



Commonwealth of Massachusetts  
 Executive Office of Health and Human Services  
**Department of Transitional Assistance**

William F. Weld  
 Governor


Argeo Paul Cellucci  
 Lieutenant Governor

Gerald Whitburn  
 Secretary

Joseph Gallant  
 Commissioner

Field Operations Memo 95-21  
 May 19, 1995

To: Local Office Staff

From:  Joyce Sampson  
 Assistant Commissioner for Field and Eligibility Operations

Re: **Implementation of EA Changes - State Letter 1062**

**Overview**

State Letter 1062 issued the following changes in Emergency Assistance policy:

- (1) An EA household shall not be eligible for temporary emergency shelter when the EA household has been evicted from private, public and/or subsidized housing because an EA household member(s) engaged in criminal activity(ies).
- (2) The 20-mile rule for temporary emergency shelter placement and housing search activities was eliminated.
- (3) An appeal concerning any temporary emergency shelter issue must be received by the Division of Hearings within 10 calendar days rather than five working days.

This Field Operations Memo contains the procedures to implement the change for the elimination of the 20-mile rule for shelter placement and housing search found in State Letter 1062. The AFDC Reference Guide will be updated later.

**Local Office  
Responsibilities  
for Current  
Shelter  
Recipients**

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For current EA households who are already placed in a temporary emergency shelter, the worker must schedule an interview to explain the changes in Emergency Assistance policy and have the recipient sign a revised agreement. Use the temporary appointment letter TAL-EA to set up the interview and send a copy of the TES-1 (Rev. 5/95) to the recipient with the appointment letter.

At the interview, the worker must:

- review the revised Temporary Emergency Shelter Agreement TES-1 (Rev. 5/95) with the recipient making sure the recipient understands:
  - placement will be in any family shelter with an opening anywhere in the state before an interim placement in another approved temporary emergency shelter; and
  - there is no longer a designation of communities for housing search.
- make sure the recipient understands that failure to sign the new agreement or failure or refusal to accept an available family shelter opening will result in the termination of temporary emergency shelter benefits; and
- have the recipient sign the revised TES-1. Give two copies to the recipient and file the original in the case record.

For current recipients in hotels or motels, make appointments for interviews at family shelters with openings as determined from the daily report of shelter openings and place EA households in available family shelters as appropriate.

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<b>Local Office Responsibilities for Current Shelter Recipients (Continued)</b>	<p>The revised TES-1 is the notice to the EA household that it will be placed in the family shelter and starts the appeal period for this notification/agreement.</p> <p>If there are particular circumstances in a case that you want guidance on, the local office director or designee should call his or her regional director.</p>
<b>Local Office Responsibilities for New Cases</b>	<p>For new EA applications on or after 5/19/95 for which a temporary emergency shelter placement is being made, the worker must give the recipient the revised TES-1 (Rev. 5/95) and placement shall be determined by reviewing the available shelter openings report received daily at the local office. The revised TES-1 includes a list of all family shelters. Arrange interviews at this time for shelters with openings.</p>
<b>Case Transfers</b>	<p>When an EA household is placed in a family shelter in a community that is serviced by a different local office, all applicable cases, i.e., AFDC, FS, EA, should be transferred to the local office that services the new community.</p>
<b>Revised Forms</b>	<p>The following forms have been revised for these changes:</p> <ul style="list-style-type: none"><li>Temporary Emergency Shelter Agreement (TES-1)</li><li>Warning Notice of Noncompliance (TES-WN-1)*</li><li>Warning Notice of Noncompliance - Temporary Emergency Shelter Placement (TES-WN-2)*</li><li>Notice of Termination of Temporary Emergency Shelter (NFL-ST)*</li><li>Emergency Assistance Appointment Letter (TAL-EA)**</li></ul> <p>* The TES-WN-1, TES-WN-2 and NFL-ST have been revised to include the change in appeal timeframes from five working days to 10 calendar days.</p> <p>** The TAL-EA is a temporary appointment letter for the implementation of these EA changes.</p>

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**Questions**

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

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