GREATER BOSTON LEGAL SERVICES
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SEALS Program
Informational Session
September 18, 2007

TAFDC EXEMPTIONS

Q: What does having an exemption mean?

A: If a TAFDC recipient or applicant is exempt, that means s/he is not subject to the TAFDC 24 month time limit, the 2.75% reduced grant level, and the old or new work requirement.

Q: Which recipients, in general, are considered exempt from the time limits, the reduced grant levels, or the work requirements?

A: Someone is considered exempt if s/he:

- has a child under age 2 who receives TAFDC
- is in her last 120 days of pregnancy and verifies her due date to DTA
- has a newborn child who is excluded from the TAFDC grant under the family cap rule - the exemption lasts until the month after the child turns 3 months old
- is a teen parent (under age 20) meeting the teen parent living requirements and attending high school full-time or participating in a GED program and an employment-related activity for 20 hours per week
- is over age 60
- is not the parent of the child for whom they are receiving TAFDC and is not receiving TAFDC for herself
- is ineligible for TAFDC for herself (but receives TAFDC for her child) and cannot work because of her immigration status

Q: What different types of exemptions are there?

A: Families may also apply for the following kinds of exemptions:

- **Disability Exemption**: A TAFDC recipient or applicant qualifies if she has a physical, mental, emotional or cognitive health problems which make it hard to work and which is expected to last at least 30 days. She must apply by completing a Disability Supplement form in which she describes their health problems, limitations, and work history. If she does not have medical providers for all of her conditions, she may be required to attend a consultative examination with a medical provider paid for by DTA.
    - If the person applying for a disability exemption has not had a disability exemption denied before, then she will be treated as exempt while her request is being reviewed.
    - If the person has had a disability exemption denied before, she can still receive TAFDC, while her new exemption request is being reviewed,

without doing work activities, and even if she is past the 24 month time limit, if she submits a Good Cause Medical Statement completed by her medical providers.

- **Caretaker Exemption**: A TAFDC recipient or applicant qualifies if she must care for a disabled family member who lives with her, including a child, spouse, sibling, parent, grandparent, or great-grandparent, or the child's other parent. The family member's doctor must fill out a form about the disability and the need for care.

Q: What's the difference between an exemption or waiver and a time limit extension?

A: A major benefit of exemptions and waivers (as opposed to extensions of the time limit) is that DTA will not require people to do work activities but she may still choose to participate in education and training activities. Extensions do not excuse someone from work activity and are conditioned upon doing work activities DTA accepts, such as Structured Job Search. Disability exemptions, caretaker exemptions and domestic violence waivers can excuse someone from the work requirement. To continue to participate in education and training with a waiver due to domestic violence or a caretaker exemption, a TAFDC recipient or applicant may need a legal advocate.

Q: What's the difference between an exemption and a waiver?

A: A major benefit of exemptions (as opposed to waivers or extensions) is that if someone's circumstances meet the requirements of an exemption, she has a legal right to the exemption whereas waivers are based on the discretion of DTA.