

DEPARTMENT OF HUMAN SERVICES FAMILY INVESTMENT ADMINISTRATION	TEMPORARY DISABILITY ASSISTANCE PROGRAM MANUAL	
TECHNICAL ELIGIBILITY	Section 300	COMAR 07.03.05.04

300.1 Requirements

- A. To receive TDAP benefits, the individual must meet technical eligibility requirements. The individual must be:
1. A United States citizen or a legally admitted qualified alien, as defined in Section 900 of this manual:
 - a. Require verification of immigration status, which must include immigration status, date of entry, and date current status was designated.
 - b. Obtain a copy of the immigration status documents that are acceptable for the specified status.
 - c. A Systematic Alien Verification for entitlements (SAVE) verification can be obtained using the immigration status document.
 - d. SAVE verification must be obtained when:
 - The customer applies for benefits for the first time;
 - The customer applies for benefits for the first time after leaving and subsequently returning to the country;
 - The customer reports a change in immigration status;
 - The customer has an existing case, but at application, redetermination or interim change the case manager cannot verify SAVE was previously run; or
 - The customer reports he or she has naturalized.
 - e. If the immigrant does not have a document or it has expired, refer the person to the U.S. Citizenship and Immigration Services (USCIS).
 - f. If the immigrant has applied for replacement documents, send **Form INSG-845 and Supplement** and a copy of the applicant's receipt for replacement documents to USCIS.
 - g. Do not contact USCIS directly to obtain documentation unless requested to do so by the immigrant who is hospitalized, disabled, or has other good cause for not having the documentation and obtaining it would cause undue hardship.
 - h. To access the SAVE system refer to the SAVE Manual.
 2. A resident of Maryland and of the local jurisdiction at the time of application;
 3. Unemployed and unable to work due to the disability;
 4. Financially in need as described in Section 400 of this manual;
 5. Determined to have an impairment of 3 months or more; and

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6. Ineligible for a category of cash assistance in which there is federal financial participation (except as described in 300.1.B).

B. An individual who has applied for Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits may be eligible for TDAP during the period that the SSDI or SSI application is being processed.

300.2 Limitations

A. Do not pay TDAP to an individual:

1. Who is in receipt of benefits from other government cash assistance programs at the time of application for TDAP, or
2. Who lives with a needy minor child as a caretaker relative and meets technical eligibility for Temporary Cash Assistance (TCA). They are potentially eligible for TCA.

B. Do not pay TDAP to an otherwise eligible individual unless he or she:

1. Agrees to pursue other sources of income and resources;
2. Participates in required rehabilitation activities as described in Section 201; and
3. Provides a Social Security number or applies for one.

C. Do not pay TDAP to an otherwise eligible individual for more than 9-months in a 36-month period unless the individual:

1. Has a disability expected to last at least 12 months;
2. Is unable to work;
3. Signs an Authorization for Interim Assistance Reimbursement (IAR), DHS/FIA 340 form when needed; and
4. Has a pending application for SSI or SSDI that has not been withdrawn or finally denied.

Example:

Mr. S. has a medical form stating he is disabled for 9 months due to a broken hip. The local department determines him eligible for TDAP Type 1 and certifies him for 9-months. Mr. S's hip has not fully healed, so he has reapplied for TDAP after his current certification period ended. However, he submits a new DHS/FIA 500-A medical form that indicates Mr. S needs 2 additional months of healing before returning to work. Deny TDAP eligibility for a new period.

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Reminder: TDAP Type 1 is defined as payment to an individual who is determined to have a temporary impairment of at least 3 months but less than 12 months. **This individual cannot receive more than 9 months of TDAP benefits in the 36-month countable period.**

D. Do not pay TDAP to:

1. Supplement earned income;
2. Supplement unemployment insurance benefits;
3. Supplement SSI benefits;
4. An individual in a private institution for tuberculosis or mental disease;
5. An individual in a public institution; or
6. An individual receiving Adult Foster Care payments.

Examples:

1. Ms. I. applies for TDAP. She receives \$40 a week to baby sit her neighbor's child. This is considered employment income, which makes her ineligible for TDAP. Deny the application.
2. Mr. J. applied for TDAP with a 6-month medical and provided all other required documentation and verifications. However, MABS screening revealed he is receiving UI benefits of \$120 bi-weekly. He is ineligible for TDAP. Deny the application.

300.3 Continued Eligibility

- A. To remain eligible for TDAP beyond 9 months in a 36-month period, the customer must meet the following requirements:
1. Have a disability expected to last at least 12 months or more;
 2. Be unable to work; and
 3. Have a pending SSI/SSDI claim that has not been withdrawn or denied.

Examples:

1. Ms. S has a medical form stating he is disabled and unable to work for 7 months due to a broken hip. In the 36-month countable period, Ms. S had already received 4 months of TDAP Type 1 benefits. The local department determines her eligible for TDAP Type 1 and certifies her for 5 months because Ms. S is not eligible to receive more than 9 months in the 36-month countable period.

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2. Ms. S's case closes at the end of the certification period (5 months). Ms. S reapplies the following month stating she is unable to work because she was in a car accident. Ms. S submits a completed DHS/FIA 500-A medical form in which the treating source indicates she is unable to work for 12 months. The local department determines Ms. S eligible for TDAP benefits because she now has a medical form verifying a 12-month disability. Ms. S's application is approved.