

# Part 5 Benefits and Services

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## 79 What are the basic benefits available to TAFDC recipients?

- The basic grant amount depends on the number of people in your TAFDC assistance unit (the number of people your grant is for) and your net countable income. See **Part 2 Assistance Units** and **Question 75** on how much you will get each month.
- The basic grant includes a \$40 per month rent or mortgage allowance if you pay for private, unsubsidized housing. 106 C.M.R. § 705.910.
- Your family automatically qualifies for MassHealth, 106 C.M.R. § 705.100, but you may be told you have to show proof of citizenship if you are a citizen. See DTA Field Operations Memo 2007-10 (Feb. 20, 2007).
- In September, you will receive a clothing allowance for each individual in the assistance unit who is under age 19 (\$350 per child in September 2021). 106 C.M.R. §§ 704.420, [www.mass.gov/dta/eligibility](http://www.mass.gov/dta/eligibility). This includes pregnant or parenting teens under age 19.

The minimum grant amount is \$10 a month. If you are eligible for at least \$1 but less than \$10 you will not get a cash payment but you will still be considered a recipient for purposes of MassHealth and other benefits (and you will get the clothing allowance in September). 106 C.M.R. § 704.500.

***Advocacy Reminders:***

- ✓ If you are not receiving a cash grant because of the \$10 minimum, you are still subject to the time limit and Work Program if you are not exempt. You can choose to close your TAFDC case if you do not want to have these rules apply to you. You can apply for MassHealth and SNAP (food stamp) benefits separately and in most cases will continue to be eligible for them. You can reapply in late August or in September to get the clothing allowance in September.
- ✓ The DTA worker has a duty to help identify any benefits you might be eligible for. 106 C.M.R. § 701.220(A); DTA Transitions, Aug. 2007, p. 5.
- ✓ You are eligible for the full \$350 clothing allowance for each child in the assistance unit under age 19. You can apply any time in September and get the full clothing allowance. You can get the full clothing allowance even if you would not be eligible for TAFDC without the September increase in the Need and Payment Standards. DTA Online Guide (Clothing Allowance).
- ✓ The clothing allowance amount is set in the annual state budget. Advocacy is sometimes needed to keep the clothing allowance from going down and to get it increased.

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## **80** When will you get your TAFDC benefits?

TAFDC benefits are deposited twice a month directly to your bank account or electronic benefits transfer (EBT) account. See **Question 81**. The date of the deposit depends on the last digit of your Social Security number. You get half of the monthly grant at a time. 106 C.M.R. § 706.400. The day of the first deposit in the month is the beginning of your cyclical month. The cyclical month ends the day before the first deposit in the following month would be due.

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<b>Timetable for Deposit of Cash Benefits</b>		
Last Digit of Social Security Number	Day of the Month	
	First Deposit	Second Deposit
0	1	16
1	2	17
2	4	19
3	5	20
4	7	22
5	8	23
6	10	25
7	11	26
8	13	28
9	14	29
Benefits due on Sunday are deposited on Saturday. Benefits due on a holiday are deposited the day before the holiday. Unless it is a leap year, the second February benefit deposit for Social Security numbers ending in 9 is deposited on the 28 <sup>th</sup> .		

***Advocacy Reminder:***

- ✓ The day of the first deposit in the month is the start of the cyclical month. DTA uses the cyclical month (not the calendar month) to calculate benefits.

# 81 How will you get your grant—direct deposit or electronic benefits transfer?

Your TAFDC grant will be deposited directly to your bank account if you have an account. Otherwise your TAFDC grant will be paid through electronic benefits transfer (EBT). 106 C.M.R. §§ 706.400-706.420. You cannot get paid by check except in special circumstances.

## How to get and use your EBT card

DTA will issue you an EBT card to withdraw money from your cash benefits transfer account and to access your SNAP (food stamp) benefits. 106 C.M.R. §§ 701.450, 706.420.

- A state law requires EBT cards for certain cardholders to include a photo of the cardholder. You may be exempt from this requirement if you are age 18 or younger, age 60 or older, blind, disabled, a victim of domestic violence, have a religious objection to the photo, or you are not included in the grant. If the Massachusetts Registry of Motor Vehicles has your photo, DTA may use that photo for your EBT card. Otherwise, you may have to go the local DTA office to have your photo taken. Massachusetts General Laws c. 18, § 2(B)(k); DTA Operations Memos 2014-28 (June 11, 2014), 2013-57A (Nov. 25, 2013), 2013-58A (Nov. 25, 2013).
- You can use your EBT card to get your cash benefits wherever you see the NYCE logo (at bank ATMs). You can also use the card to get your cash benefits and to make purchases wherever you see the QUEST logo. State law bars certain establishments from accepting EBT cards. This includes liquor stores, casinos, jewelry stores, manicure shops, and others. 106 C.M.R. § 701.225; DTA Operations Memo 2012-49 (Oct. 11, 2012).
- You can make up to two ATM withdrawals a month from your cash benefits transfer account without being charged a fee by the EBT company. After that, the fee is 75 cents for each withdrawal. You can

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make as many ATM balance inquiries as you want without paying a fee.

