



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
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Field Operations Memo 2008-60
November 18, 2008

To: Transitional Assistance Office Staff

From:  John Augeri, Assistant Commissioner for Field Operations

Re: Change to Family Cap Rule for a Dependent Child who is not the Child of the Client - TAFDC

Purpose This memo informs TAO staff about a change to the Family Cap Rule for a TAFDC case that contains a dependent child who is not the client's natural or adoptive child.

Policy Change The Family Cap Rule no longer applies when a client, who does not have a Family Cap date, makes an application for a child, who is not the client's natural or adoptive child. This child is not considered the child of record and the child does not establish the Family Cap date for the client. Please note this new policy does not apply to a child who was a Family Cap child in his or her parent's TAFDC case. This child may be entitled to a Family Cap waiver in accordance with 106 CMR 203.300 (D).

If the client subsequently has his or her own natural or adoptive child for whom he or she requests TAFDC, that child may be included in the cash benefits and that child's birth date would establish the client's Family Cap date. See the example on the next page.

Regulatory Revision The Department will revise 106 CMR 203.300 at a later date.

Example

Mary applied for TAFDC for her niece on 1/2/2007. A Family Cap date was established for 10/2/2007 and Mary's niece is the child of record. On 2/17/2008 Mary gave birth to her son and requested to have him added to her cash benefits. Mary's son was considered ineligible for TAFDC as a Family Cap child and was not added to Mary's cash benefits.

Effective with the date of this memo if Mary applies for TAFDC, her niece is not considered the child of record and no Family Cap date is established. Mary's son is eligible for TAFDC because he is the child of record and the Family Cap date is 2/17/2008, her son's birth date.

BEACON

Changes to BEACON are being determined. TAO staff will receive more information at a later date.

Applications

This policy change is effective with the date of this memo.

Ongoing Cases

If case managers become aware of any cases affected by this change at reevaluation or during a case maintenance activity, have the Hotline Designee call the Policy Hotline. Central Office will provide instructions on how to add the child to the cash benefits. If otherwise eligible, the child will be added to the cash benefits effective with the date of this memo.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline.
