## 200.1 Requirements

The Temporary Disability Assistance Program (TDAP) is a state-funded program to provide assistance to low-income disabled adults who are ineligible for other categories of assistance.

A. An individual may file an application for TDAP, whether they are potentially eligible or not.

B. An individual applying for TDAP may choose any person during any aspect of the application process to assist him/her.
   1. Applicants who do not speak English or have limited English proficiency must have access to an interpreter. The local department is responsible for providing an interpreter. The interpreter may be:
      - A local department staff member,
      - An individual designated by the applicant, or
      - An individual outside the agency who is proficient in the customer’s language.
   2. An interpreter cannot be a minor child.

C. Because TDAP is a program for disabled people, we must give them access to the program by offering reasonable accessibility, accommodations, auxiliary aids, communications, and services.
   1. A customer may need help filling out an application because he or she cannot read or write or the customer may be partially or fully blind. The customer could be deaf and need an interpreter or TTY to be able to complete the process.
   2. A deaf person will not be able to do a telephone interview without assistance such as TTY.
   3. A learning disabled customer may not understand what the questions mean.
   4. Customers with mobility issues, who can’t travel without assistance, can file an application through myDHR, mail or fax it in or drop it off. All interviews can be completed by phone.
   5. Compliance with the Americans with Disabilities Act (ADA) is not only required, but it is also good customer service.
200.1 Requirements (continued)

D. The case manager must not have close association or kinship with any household member of the case.
   1. Where there is a close association or kinship the local staff must disqualify him or herself from the eligibility process.
   2. When this occurs, the local department must reassign the case to an impartial DSS staff member
   3. The assigned staff may not seek information from or discuss the case with the disqualified staff.

E. The applicant files for assistance on forms specified and approved by DHS.
   1. The application process starts with an application containing, at a minimum, the applicant’s name, address, and signature:
      a. The LDSS may use the **DHS/FIA CARES 9711 Assistance Request Form** (ARF), the DHS/FIA 9702 Application for one person, the myDHR application, or the CARES generated form.
      b. A local department staff member stamps the date the paper application is received to record the filing date.
      c. The filing date must be recorded if the minimum information is completed and the form has the customer’s signature, but the local department may have applicants complete all the information.
      d. The application is also generated from CARES after the case is screened.
   2. Generate the rest of the application from the data entered into CARES during the interview. Have the customer sign the 9707 Rights and Responsibility document.

The local department may also use the **9701A Fact Sheet**, and the **Rights and Responsibility** form.

200.2 Components of the Application Process

A. A screener, who must be someone other than the Family Investment case manager responsible for the application interview and case decision, screens each individual on CARES.

B. The screener enters basic identifying information into CARES and:
   1. Determines whether anyone on the application is known to the system;
2. 200.2 Components of the Application Process (continued)

3. Records any previously assigned Client ID number for the applicant;
4. Determines possible programs for which the individual may be eligible; and
5. Prints out the system application for the applicant to sign.

C. A case manager conducts a face-to-face interview with the applicant and:

1. Explores potential resources, including but not limited to:
   a) Supplemental Security Income (SSI); and
   b) Social Security Benefits, including disability and survivor benefits.
2. Provides written and verbal information about:
   a. Applicant’s rights and responsibilities;
   b. What constitutes fraud;
   c. The penalties for welfare fraud, which may be:
      i) A fine of not more than $1,000:
      ii) Imprisonment for not more than 3 years; or
      iii) Both fine and imprisonment
   d. Program requirements; and
   e. Verifications needed.

D. The case manager must offer each person, age 16 and above the opportunity to register to vote.

200.3 Integrity of the Application Process

A. Decision on Application

1. The case manager must make a decision as to payment of benefit no later than 30 days from the date of the filing of the signed application (see Delays in the Application Process, Section 200.4 of this chapter).

2. Benefits are effective the first day of the month for which eligibility is established. Do not prorate the benefit.

B. Written Notice of Approval

The case manager sends a written notice of approval to an eligible applicant or recipient to show:
200.3 Integrity of the Application Process (continued)

1. Benefits have been authorized; and
2. The amount of the benefit.

C. Written Notice of Denial

The case manager sends a written notice to an individual when benefits are denied or terminated. The notice of denial or termination must specify:

1. The reason for the denial or termination,
2. The specific COMAR regulation supporting this action; and
3. An explanation of the individual’s right to request an administrative hearing about the decision.

D. Application Voluntarily Withdrawn, Applicant Died or cannot be Located

1. Send notice to confirm the applicant’s notification to the local department that the individual does not wish to pursue the application, or
2. That the applicant has died or cannot be located.

200.4 Delays in the Application Process

Send notice of pending status when:

A. The application is not complete; or
B. A decision on eligibility cannot be made within 30 days after filing.
C. Send a notice giving the reason for the delay, and

1. Specify the action the applicant or local department must take.
2. When an applicant does not complete the application process before the end of the 30-day period send notice:
   a) Specifying the action the individual must take; and
   b) Warning that the application will be denied if it is not completed within 60 days of the date the signed application was filed.
3. If the local department failed to schedule the first interview within 30 days of the application filing date, send notice stating:
   a) The date of the appointment;
   b) A list of verifications needed; and
200.4 Delays in the Application Process (continued)

c) A warning, if the application is incomplete at the end of the 60-day period after the filing date because of any failure of the individual, the case will be denied.
200.5 Delay Caused by Local Department

A. Continue to process the application when the local department causes the delay.

B. Local Department caused delays to include but are not limited to, the local department’s failure to:
   1. Offer or provide assistance to the individual to complete the application form;
   2. Notify the individual of required verification, or to allow the individual 10 days after the local department’s request for verification;
   3. Attempt to resolve with the individual unclear or incomplete information; or
   4. Notify the individual that a missed interview could be rescheduled.

200.6 Delay Caused by Applicant

Applicant caused delays to include but are not limited to, the individual's failure to:

A. Cooperate in resolving unclear or incomplete information provided at the interview;

B. Provide missing verification; or

C. Reschedule a missed appointment.

200.7 Appeals

A. Give written notice of the right to, and the procedures for, requesting and obtaining an administrative hearing to each applicant or recipient of benefits:
   1. At the time of application, and;
   2. When the local department notifies the individual of an action to deny, delay, reduce, or terminate assistance.

B. See Section 800 Appeals & Hearings

200.8 Complaints of Discrimination

An applicant, recipient, authorized representative, or individual acting on behalf of an individual who believes the local department has discriminated on the basis of age, ancestry, color, creed, marital status, mental or physical disability, national origin, religious affiliation, belief or opinion, race, gender, sexual orientation, gender identity/expression, genetic information, or political beliefs may file a written complaint with the:

A. Department’s Constituent Services Office;
B. Department’s Office of Employment and Program Equity;
C. United States Department of Agriculture, Office for Civil Rights; or
D. Department or agency with jurisdiction of the program.

200.9 Case Record

Maintain official records on ECMS, including documentation or recording of the sources of verification for all required elements of eligibility, to show accurately and completely that the requirements have been met.