- Some banks charge another fee just for using their ATM. If you withdraw cash from an ATM owned by Bank of America, Citizens Bank or Sovereign Bank, you will not be charged a bank fee. Other ATM owners also offer free EBT cash withdrawals. Always check the fee notices at the ATM before making a withdrawal.
- Some stores allow cash back with your EBT purchases. There is no EBT or ATM fee for cash back.
- To use the card you need to have a Personal Identification Number (PIN). The PIN is the key that unlocks your account. DTA will assign you a PIN. You can change your PIN at the local office or by mail or by calling customer service at 1-800-997-2555. DTA Field Operations Memo 2005-31 (July 28, 2005). Choose a PIN that is easy for you to remember but hard for other people to guess.
- Keep your PIN a secret.
- Never write your secret PIN on your card.
- Call customer service at 1-800-997-2555:
  - ▶ If you have questions or problems using your card or secret PIN.
  - ▶ To find out your cash or SNAP (food stamp) account balance.
  - ▶ To find out where you can use your card.
- Call your local DTA office to change your PIN. See DTA Operations Memo 2011-9 (Feb. 25, 2011).
- If you leave more than a month's worth of benefits in your cash benefits transfer account, your worker may call you in for an eligibility review because DTA suspects you do not really need the money. If you want to prevent this from happening, you should withdraw enough from your account so that the balance will be less than your monthly grant, or you can switch to direct deposit.
- If you do not withdraw money from your cash benefits transfer account for 90 days, DTA will put a stop on your card. You have six

months to get the stop lifted and get your benefits back. You will have to explain why you did not withdraw benefits for 90 days. 106 C.M.R. § 706.420(D).

## **Direct Deposit**

If you have a bank account, your cash benefits will be deposited directly to your bank account. You will still need to use your EBT card to get your SNAP (food stamp) benefits. If you don't want to have your cash benefits deposited to your bank account, you can get your cash benefits through EBT if you lack transportation to the bank or the co-owner of the account has abused you. Or, you can close your bank account and switch to getting your cash benefits through EBT. DTA Online Guide (Direct Deposit Procedures – TAFDC).

Account fees and service charges depend on the bank. Most Massachusetts banks have a basic banking service account with no fees or low fees. See [www.basicbanking.org](http://www.basicbanking.org). DTA will not review your bank balance to see if you are using your benefits and will not expunge unused benefits from a bank account. See **Question 84**.

### ***Advocacy Reminders:***

- ✓ If you wish, you can pick someone else to withdraw money from your account or buy food for you with your EBT card, either on a regular basis or in an emergency. This is called an “authorized representative.” If you want, you can have DTA issue two EBT cards – one for you and one for your authorized representative. An authorized representative has access to all your money and SNAP (food stamp) benefits, so be sure you trust the person you pick. 106 C.M.R. § 701.370.
- ✓ If you have problems with your EBT card, for example if the machine tells you the wrong amount of your benefits, call EBT Customer Service at 800-997-2555. Contact your local legal services program, **Appendix D**, if your problems are not fixed.
- ✓ Head coverings worn for religious reasons do not have to be removed for the photo if the face is not covered. If you have a religious reason for not having a photo or for not uncovering your face for the photo, ask to speak to a DTA worker. DTA Operations Memo 2013-58A (Nov. 25, 2013).

## 82 What should you do if you need to replace or change your EBT card?

Call EBT customer service, 1-800-997-2555, to report a lost or stolen card.

To replace an EBT card:

- Go in person at a DTA office,
- Go to the DTA Connect mobile app and request an EBT card (click “benefit detail” and then “EBT Card Status”),
- Go to DTACConnect.com and go to 'My Info', click “view more” and then click on Request an EBT Card, *or*
- Call your DTA worker or local DTA office or call the DTA Assistance Line at 1-877-382-2363.

See Question 104 for information about DTA Connect. You can also call or go to your local DTA office.

DTA will deduct a \$5 replacement fee from your next TAFDC semi-monthly grant. If your cash account does not have enough funds to collect the fee, it will be deducted from your SNAP benefits. See DTA Operations Memo 2014-7 (Feb. 6, 2014). You should not be charged a replacement fee if:

- You do not get any cash assistance.
- You need a replacement because of a disability. Ask for an accommodation. See **Questions 24-25**.
- You need a replacement because of domestic violence. Ask for a domestic violence waiver. See **Questions 28 and 43**.
- You have a new SSN or changed your name.
- Your card was lost or damaged in the mail.
- Your card is defective.

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- DTA mailed you a card, but you ask for another card before the one that was mailed arrives or was used.
- You got an emergency card that does not have your name on it and you want a card with your name.
- You applied for benefits and got a card but you were not approved and never used the card.
- Your case was closed for 30 days or more, you reapply, and you no longer have the card that was issued before.
- You lost your card in a disaster or fire or flood.

If DTA plans to charge the \$5 replacement fee, it will give or send you a form notice that says you will be charged. You can request a refund.

If you request four or more replacement cards in a 12-month period, you will have to speak with a DTA worker to get another card. If your worker is not available, you should speak with the worker on duty. See DTA Operations Memos 2014-7 (Feb. 6, 2014); 2013-18 (Apr. 24, 2013); 2013-16 (Apr. 10, 2013).

DTA should issue your replacement card the day you request it or the following day. DTA says it doesn't have to keep to these time frames for certain clients requesting five or more replacement cards in a 12-month period. If you are subject to these special rules, DTA will say you have to come back to the DTA office to meet with a Fraud Investigator before DTA will give you a replacement card. See DTA Online Guide (EBT Card Fees, Replacements and Notices). This will delay getting you the replacement card may not be legal.

### ***Advocacy Reminders:***

- ✓ You will not get notice of your right to appeal the \$5 fee and you will not get notice of the reasons a fee should not be charged. This lack of notice may not be legal. Contact a legal services advocate, **Appendix D**, if you want to challenge the fee.
- ✓ You may not get notice of denial and notice of appeal rights if a request for refund is denied. This may not be legal. Contact your local legal services program, **Appendix D**, if your refund request is denied.

## 83 What are the rules about what you can buy?

You are not allowed to use TAFDC benefits to pay for:

- alcohol,
- cigarettes or other tobacco products,
- lottery tickets or other gambling,
- jewelry,
- vacation services,
- court ordered fees, fines, bail or bail bonds,
- tattoos or body piercings,
- firearms and ammunition,
- pornographic material or performances, *or*
- a television, stereo, video game or console at a rent-to-own store.

