**TAFDC & EAEDC Presentation 10/15/15**

**Questions & Answers**

**Questions:**

1. SSI vs. EAEDC
2. Does DTA help with applications for all programs for which eligible?
3. Is EAEDC for caregivers the same as the PCA program?
4. Verifying Relationship Status for TAFDC

**SSI vs. EAEDC**

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| **Program** | **Disability Criteria** | **Financial Criteria** | **Immigration Status** | **Get both?** |
| **SSI** | 12 months or expected to result in death; inability to engage in any "Substantial Gainful Activity" | **Asset limit**: $2,000/individual, $3,000/couple.  **Income** less than [grant level](http://www.masslegalservices.org/content/2014-ssi-payment-levels-2014-ssi-and-ssdi-threshold-amounts) (much more generous than EAEDC) | Tight federal definition; must be “qualified”; 5-year bar with exceptions (complex; consult CRC) | If approved for SSI would be over-income for EAEDC. |
| **EAEDC** | Lasts or expected to last 60 days, “substantially reduces” the capacity to work  (more generous definition) | **Asset limit**: $250 individual, $500 for two or more  **Income** less than [grant level](http://healthcare.partners.org/ss/ssframebottom/staffresources/New%20Site/Basic%20Needs/EAEDC_Benefit_Amounts.pdf)  M | No 5 year bar; Must have an immigration status granted by USCIS, a formal application pending with USCIS, or proof that USCIS knows present and is not planning to deport. | Common to get EAEDC while waiting for SSI; may require SSI application; EAEDC benefits received will be deducted from first SSI back-payment |

**Does DTA help with applications for all programs for which eligible?**

DTA only administers the TAFDC, EAEDC and SNAP programs. **TAFDC and EAEDC applications include automatic SNAP application** (though one can opt-out in certain situations). DTA staff refer EAEDC applicants who appear to be eligible to SSI (an SSI application is required).

**Other programs:**

* **SSI/SSDI**- apply at Social Security Administration Note: one can also apply for SNAP at SSA; SSA is required to forward application to DTA. In certain circumstances those receiving SSI will automatically get SNAP.
* **Fuel Assistance**- apply at local community action program (ABCD in Boston area).

If you aren’t sure what someone should apply for, please consult the CRC. Other information and referral resources include:

* **For elders**: [800AgeInfo.com](https://www.800ageinfo.com/) or 800-243-4636
* **For people with disabilities**: **Independent Living Centers**- [**Mass List**](http://www.masilc.org/membership/cils)

The CRC welcomes your feedback about patients’ real-world experiences and if you know of additional advocacy and case-management resources.

**Is EAEDC for caregivers the same as the PCA program?**

**The PCA program** is a MassHealth program that allows certain people with disabilities to hire and train caregiver(s) for a pre-approved number of hours of hands-on care. The caregiver may be a stranger, friend or a **non-legally responsible** relative. Legally responsible relatives (such as the patient’s spouse, guardian or parents of a minor child) are not eligible to be paid PCAs. The PCA does not need to qualify as low-income.

**EAEDC** is a cash assistance program. A person with a disability may qualify for benefits. A caregiver for a disabled person may also qualify and, unlike the PCA program, the caregiver may be a legally responsible relative (such as a spouse or parent of a minor child). As noted in the presentation, in determining a caregiver’s financial eligibility, EAEDC considers the finances of **both** the caregiver and the person with a disability.

**Which is better?** The current wage for a PCA is $13.38/hour, the current maximum **monthly** EAEDC benefit for an individual is $303. If one works more than 23 hours/month the PCA program would pay more (and one would be ineligible for EAEDC due to income).

**Situations in which one may be ineligible for the PCA program and might consider EAEDC** (keeping in mind the very strict financial criteria- assets less than $250/individual, $500/couple; income less than benefit level):

* the caregiver is a legally responsible relative to the person with a disability (a spouse, a parent of a minor child, etc.)
* the disabled person doesn’t qualify for MassHealth or a MassHealth coverage type that covers PCA (perhaps because of immigration status)
* the disabled person has intermittent needs or needs are for supervision and cuing rather than hands-on care or otherwise doesn’t fit the PCA program requirements

