



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

Argeo Paul Cellucci  
Governor

Jane Swift  
Lieutenant Governor

William D. O'Leary  
Secretary

Claire McIntire  
Commissioner

**Field Operations Memo 99-26 B**  
**September 29, 1999**

**To:** Transitional Assistance Office Staff

**From:** Joyce Sampson, Assistant Commissioner for Field Operations

**Re:** *Minnefield v. McIntire* Lawsuit

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**Background**

Field Operations Memo 99-26 A informed Transitional Assistance Office Staff about a preliminary injunction granted in the *Minnefield v. McIntire* lawsuit, stating the Department must use comparable standards when determining an exemption request made by either a person claiming to be essential to the care of a disabled child or a person claiming to be essential to the care of a disabled adult.

Effective **August 27, 1999**, grantees requesting an exemption who claim to be essential to the care of a disabled child no longer need to show that the disabled child is receiving SSI.

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**Department  
Action**

As a result of the change in regulations, the Department will:

- mail a notice during the final week of September to current TAFDC recipients (Attachment A) and to former recipients (Attachment B) who had their cases closed because of the time limit or a work sanction, informing them of the policy change (the mailing to recipients will also include a TAFDC-4); and
- display posters in prominent locations in Transitional Assistance Offices reception areas regarding the policy changes.

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**Transitional  
Assistance  
Worker  
Responsibilities**

Transitional Assistance Office Workers must inform every recipient about this policy change at:

- eligibility reviews;
- creation of transition plans; and
- other recipient contacts.

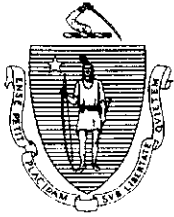
Transitional Assistance Office Workers:

- are responsible for helping recipients apply for this exemption and obtaining verifications, if requested;
  - should contact any open recipients known to them who may now qualify for the exemption due to the policy change; and
  - should remind recipients that if their disabled child is subject to Learnfare and absent from school, the absence is excused if it meets the criteria in 106 CMR 203.900(A)(2)(b).
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**Questions**

If you have any questions, please have your Hotline designee call the Policy Hotline at (617) 348-8403.

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**99-26 B**  
**Attachment A**

**IMPORTANT NOTICE ABOUT TAFDC BENEFITS  
FOR CARETAKERS OF DISABLED CHILDREN**

Due to a change in Department rules, you may now be eligible for an exemption from the 24-month time limit and the work requirement. You may get this exemption if you cannot work because you must care for a disabled child. **The child does NOT need to be receiving SSI benefits for you to qualify.**

If you cannot work because you must stay home to care for a disabled child, you should have your child's doctor fill out the enclosed form. Bring the completed form to your Transitional Assistance Office.

If you have any questions, please call your worker or call Recipient Services at 1-800-445-6604.

For free legal help, call your local legal services program or call **Toll Free** 1-888-443-9707 or 1-800-717-4133.



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**99-26 B**  
**Attachment B**

**IMPORTANT NOTICE FOR FORMER TAFDC RECIPIENTS  
WHO ARE CARETAKERS OF DISABLED CHILDREN**

Due to a change in Department rules, you may now be eligible for an exemption from the 24-month time limit and work requirement. You may get this exemption if you cannot work because you must care for a disabled child. **The child does NOT need to be receiving SSI benefits for you to qualify.** If you qualify for this exemption, you may still be eligible for TAFDC **even if you reached your time limit.**

If you cannot work because you must stay home to care for a disabled child, you should have your child's doctor fill out the enclosed form. Bring the completed form to your Transitional Assistance Office if you wish to reapply for TAFDC benefits.

If you have any questions, please call your worker or call Recipient Services at 1-800-445-6604.

For free legal help, call your local legal services program or call **Toll Free 1-888-443-9707** or 1-800-717-4133.