If DTA finds that you knowingly paid for something in violation of these rules,

- for the first offense, you will have to pay DTA back from your benefits for the amount of the purchase,
- for the second offense, you will have to pay DTA back and lose your portion of the cash assistance grant for two months,
- for the third offense, you will have to pay DTA back and permanently lose your portion of the cash assistance grant. 106 C.M.R. § 701.225; DTA Operations Memo 2013-56 (Nov. 21, 2013).

***Advocacy Reminders:***

- ✓ There is also a list of places that are not supposed to accept TAFDC benefits held on an EBT card. These include jewelry stores, rent-to-own stores, manicure shops, cruise ships, tattoo parlors, and marijuana establishments. Massachusetts General Laws c. 18, § 5J. The law does not provide for penalties for recipients whose benefits are accepted by an establishment in violation of this law, but DTA says that the penalties for making prohibited purchases with TAFDC benefits also apply if you use your EBT card at an establishment that is not supposed to accept it. Contact your local legal services program, **Appendix D**, if that is a problem for you.
  - ✓ You have a right to use your EBT card to make purchases outside Massachusetts if you wish. DTA may try to close your case if DTA thinks that a pattern of EBT purchases outside Massachusetts shows that you are no longer a resident of Massachusetts. DTA Operations Memo 2013-34 (July 26, 2013). Email [info@masslegalservices.org](mailto:info@masslegalservices.org) if this is a problem for you.
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## 84 When can DTA take money back?

DTA sometimes takes back benefits that were deposited to your EBT account. DTA calls this “expunging” or “purging” benefits.

- DTA expunges TAFDC benefits in an EBT account that were not accessed for 90 days. You can ask DTA to give you back the benefits that were expunged, but DTA will only give back the benefits if you can show that there was an emergency or similar reason you could not access the benefits. 106 C.M.R. § 706.420(D). DTA Operations Memos 2014-8 (Feb. 6, 2014), 2014-9 (Feb. 6, 2014).
- If your TAFDC EBT balance goes over \$4,000, DTA will send you a notice to contact DTA. If DTA decides you didn’t respond to the notice, DTA will close your TAFDC case but will re-open it if you are eligible. 106 C.M.R. § 706.420(F).

***Advocacy Reminder:***

- ✓ DTA cannot expunge benefits that are deposited to a bank account.

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## 85 What other benefits do TAFDC recipients get?

DTA will pay

- up to \$300 for a newborn infant if you ask for the money before the baby is six months old. You do not need to ask in writing. DTA calls this a “crib and layette” payment. You can use it for anything you need for the baby. 106 C.M.R. § 705.600; DTA Transitions, Aug. 2007, p. 5.
- a “relocation” benefit up to \$1,000 for expenses related to moving to permanent housing, such as advance rent, security deposit, rent or utility arrears, storage, moving costs, or critical household furniture or equipment for recipients who have been in an emergency shelter, a domestic violence shelter or a temporary housing arrangement provided through the Department of Housing and Community Development for 60 days or more and for some older teens who have been in a teen living program for 60 days or more. 106 C.M.R. § 705.350; DTA Operations Memos 2012-19 (Apr. 25, 2012) and 2011-48 (Nov. 3, 2011); DTA Online Guide (Relocation Benefit Overview); DTA Transitions, May 2008, p. 8, Feb. 2007, p. 4.
- up to \$1,100 for funeral and burial expenses for a TAFDC applicant or recipient and other people who do not have resources to pay for funeral and burial. Total expenses cannot exceed \$3,500. 106 C.M.R. §§ 705.700-705.710; DTA Operations Memo 2012-35 (July 23, 2012); DTA Transitions, Sept. 2012, pp. 5-6.

You are also eligible for education and training services and payment for HiSET (high school equivalency) testing under the Pathways to Work Program and for child care if you are working or in an approved education, training or job search program. You may be eligible for transportation assistance. See **Questions 89-90, 97**.

After your TAFDC case closes you may be eligible for subsidized child care, see **Question 93**, and for a temporary cash stipend, see **Question 86**.

Homeless families and pregnant women may also be eligible for emergency shelter through the Department of Housing and Community Development. Apply by calling 866-584-0653 or at your local DTA office if it is open. See <https://www.mass.gov/how-to/find-emergency-family-shelter>.

## 86 Can you get Transitional cash benefits after you leave TAFDC?

If your TAFDC case closes because your countable earned income is more than the TAFDC grant, you are eligible for Transitional Support Services (TSS) cash payments.

- TSS stipends begin when a case has been closed for 30 days because of countable earned income. The stipends are paid according to the following schedule:

	Work Expense Stipend	Transportation Stipend
<b>Month 1</b> <b>(30 days after TAFDC closing)</b>	<b>\$200</b>	<b>\$80</b>
<b>Month 2</b>	<b>\$150</b>	<b>\$60</b>
<b>Month 3</b>	<b>\$100</b>	<b>\$40</b>
<b>Month 4</b>	<b>\$50</b>	<b>\$20</b>

- TSS payments are not paid if the TAFDC case reopens.

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- DTA issues TSS stipends once a month based on the last digit of your Social Security Number.
- DTA deposits TSS stipends into your EBT account or your bank account.
- You do not have to apply for TSS. The payments are automatic if DTA says you qualify. DTA Online Guide (Transitional Support Services).

### *Advocacy Reminders:*

- ✓ If your countable earned income is more than the TAFDC grant and you want to close your case, be sure to tell your DTA worker before you close your case so you don't miss out on TSS.
- ✓ TSS payments do not count for SNAP. DTA Online Guide Transmittal 2016-69 (Dec. 9, 2016). Because the payments are temporary, there is a good argument that they should not count for other benefit programs.
- ✓ In most cases when your TAFDC closes, DTA should recalculate your SNAP without the TAFDC grant and also without any new income in the month of the closing. You will then get a higher SNAP benefit for 5 months and will not have to report any changes to DTA during those 5 months. DTA calls this TBA, which stands for Transitional Benefits Alternative. See DTA Online Guide (TBA Overview). DTA may fail to issue you the higher TBA SNAP benefit. Email [info@masslegalservices.org](mailto:info@masslegalservices.org) for help..

