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*Executive Office of Health and Human Services*  
**Department of Transitional Assistance**  
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**Field Operations Memo 2008- 43**  
**August 15, 2008**

**To:** Transitional Assistance Office Staff

**From:**  John Augeri, Assistant Commissioner for Field Operations

**Re:** EAEDC Eligibility for Disabled Noncitizen Adults Denied TAFDC Due to Not Meeting TAFDC Noncitizen Requirements

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**Introduction** A disabled noncitizen adult who does not qualify for TAFDC because he or she does not meet TAFDC noncitizen requirements may qualify for EAEDC as a disabled individual, if he or she meets all EAEDC requirements.

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**Purpose of Memo** The purpose of this memo is to inform TAO staff about potential EAEDC eligibility for certain noncitizen adults ineligible for TAFDC for not meeting the TAFDC noncitizen requirements.

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**Eligibility Criteria** To be eligible for EAEDC, the adult must be:

- age 18 or older;
- a noncitizen ineligible for TAFDC for not meeting the TAFDC noncitizen requirements but who does meet the EAEDC noncitizen requirements; and
- disabled and meet EAEDC medical and/or vocational disability standards.

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## Examples

**Example 1:** A disabled mother and her two children who moved to the U.S. last year each have legal permanent resident (LPR) status. They are all ineligible for TAFDC because they do not meet the TAFDC noncitizen requirements. The mother may apply for EAEDC as a disabled person. If otherwise eligible, she can receive an EAEDC benefit amount for one person in Living Arrangement A. The two children are not eligible for EAEDC or TAFDC, but are eligible for food stamps.

The mother may be eligible for food stamps, if she demonstrates that she is eligible on a basis other than disability, such as 40 qualifying quarters of work history. (See 106 CMR 362.220 for noncitizen food stamps eligibility criteria.). If it appears she is not eligible on another basis, do not include her in the food stamp case, unless the Disability Evaluation Services (DES) certifies her disability as meeting SSI or RSDI standards. If DES certifies her as SSI or RSDI disabled, an automated mailing will initiate the process to include her in the food stamp case.

**Important:** Refer to Field Operations Memo 2008-11, *EAEDC/Food Stamp Program: Disabled Noncitizens Receiving EAEDC but Not Receiving Food Stamps*, which describes the automated process and case manager responsibilities for determining food stamp eligibility for these individuals.

**Example 2:** A disabled father who has PRUCOL status has been in the U.S. for 3 years. He has two U.S. citizen children who live with him. The father applies for TAFDC for himself and his children and is approved only for the children. He is ineligible for TAFDC because he does not meet the TAFDC noncitizen requirements. He may apply for EAEDC. If otherwise eligible, he can receive an EAEDC benefit amount for one person in Living Arrangement B. He continues to be a TAFDC ineligible grantee for his two children and can receive food stamps for them.

The father is ineligible for food stamps. Even though he is disabled and his disability may meet SSI or RSDI standards certified by DES, his PRUCOL noncitizen status is an ineligible legal noncitizen status for food stamps. (See 106 CMR 362.220 (D).)

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**Examples  
(continued)**

**Example 3:** A disabled father in a two-parent household has been an LPR for only 3 years and does not meet the TAFDC noncitizen requirements. The mother has been an LPR for 5 years and meets TAFDC noncitizen requirements. The mother must be the TAFDC grantee and included in the TAFDC case, if otherwise eligible. All TAFDC requirements for a two-parent household, such as the work requirement, must be applied to the case unless the mother qualifies for an exemption (for example, needing to care for a disabled household member.)

The father may apply for EAEDC as a disabled person. If otherwise eligible, he can receive an EAEDC benefit amount for one person in Living Arrangement B.

The food stamp case would consist of at least the mother and children.

The father may be eligible for food stamps, if he demonstrates that he is eligible on a basis other than disability. If it appears he is not eligible on another basis, do not include him in the food stamp case, unless DES certifies his disability as meeting SSI or RSDI standards. If DES certifies him as SSI or RSDI disabled, the automated mailing will initiate the process to include him in the food stamp case.

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**Questions**

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

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