an ESP component can receive waivers of these requirements due to domestic violence. AUs with approved Domestic Violence Waivers who have reached the end of the 60-month period but not the end of the waiver must come in for a review when the waiver expires.

When a waiver expires, the AU must be reviewed by the AU Manager and Domestic Violence Specialist, and the following must be completed:

- Check to ensure the 24-month clock and 60-month period have been reset.
- Start a new 60-day work search period, if appropriate.

A recipient granted a Domestic Violence Waiver of the work program requirement or mandatory participation in an ESP component must be told to either comply with the specific requirement at this time or request another Domestic Violence Waiver.

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**Domestic Violence Waivers and the New 60-Month Period (continued)**

A recipient granted a Domestic Violence Waiver of the time limit is no longer in need of this waiver since the 24-month clock has been reset, but must be informed that she may be required to participate in the work program or an ESP component unless she chooses to apply for a Domestic Violence Waiver of these requirements. A recipient may claim "Good Cause" for not participating or request an exemption.

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**Thibault AUs and the New 60-Month Period**

Recipients protected by the preliminary injunction in the *Thibault* lawsuit will be processed the same as any other AU mentioned in this memo.

AU Managers are reminded that all actions can be processed for these AUs **except** for reducing or terminating TAFDC benefits due to the time limit or for failure to meet the work program requirements.

These recipients may, however, file a new disability supplement (first-time disability claim) and be exempted from the work program while awaiting the results from DES. This has no impact on the status of the second disability supplement that may still be pending under the *Thibault* lawsuit.

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**Two-Parent AUs and the New 60-Month Period**

In a two-parent AU, each parent may have a different 60-month period.

When conducting a review with the parent eligible for the new 60-month period, it is important to review the other parent's status to determine if this parent has time left in his or her 60-month period.

If there is a nonexempt parent with time left in his or her 60-month period, he or she continues to be subject to the work program, if applicable, and the AU's time-limited benefits continue to be determined by his or her 24-month clock.

See Attachment A for some examples of two-parent AUs and the impact the new 60-month period has on them.

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**Supervisor Responsibilities**

Supervisors must:

- review progress being made to process applications for reinstatement and eligibility reviews by checking the AU Manager's View; and
- take appropriate action on the applications/reviews.

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**Questions**

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

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## Two-Parent AU Examples

**Example 1:** John and Sally Smith are a nonexempt AU with a four-year-old child.

John's 60-month period and 24-month clock are reset on December 1, 2001.

Sally's 60-month period and 24-month clock are also reset on December 1, 2001.

John and Sally and their family are eligible to receive a new 24-months of time-limited benefits.

**Example 2:** Bill and Mary Ivy are a nonexempt AU with a six-year-old child.

Bill's 60-month period and 24-month clock are reset on January 1, 2002. On January 1, 2002, Mary has five months remaining in her 60-month period. She has two months remaining on her 24-month clock.

On March 31, 2002, Mary will have used 24 months of time-limited benefits. If Mary does not apply for an extension or applies for an extension which is subsequently denied, the entire AU is ineligible because Mary has time remaining in her 60-month period and has received 24 months of time-limited benefits in that period.

The AU may reapply for an extension at any time but on June 1, 2002, when Mary's 60-month period is reset, the AU may reapply and if otherwise eligible, qualify for TAFDC benefits.

**Example 3:** Barbara and Mark Jones are an exempt AU with a medically disabled five-year-old child. Mark is also disabled, exempt and unable to care for their child. Barbara is exempt because she is needed in the home to care for their child.

Barbara's 60-month period and 24-month clock are reset on February 1, 2002. Mark's 60-month period and 24-month clock are also reset on February 1, 2002.

Barbara becomes nonexempt in March 2002, when Mark's disability improves and he is able to care for their child. He is still considered disabled and remains exempt.

Because Barbara becomes nonexempt in March, she and the AU are subject to the 24-months of time-limited benefits effective April 1, 2002.