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## 87 What if DTA makes a mistake and owes you money?

DTA has to correct all underpayments. 106 C.M.R. § 706.210. An underpayment is any mistake that makes you get less than you should have gotten. For example, you might be underpaid because

- your worker did not add a new household member to your grant on time,

- DTA counted income against your grant that should not have been counted,
- DTA denied or stopped benefits because of missing proofs even though it had all the proofs it needed, *or*
- DTA sanctioned you even though you complied with a rule or had good cause for not complying.

If you are underpaid, you should ask DTA in writing to correct the underpayment. If DTA will not make the correction, you can appeal. See **Part 8**.

***Advocacy Reminders:***

- ✓ DTA regulations say that you can only get an underpayment corrected if you are a current recipient or would be a current recipient if the mistake causing the underpayment had not occurred. 106 C.M.R. § 706.210. These limits on underpayment correction may not be legal. Email [info@masslegalservices.org](mailto:info@masslegalservices.org) if DTA refuses to correct an underpayment because you are not a current recipient.
- ✓ DTA uses a calculator to figure the amount of back benefits. See DTA Online (Determining Prorated Benefit Amount). Make sure you agree with the dates and amounts DTA puts into the calculator.

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## **88** When does DTA pay your benefits directly to your landlord or utility company?

A payment directly to a landlord, a mortgage company or a utility company is called a “vendor payment.” Vendor payments can be voluntary or involuntary.

## Voluntary Vendor Payments

You can ask DTA to pay all or part of your benefits directly to your landlord, mortgage company or utility company.

Agreeing to a vendor payment for rent can sometimes help prevent eviction. If you want a vendor payment and are having trouble getting DTA to set it up quickly enough, contact your local legal services program, **Appendix D**, for help.

For rent vendor payments, DTA may request verification that the housing meets health and safety standards.

You can cancel voluntary vendor payments in writing and get the benefits yourself. 106 C.M.R. § 706.630. DTA usually gives the vendor one month's notice before it stops a vendor payment. 106 C.M.R. §§ 706.680-706.690. See DTA Online Guide (Vendor Payments – Cash).

## Involuntary Vendor Payments

If you are behind on your bills, DTA may decide you have “mismanaged” your benefits and send all or part of your benefits to a landlord or utility company. DTA may presume that you have mismanaged your benefits whenever your housing expenses have not been regularly paid for three or more months without reasonable cause. DTA should not presume you have mismanaged your benefits and should not put you on vendor payments if

- Your income does not meet your basic needs.
- Putting you on vendor payments would increase your risk of domestic violence.
- Putting you on vendor payments would increase your risk of becoming homeless, for example if you are doubled up, don't have a lease, or would be at risk of eviction if DTA paid your landlord directly.

If DTA decides that you should go on vendor payments for rent, it will require you to get a health and safety inspection report for your address. If your property passes inspection, DTA will put you on vendor payments. If it does not pass inspection, DTA may refer your case to the Department of Children and Families. 106 C.M.R. §§ 706.620-706.680; DTA Operations Memo 2013-48 (Sept. 12, 2013); DTA Transitions, Oct. 2013, p. 4-5.

DTA can also put you on vendor payments if you lose your part of the grant because you do not meet the child support requirements, if you do not meet the Work Program requirements or the terms of an Employment Development Plan, or if you do not meet certain other program requirements. 106 C.M.R. § 706.610.

***Advocacy Reminders:***

- ✓ DTA has to give you advance notice and an opportunity to appeal before it starts sending your benefits to a landlord or utility company.
- ✓ A vendor payment for housing must be the amount of the monthly payment. A vendor payment for fuel or utilities must be the average monthly cost. DTA can pay your entire grant to your landlord or your utility company even if you are left without any money for other expenses. 106 C.M.R. § 706.650.
- ✓ Contact your local legal services program, **Appendix D**, if DTA wants to put you on vendor payments and you are having difficulty getting a health and safety inspection report. DTA says that it may refer your case to the Department of Children and Families if you are unable to get a health and safety inspection report. To the best of our knowledge, the Department of Children and Families does not have procedures for doing an investigation of families who are referred to it because they could not get a health and safety inspection report.
- ✓ Contact your local legal services program, **Appendix D**, if you are on vendor payments and DTA does not make payments to the vendor on time even though the funds were withheld from your TAFDC benefits.

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## 89 What is the Pathways to Work Program?

DTA's Pathways to Work Program (formerly the Employment Services Program or ESP) covers employment, education, and training services for TAFDC recipients and some former TAFDC recipients. Pathways to Work includes community service, job search, education, and training. Pathways

to Work also provides child care for TAFDC recipients who are working or participating in a DTA-approved education or training program and provides some transportation assistance for TAFDC recipients in approved education or training programs.

106 C.M.R. §§ 707.000, 707.100.

Pathways to Work is voluntary unless you are subject to the time limit and the Work Program. DTA regulations provide for sanctions for failure to comply with an Employment Development Plan, 106 C.M.R. § 707.200, but these regulations do not apply to volunteers. See DTA Field Operations Memo 2001-9 (Feb. 20, 2001). **During the pandemic, DTA suspended the time limit and the Work Program and stopped sanctions for failure to comply with an Employment Development Plan.**

***Advocacy Reminder:***

- ✓ DTA is required by law to provide appropriate services for people with disabilities. Contact your local legal services program, **Appendix D**, if you need special training, education, or employment services because you have a physical or mental disability, including a learning disability. See **Questions 24-27**.