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| **Program** | **Agency** | **Can legally responsible relative be paid?** | **Patient Eligibility** | **Caregiver**  **Financial eligibility** |
| **PCA** | MassHealth | No | Must have MassHealth type that covers PCA; must require hands-on care | N/A |
| **EAEDC** | DTA | Yes | Pt doesn’t need to qualify for MassHealth, though must meet financial criteria; must have letter on physician’s letterhead that verifies the disability, the need for constant care and that the disabled person would be at risk of institutionalization without such care | Must have very low income and assets (pt. financial review as well) |

Also see: **Can I get paid for caring for a friend or relative?**  [Brief Version](http://healthcare.partners.org/ss/ssframebottom/staffresources/New%20Site/Basic%20Needs/Can_I_Get_Paid_for_Caregiving-Brief.pdf)  **|**  [Detailed Version](http://healthcare.partners.org/ss/ssframebottom/staffresources/New%20Site/Basic%20Needs/Can_I_Get_Paid_for_Caregiving.pdf)

**Verifying Relationship Status for TAFDC**

Only certain relatives may qualify as caregivers of a child to receive TAFDC (see presentation). One must verify the relationship status to qualify. For parents this should be relatively easy, but there are ways that other types of qualifying relatives can prove that relationship. See the lists below.

* Note that DTA should accept an “**affidavit of a third person**, if the applicant or recipient has demonstrated that he or she has tried to obtain an appropriate document.”
* If one has “taken all necessary steps to obtain verification through documentation or a collateral contact and no verification is available” the applicant can provide a **self-declaration under penalties of perjury**.

**Regulations, verification lists:**

From the state TAFDC regulations ([106 CMR 203](http://www.mass.gov/eohhs/docs/dta/regs/tafdc/203.pdf)):

**Relationship Requirements -** 106 CMR 203.585(A)

(1) The grantee must be related to the dependent child in one of the following ways:

(a) A blood relative, including a mother, father, sister, brother, niece, nephew, aunt, uncle,

first cousin, first cousin once removed (second or third cousins are not included under

this definition), or any of these relatives of the preceding generation as denoted by

prefixes of grand, great, great-great, or great-great-great-grandparents; blood relatives

include those of half-blood;

(b) A stepfather, stepmother, stepbrother, or stepsister;

(c) A parent by legal adoption or any of the adopting parent's blood relatives as defined

above, natural children, or adopted children; or

(d) A spouse of any person named above, even if the marriage has been terminated by

death or divorce.

**Verification -** 106 CMR 203.585(B)

Relationship is verified by:

(1) Birth certificate showing the name(s) of the parent(s); or

(2) For school-aged children, school records showing the address of the child and the name and relationship of the relative responsible for the child.

If neither of the above is available, or for children for whom school records are not available,

relationship is verified in the same manner as age. See 106 CMR 203.570(B)\*.

Marital relationship is verified by a license or certificate of marriage.

\*Verifying relationship if none of the above is available (written for determining age, but these are what are used) 106 CMR 203.570(B)(1)

f. Immigration and Naturalization records;

g. Court records (e.g., adoption, separate support, adjudication of paternity);or

h. An affidavit of a third person, if the applicant or recipient has demonstrated that he or she has tried to obtain an appropriate document.

OR

106 CMR 203.570(B)(2): Any of the following, provided they are dated at least six months prior to the date of

application and provided they contain evidence of the age of the child *(editor’s note: or in this case the relationship)*, are also acceptable

Verification:

a. School record;

b. Insurance policies;

c. Employment records;

d. Newspaper records and local histories;

e. Indian agency records;

f. Child Welfare service records;

g. Voluntary social service records;

h. Church records;

i. Head Start Program records;

j. Day care center records; or

k. Other governmental records.

OR

**Self-Declaration -** Department regulations state that when the applicant or client and the case manager have taken all necessary steps to obtain verification through documentation or a collateral contact and no verification is available, a self-declaration may be accepted as verification. (Self-declarations must be signed under penalties of perjury.)

Verifications by self-declaration are acceptable for verifying: cash on hand, ownership of bank deposits, inaccessibility of joint bank accounts and securities, age, relationship, noncitizen status, Canadian-born Indian status, good cause for failure to cooperate with the Child Support Enforcement Unit, good cause for refusing a bona fide offer of employment or training for employment, paternity, temporary absence and health insurance coverage.

(See 106 CMR 702.340(C)).

**Important:** It is only after all efforts have been made to get documentary verification or have a third party verify the information, that self-declaration may be used as a form of verification for the eligibility factors above.

-DTA Operations Memo 2014-49 A August 14, 2014,<http://www.masslegalservices.org/system/files/library/OM%202014-49%20A.pdf>