

# Part 7 Proving Continuing Eligibility

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## 105 How often will DTA review your eligibility?

DTA is supposed to review (“redetermine”) eligibility for most recipients every six months. DTA can review your case sooner than that if it thinks your eligibility may have changed. 106 C.M.R. § 702.210. Also, if you are getting close to the time limit, DTA may review your eligibility when you go to the office for meetings on how you are preparing for the time limit.

When DTA reviews your case, it can only make you bring in proof of those things that might have changed since the last review. 106 C.M.R. § 702.230. If you need an extension to get the proofs, tell your worker.

If you do not get the proofs on time, your worker will send you a notice saying your benefits will stop. However, you still have 30 days from the date of that notice to bring in the proofs and your worker has to reopen your case if the proofs meet the eligibility rule. 106 C.M.R. § 702.240.

You might also be asked to come in for a quality control (QC) review. 106 C.M.R. §§ 701.430, 706.700-706.710. This is a special review to make sure the local welfare office is following the rules. If you are asked to go to a QC review, you have to go or your worker will stop your benefits.

If DTA thinks your eligibility has changed, it has to send you an advance notice before it stops or reduces your benefits. 106 C.M.R. § 702.500. If you ask for a fair hearing right away, your benefits will continue until a hearing officer decides your case. 106 C.M.R. § 702.610. See **Part 9**.

***Advocacy Reminders:***

- ✓ Tell your DTA worker if you need an appointment at a special time because of work, child care, a medical problem, or other reason. If DTA schedules an appointment for a time that is bad for you, call your worker before the appointment to reschedule. If your worker will not reschedule, call the supervisor or DTA client services (800-445-6604 or 617-292-8900). DTA uses missed appointments to show you are breaking their rules.
- ✓ Each time you go to the DTA office, ask to sign a log if there is one. If you are leaving verification, ask to have a copy made and date-stamped. Write down the name of the DTA staff you talk to. You can use this as proof later if DTA cannot find the verification or says you missed your appointment.
- ✓ DTA has closed and consolidated a number of office in the past few years. If getting to the DTA office is hard for you, takes a long time, or costs too much, ask your DTA worker if you can meet by telephone. Check with an advocate if DTA will not meet with you by telephone. Although DTA rules do not provide for telephone meetings for TAFDC, an advocate may be able to help you persuade DTA to meet with you by telephone.

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## **106** **When do you have to report changes?**

You have 10 days to report changes that could affect your eligibility. This includes changes in income or assets or who lives with you. 106 C.M.R. § 701.420. There are special reporting rules for people on Monthly Reporting. See **Question 107**.

## 107 What is Monthly Reporting?

If some of your family’s income comes from a job, or if you worked in the past two months, or if you are considered employed by a temporary employment agency, you will have to turn in a report form every month to keep getting benefits. 106 C.M.R. §§ 702.900, 702.930.

The forms are very complicated. They have to be filled out exactly and turned in within 20 days of when they were mailed to you for you to keep getting your benefits on time. If you do not fill out the reports on time, you may lose some deductions. Be sure to ask for help if you do not understand the forms. Once you go on Monthly Reporting, you must continue filling out these forms for three months after you report zero earnings.

You may also have to turn in a report each month if you are required to do community service (see **Questions 51** and **57**), or if you are in the Full Employment Program (see **Question 92**).

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## 108 How are your benefits calculated if you are on Monthly Reporting?

DTA uses “counting backward,” or retrospective budgeting, to figure the grant amount for people who are on Monthly Reporting after the first two months of eligibility. 106 C.M.R. § 702.900.

In retrospective budgeting, DTA adds up exactly how much income you got during a period called the “budget month.” The budget month is a four- or five-week period (starting on a Sunday and ending on a Saturday) two months before your payment month. 106 C.M.R. § 702.910(A). DTA then uses the income reported for the budget month to determine your grant for the payment month. The payment month is *two months later than the budget month*. 106 C.M.R. § 702.910(F).

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The budget month in the chart below is from July 11, 2004 to August 14, 2004. In the reporting month, you have to report income received in the budget month. The grant for the payment month is based on income reported for the budget month.

Budget Month	Reporting Month	Payment Month
July 11 to Aug. 14	Aug. 15 to Sept. 11	Sept. 12 to Oct. 9
Gross earnings: \$400	Monthly report for budget month due	Grant computed using gross income of \$400 from budget month

If your income is higher than usual during the budget month, your grant will go down in the payment month. And if your income goes *down* in the budget month, you will not see an increase in your TAFDC grant until the payment month, two months later.

Also, if you are paid weekly, you will sometimes get five paychecks in the budget month. If you are paid every two weeks you will sometimes get three two-week paychecks in the budget month. This will cause a big drop in your TAFDC grant two months later even though your income has not gone up.

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## What can you do if your income drops?

If you are on Monthly Reporting and your income goes down between the budget month and the payment month, you can get a supplemental payment to bring your grant in the payment month up to what it should have been under prospective budgeting (using the best estimate for the month). You have to ask your worker for the supplemental payment or write your request on the monthly report form. 106 C.M.R. § 702.980(C).