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## 90 What are your Pathways to Work choices?

Pathways to Work choices include

- Young Parents Program. This program provides education and life skills training to pregnant and parenting TAFDC recipients ages 14 through 21 who do not have a high school diploma or equivalent. 106 C.M.R. §707.140; DTA Operations Memo 2011-46 (Sept. 21, 2011); DTA Field Operations Memo 2009-52A (Oct. 6, 2009).
- Post-secondary education (college). You can get approval to go to college or even graduate school. See **Question 92** on the special rules for college. DTA does not pay for college. You have to pay for college

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with grants and loans. But if DTA approves you to go to college, DTA will pay for child care and will help with transportation. 106 C.M.R. §§ 707.140(D); 707.210; DTA Operations Memo 2011-46 (Sept. 21, 2011); DTA Field Operations Memos 2009-52A (Oct. 6, 2009) and 2009-45 (July 31, 2009).

- **Employment (skills) training.** DTA pays for some skills training. Some DTA programs are offered through community colleges and some through other organizations. Most DTA-funded skills training programs are short-term (4-12 weeks, or sometimes 16 weeks for some of the community college programs). Examples include programs in business skills, certified nurse aide, child care, customer service, dental assistant, electronics assembly, food service and home health aide. Some of these programs include some basic education and some include English education. 106 C.M.R. § 707.150; DTA Operations Memo 2011-46 (Sept. 21, 2011); DTA Field Operations Memo 2009-52A (Oct. 6, 2009). Some funding for job skills training is available through local Career Centers or local government agencies. For more information, check with your local Career Center.
- **DTA Works Program.** This program places recipients in 30-hour per week jobs at DTA for up to 6 months. DTA pays a stipend for expenses that is not counted for TAFDC or SNAP (food stamps). Many graduates of this program have gotten regular jobs at DTA or other state agencies. You may be eligible if you are a current TAFDC recipient and can pass a criminal history check. You can apply by e-mailing your resume to [DTAWorks@state.ma.us](mailto:DTAWorks@state.ma.us). Ask your DTA worker for more details. DTA Online guide (DTA Works – Client Eligibility); DTA Operations Memos 2011-37 (July 27, 2011), 2010-20 (March 29, 2010).
- **High School Equivalency Credential.** You can enroll in a basic education program paid for by a school district, nonprofit or charity. DTA will pay for child care and will help with transportation. DTA will also pay the fee for you to take the HiSET test.
- **Work Participant Program through your local career center.** This program provides counseling, a career readiness assessment, workshops, access to some certificate programs, and job search assistance.

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- **Job Search/Job Readiness.** Many of the DTA-funded programs include job search and job readiness activities. DTA sometimes calls this activity “Employment Ready.” You can also do job search at a local career center or online through JobQuest (register at <https://web.detma.org/jobQuest/Default.aspx>).
- **Community Service.** You can volunteer for or be required to participate in unpaid community service. 106 C.M.R. § 707.170; DTA Field Operations Memo 2009-52A (Oct. 6, 2009). You may be able to do community service (up to 16 weeks) at the local DTA office. DTA Operations Memo 2012-14 (Apr. 6, 2012). See **Question 55** for more information on community service.
- **Services for refugees and immigrants.** The Massachusetts Office of Refugees and Immigrants provides employment services for TAFDC recipients who do not speak English or Spanish. DTA Operations Memo 2011-46 (Sept. 21, 2011); DTA Field Operations Memo 2009-52A (Oct. 6, 2009).

See <https://www.mass.gov/info-details/choose-a-tafdc-pathways-to-work-program>. DTA guidelines for referring TAFDC recipients to Pathways to Work activities may be found at DTA Online Guide (ESP Component Eligibility) and in DTA Operations Memo 2011-46 (Sept. 21, 2011) and DTA Field Operations Memos 2009-52A (Oct. 6, 2009) and 2009-45 (July 31, 2009).

**During the pandemic, some programs operated remotely. DTA also provided vouchers to cover the fee for you to take the HiSet test remotely. DTA OLGT 2020-79 (TAFDC: High School Equivalency Testing and Vouchers) (Nov. 27, 2020).**

### *Advocacy Reminders:*

- ✓ It is usually not a good idea to borrow money for skills training. Programs do not always deliver on the promise of a job. You can be stuck with very high debt for the rest of your life. DTA should not pressure you to enroll in an activity that you have to pay for and should discuss no-cost options with you before approving an activity you have to pay for. DTA Operations Memo 2011-46 (Sept. 21, 2011).

- ✓ A program that sounds good on paper may not offer the services you need. If you are subject to the work requirement, DTA may try to sanction you if you stop participating. You should also be sure to choose carefully so you do not use up the limited time you have to participate in education or training. **DTA stopped sanctions during the pandemic.**

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## 91 What is an Employment Development Plan?

The Employment Development Plan (EDP) is a written plan for recipients who are subject to the Work Program or who volunteer for Pathways to Work. The EDP is supposed to list your job goal, the education and training that you need to get to that goal, and the services like child care and transportation that you need. See 106 C.M.R. § 707.110; DTA Online Guide (PSS Assessment Introduction).

DTA is supposed to do an assessment of your skills and interests and the job market and get your agreement before it writes the Employment Development Plan. This is called Pathways to Self-Sufficiency (PSS) assessment. The EDP should reflect the agreement between you and your worker and be signed by both of you.

- Make sure the EDP does not set an unrealistic timetable or subject you to costs you do not want to pay.
- DTA may say it will not approve the activity you want to do if it cannot be completed in the time left on your 24-month time limit clock, but there is no rule that allows DTA to disapprove a plan for this reason.
- Ask DTA to change your plan if it is not working out.

Contact your local legal services program, **Appendix D**, if you cannot agree on an EDP, if DTA will not approve your plan for what you want to do, if DTA wants you to do an activity you do not want to do, or if DTA

will not change your plan. You can also appeal any of these DTA decisions. See **Part 8**.

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## 92 Will DTA approve college attendance?

DTA will approve college attendance as long as

- the activities are can be credited toward a certificate, associate's degree or other degree (including a four-year or graduate degree),
- the program is at least half time,
- the activities are expected to lead to a job,
- you are making satisfactory progress. 106 C.M.R. § 707.140(D); DTA Online Guide (College).

### *Advocacy Reminders:*

- ✓ Education and training count towards the Work Program requirement for 24 months. DTA may allow education and training for more than 24 months if you are making good progress towards a certificate or degree, but you can be cut off when you reach your time limit unless you are approved for an extension. See **Question 45**.
- ✓ What if you want to go to college but have already used up some of your 24 months of education and training? You can count college attendance towards the work requirement for any of the 24 months of education or training you have left even if you don't have enough months left to finish the program. Once your 24 months are up you can continue your education if DTA finds you are making good progress towards a certificate or degree. You may also need DTA to approve an extension of your time limit.

## 93 Who is eligible for child care through DTA?

There are special child care rules for TAFDC recipients and applicants, former TAFDC recipients, and teen parents. Unlike other low-income families, these families do not have to go on a wait list for a subsidy. Eligible current TAFDC recipients and applicants and teen parents referred for child care by DTA do not have to pay a fee.

### Child care for TAFDC recipients and applicants

**Parents or other caregivers applying for or receiving TAFDC for themselves.** You are eligible for free child care as long as you have a child in your care who is under age 13 (or under age 16 if the child has a disability), and

- you are doing paid work (including self-employment) or participating in an approved Pathways to Work activity (including education, training, job search or community service),
- you need child care to look for a work activity, *or*
- you are waiting to start an activity. See 106 C.M.R. § 707.210(A); DTA Transitions, June 2012, p. 4; Sept. 2011, p. 5; DTA Transitions, Nov. 2007, p. 4. DTA Online Guide (Child Care Fact Sheet).

**Non-parent caregivers applying for or receiving TAFDC only for children.** You are eligible for free child care as long as you have a child in your care child care who is under age 13 (or under age 16 if the child has a disability), *and*

- you are doing paid work (including self-employment).

**Parents receiving SSI applying for or receiving TAFDC for children.** You are eligible for free child care as long as you have a child in your care who qualifies for child care, *and*

- you are doing paid work (including self-employment) or participating in an education or training activity.

## Part 5 ■ Benefits and Services

DTA will authorize child care for 12 months for any approved activity. The authorization is valid for 12 months even if your activity stops or your TAFDC closes. DTA Online Guide (Child Care Fact Sheet).

If you are subject to the work requirement and not yet in a work or Pathways to Work activity, DTA will authorize child care

- for three months so you can look for a work activity, <https://www.masslegalservices.org/content/child-care-fact-sheet-ccfs>, *plus*
- two weeks if you have used up your three months and you are waiting to start an activity. See 106 C.M.R. § 707.210(A)(2).

If you are not getting TAFDC for yourself because of your immigration status, but you are receiving TAFDC for a child and you are documented, you are eligible for child care on the same basis as TAFDC recipients. DTA Transitions, Feb. 2009, pp. 7-8, June 2005, p. 4; DTA Field Operations Memo 2002-18A (Oct. 10, 2002). If you are undocumented and subject to the TAFDC work requirement, DTA will authorize child care so you can do community service.

DTA may say you cannot get child care if you are undocumented and not participating in required community service or if you have been sanctioned for not cooperating with child support. Email [info@masslegalservices.org](mailto:info@masslegalservices.org) for help.

### Child care for teen parents

You are eligible for a DTA authorization for child care if you are a teen parent (under age 20) who is in school or another Pathways to Work activity, *and*

- receiving TAFDC, *or*
- receiving SSI or foster care for yourself and TAFDC for your child, 106 C.M.R. § 707.210(A)(1)(c), *or*
- receiving SSI, under the age of 18, living with your child and your parent, and household income is below 200% of the poverty level or you cannot get verification of your parent's income. 106 C.M.R. § 707.230.

You are also eligible for child care through the Department of Early Education and Care if you are a young parent (under age 20 at application), you are pregnant or have a child in your care, you meet certain income eligibility requirements and you are

- participating in a full time high school or HiSET program and participating in social service support and child care activities, *or*
- participating in the Young Parents Program, which provides parenting classes and other services in addition to HiSET classes.

Once you qualify for child care as a young parent, you may be eligible for this program until you reach your 24<sup>th</sup> birthday. See 606 C.M.R. § 10.07; Department of Early Education and Care, *Financial Assistance Policy Guide*, [https://www.mass.gov/doc/eec-2021-financial-assistance-policy-guide-9-2021/download?\\_ga=2.8203766.550517410.1635795428-150814070.1515763957](https://www.mass.gov/doc/eec-2021-financial-assistance-policy-guide-9-2021/download?_ga=2.8203766.550517410.1635795428-150814070.1515763957). Apply through the local Child Care Resource and Referral Agency (CCR&RA). See **Question 95**. There may be a waitlist for care if you are applying at the CCR&RA and do not have a referral from DTA.

### **Child care for former TAFDC recipients**

You will not need to renew your child care voucher until it expires, even after your TAFDC case closes. If you don't have a voucher or your voucher expires, there are several ways you can get child care after your TAFDC case closes without having to go on a wait list.

**Transitional Child Care.** You are eligible for Transitional Child Care during the first 12 months after your TAFDC case closes if you are working or participating in an education or training activity. You can ask for child care at any time during the 12 months. 106 C.M.R. § 707.210(A)(1)(f); DTA Transitions, Apr. 2013, p. 6. You may be able to get Transitional Child Care in the second year after your TAFDC case closes. For help, contact your local legal services program, **Appendix D**.

To get Transitional Child Care after your DTA child care voucher expires you must

- contact the Full Engagement Worker in your local DTA office and say you need a child care referral (you can get the Full Engagement

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Worker's name and phone number at <https://www.mass.gov/info-details/contact-dtas-employment-staff>),

- send the Full Engagement Worker proof of your activity hours and income,
- check that the Full Engagement Worker has sent the referral electronically to the Child Care Resource and Referral Agency,
- talk with the Child Care Resource and Referral Agency, *and*
- pay a fee based on your income once you switch to Transitional Child Care. 106 C.M.R. § 707.210(A)(1)(d), (f); see DTA Transitions, Apr. 2013, p. 6; DTA Online Guide (Transitional Child Care); DTA Online Guide (Child Care Fact Sheet).

**Continuity of care.** If you have subsidized child care when Transitional or Pathways to Work child care ends, you should be able to keep getting subsidized child care as long as you have a child care need recognized by the Department of Early Education and Care (EEC) at the time of the child care authorization and your income is below the maximum for subsidized child care (\$7,810 a month for a family of three). See Dep't of Early Education and Care, FY 2022 Income Eligibility Table, [https://www.mass.gov/doc/state-median-income-smi-eligibility-chart-fy2022/download?\\_ga=2.112288832.550517410.1635795428-150814070.1515763957](https://www.mass.gov/doc/state-median-income-smi-eligibility-chart-fy2022/download?_ga=2.112288832.550517410.1635795428-150814070.1515763957).

Child care needs recognized by EEC include

- you need child care because you have a documented disability that prevents you from being able to look after your children for the hours they need care,
- you are working,
- you are looking for work,
- you are participating in education or training,
- you are homeless, including staying in a homeless or domestic violence shelter or doubled up because you don't have enough money for rent,

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- you are on parenting leave from your job plus any time left on your 12-month authorization, *or*
- your child has a documented special need or disability and a health professional verifies that the child would benefit from child care (parent must separately establish at least a part-time service need on some other basis).

Department of Early Education and Care, *Financial Assistance Policy Guide*, [https://www.mass.gov/doc/eec-2021-financial-assistance-policy-guide-9-2021/download?\\_ga=2.8203766.550517410.1635795428-150814070.1515763957](https://www.mass.gov/doc/eec-2021-financial-assistance-policy-guide-9-2021/download?_ga=2.8203766.550517410.1635795428-150814070.1515763957).

### ***Advocacy Reminders:***

- ✓ If you are not eligible for Transitional or Pathways to Work child care, you can apply for child care at the Child Care Resource and Referral Agency, at an agency that has contracts to provide child care, or by calling Mass 211 (dial 2-1-1 from your phone). You will have to go on a wait list unless you have a priority for immediate access. If you had subsidized child care within the previous three months that was suspended temporarily (for example, because of travel out of state), you may have a priority for continuing to receive child care through EEC.
- ✓ Former TAFDC recipients are eligible for Transitional or Pathways to Work child care even if they received assistance for a very short time. If you lose your job and expect to get unemployment insurance benefits, you may want to apply for TAFDC before your unemployment benefits begin. Although you may not be eligible for TAFDC once unemployment benefits start, you will be eligible for child care as a former TAFDC recipient once you start working again.
- ✓ DTA regulations say DTA should give you a referral for child care if you are working during the second year after your TAFDC case closed, but DTA says that this regulation is not in effect. Email [info@masslegalservices.org](mailto:info@masslegalservices.org) if you are in the second year after your TAFDC closed and DTA won't give you a referral..
- ✓ DTA or EEC may say you have to be working or in education or training a minimum number of hours to qualify for Transitional Child

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Care. Contact your local legal services program, **Appendix D**, if this is a problem for you.

- ✓ You may be able to get a DTA referral for child care after your TAFDC case closes if you are receiving unemployment insurance benefits, and you are participating in a “Section 30” training program approved by the Division of Unemployment Assistance. Contact your local legal services program, **Appendix D**, to find out more about how to get into a Section 30 program.
- ✓ If you are homeless and living in a shelter, your shelter worker can help you get a child care referral to EEC through the Department of Housing and Community Development. You do not need to be working or in another work activity. If you are told there is no slot available for you, you can find a child care provider who accepts vouchers and ask for a voucher. You can also call 211 to get on the child care waitlist and then call the Child Care Resource and Referral Agency and explain you are homeless and in shelter. You should get child care right away since homeless families get priority. Contact your local legal services program, **Appendix D**, if you need help.
- ✓ Families with an active case with the Department of Children and Families (DCF) or during a transitional period after case closure, may be able to get a child care referral from DCF for subsidized child care (usually with no fee).
- ✓ DTA has not published policy on child care for children of SSI recipients. Contact the Full Engagement Worker for more information.

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## 94 Which children can get child care?

You can get child care authorized by DTA for

- a child under age 13, *or*
- a child 13 or over who has a disability and cannot take care of herself.

The child must be

- receiving TAFDC or foster care benefits,
- under court supervision,
- receiving SSI but otherwise eligible for TAFDC, *or*
- in a family headed by a parent eligible for child care for teen parents. See **Question 93**. See 106 C.M.R. §§ 707.210(A)(2), (3), 707.230.

### *Advocacy Reminders:*

- ✓ DTA will not authorize child care for a child age 13 or older unless the child has a disability. Sometimes it is not safe to leave a teenager unsupervised after school or during school vacations. Contact your local legal services program, **Appendix D**, if you need out of school time care for a teenager who is not disabled. You may have good cause for not meeting TAFDC work rules.
- ✓ You may need help to get child care for a child age 13 or older who has a disability. Contact your local legal services program, **Appendix D**.

## 95 How do you get child care? How should you choose a child care provider?

Subsidized child care is provided through programs that contract with the Department of Early Education and Care (EEC) or through programs (or informal providers) that sign agreements with EEC.

To get child care based on current or former receipt of TAFDC at a program that accepts child care subsidies, you must

- get a child care authorization from DTA,
- find a child care provider who accepts child care subsidies and has an opening for the child, *and*
- get a subsidy from the Child Care Resource and Referral Agency.

You can get names of local child care providers at [https://eeclead.force.com/EEC\\_ChildCareSearch](https://eeclead.force.com/EEC_ChildCareSearch). You can try to get help finding a provider from your local Child Care Resource and Referral Agency (CCR&RA). Your DTA worker can give you the contact information for your local CCR&RA. You can also get a list at [www.eec.state.ma.us/ChildCareSearch/CCRR.aspx](http://www.eec.state.ma.us/ChildCareSearch/CCRR.aspx). DTA Field Operations Memo 2007-17 (Mar. 26, 2007).

### How to choose a child care provider

#### Licensed care or informal (unlicensed care)

- Licensed care shows the provider meets rules for health, safety, and education. Licensed care may be center-based child care or family child care.
- Informal (unlicensed) care is child care you arrange yourself. An informal child care provider can be
  - ▶ any adult person you choose providing care in your home (must pass criminal history check), *or*

- ▶ an adult relative providing care in the child's home or the relative's home.

Informal child care pays \$20.55 per day per child for six or more hours for care provided in a relative's home and \$12.34 per day per child for fewer than six hours. The rates are somewhat lower for care provided in the child's home. <https://www.mass.gov/service-details/daily-reimbursement-rate-for-early-education-and-care-programs>.

An informal child care provider must attend a CCR&RA orientation session and must complete a health and safety check list. Non-relatives must pass a criminal history check.

### **What to look for**

- Visit the program. Go in the morning when children are most active. Watch how teachers relate to the children. If the provider is very busy but you like what you see, go back when there is time to talk.
- Trust your instincts.
- Always ask questions.
- Take care to make sure your child is safe and happy.
  - ▶ The child care provider should have experience and education working with young children.
  - ▶ The facility should be safe and clean.
  - ▶ The program should offer educational and fun activities, have plenty of safe toys and learning materials, encourage creative play, and plan quiet time both indoors and out. For more information on what to look for, see [www.masslegalservices.org/content/eec-child-care-tips](http://www.masslegalservices.org/content/eec-child-care-tips).

### ***Advocacy Reminders:***

- ✓ Does your child need transportation to and from child care? Ask if the program provides transportation. If it does, and there is space for your child in the van, ask the Child Care Resource and Referral Agency to add transportation to the subsidy authorization.

- ✓ If you are not fluent in English, the Child Care Resource and Referral Agency has a duty to speak with you and provide you with materials in your language or provide an interpreter who speaks your language.

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## 96 Can you get full-time care?

**TAFDC recipients and applicants.** If you qualify for a subsidy as a TAFDC recipient or applicant, DTA will approve you for full-time care. Unless you don't want full-time care, don't check the box for part-time care on DTA's child care referral form.

[https://eohhs.ehs.state.ma.us/DTA/PolicyOnline/BEACON5/!SSL!/WebHelp/userguide\\_test.htm](https://eohhs.ehs.state.ma.us/DTA/PolicyOnline/BEACON5/!SSL!/WebHelp/userguide_test.htm).

**Families not receiving or applying for TAFDC.** You qualify for full-time child care if the CCR&RA determines you need child care for 30 or more hours a week. You qualify for part-time child care (up to 6 hours a day) if the CCR&RA determines you need child care for fewer than 30 hours a week.

The CCR&RA should

- add up to five hours a week for transportation you provide between the child care provider and your work or other activity – provided you otherwise have a service need of at least 20 hours a week,
- determine you have a full-time service need if you have 12 credit hours of college courses,
- count 2.5 hours of service need for each hour of class in an education or training program or each college credit if less than 12, in order to allow for homework and study time. Department of Early Education and Care, *Financial Assistance Policy Guide*, <https://www.mass.gov/doc/eec-2021-financial-assistance-policy-guide-9-2021/download>.

***Advocacy Reminder:***

- ✓ If the CCR&RA does not approve you for the hours you need, you can file a request for review with the Department of Early Education and Care (EEC). You can appeal if EEC denies your request for review.

## 97 Can you get money for transportation?

DTA provides \$80 a month for transportation to cover some of the costs of getting to and from some DTA-approved activities and the costs of taking children to and from child care so you can participate in the activity. DTA provides transportation assistance to

- current recipients participating in a DTA-approved education, training, or employment supports work activity,
- current recipients who are doing paid work, *and*
- former recipients participating in a DTA-approved education or training program that began before the closing. DTA Online Guide (Transportation Overview). 106 C.M.R. § 207.210.

DTA should make the transportation payment without your having to request it if you have an approved Employment Development Plan or verify you are participating in or will be starting an approved activity. You do not have to verify the costs of transportation. DTA Online Guide (Transportation Payment Procedures).

***Advocacy Reminders:***

- ✓ The **MBTA Youth Pass Program** provides low-income youth and young adults in participating cities and towns the option of either a reduced price LinkPass for \$30 a month or a 50% reduced fare rate for all MBTA subway and bus lines. Youth Pass also provides a 50% reduced rate for commuter rail.  
<https://www.mbta.com/fares/reduced/youth-pass>

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- ✓ DTA does not provide transportation to community service. If you do not have reliable and affordable transportation to community service, you should have good cause for not meeting the Work Program. See **Question 58**. You have good cause for not meeting the Work Program if you are undocumented, cannot work for pay, and do not have reliable and affordable transportation to community service.