

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION	TEMPORARY DISABILITY ASSISTANCE MANUAL
CHAPTER II: APPLICATION	COMAR 07.03.05.03
SECTION 1: APPLICATION PROCESSING	

## REQUIREMENTS

- 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) A local department staff member,
    - b) An individual designated by the applicant, or
    - c) An individual outside the agency who is proficient in the customer's language.
  - 2. An interpreter cannot be a minor child.
  - 3. The Maryland Office of New Americans (MONA) can provide a list of interpreters and organizations that offer these services.
    - a) The telephone number is 410-767-7514
- C. The applicant files for assistance on forms specified and approved by DHR
  - 1. The application process starts with an application containing, at a minimum, the applicant's name, address, and signature:
    - a) The LDSS may use either the **DHR/FIA CARES 9711 Assistance Request Form (ARF)** or the CARES generated form.
    - b) A local department staff member stamps the date the ARF 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 signature, but the local department can have applicants complete all the information on the ARF.
    - d) The ARF 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.

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**The local department may also use a paper application package, the DHR/FIA CARES 9702 Eligibility Determination Document (EDD), 9701A Fact Sheet and a 9707 Rights and Responsibility Form**

**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. Records any previously assigned Client ID number for the applicant;
  - 3. Determines possible programs for which the individual may be eligible; and
  - 4. Prints out the system ARF 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) Responsibility to cooperate with the Disability Entitlement Advocacy Program (DEAP);
    - e) Program requirements; and
    - f) Verifications needed.

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3. Offers each person, age 16 and above who is present, the opportunity to register to vote.
- D. The case manager shall have no close association or kinship with any household member of the case. Where there is a close association or kinship the local staff must disqualify himself or herself from the eligibility process. The supervisor reassigns the case to an impartial DSS staff person. The assigned staff person cannot seek information from or discuss the case with the disqualified staff.
- E. 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 in section I of this chapter).
  2. Benefits are effective the first day of the month for which eligibility is established. Do not prorate the benefit.
- F. Written Notice of Approval
1. The case manager sends a written notice of approval to an eligible applicant or recipient to show:
    - a) Benefits have been authorized; and
    - b) The amount of the benefit.
- G. Written Notice of Denial
1. The case manager sends a written notice to an individual when benefits are denied or terminated. The notice of denial or termination must specify:
    - a) The reason for the denial or termination,
    - b) The specific COMAR regulation supporting this action; and
    - c) An explanation of the individual's right to request an administrative hearing about the decision.
- H. Application Voluntarily Withdrawn, Applicant Died or can not 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.

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- I. Delays in the Application Process
  - 1. 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.
  - 2. Local Department caused delay
    - a) Send notice indicating reason for the delay, and
    - b) Indicate action the applicant or local department must take.
  - 3. When applicant does not complete the application process before the end of the 30-day period send notice:
    - a) Indicating action the individual is required to 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.
  - 4. 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
    - 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.
- J. Delay caused by the Local Department.
  - 1. Continue to process the application when the local department causes the delay.
  - 2. Local Department caused delays include but are not limited to, the local department's failure to:
    - a) Offer or provide assistance to the individual to complete the application form;
    - b) Notify the individual of required verification, or to allow the individual 10 days after the local department's request for verification;
    - c) Attempt to resolve with the individual unclear or incomplete information;
 or

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d) Notify the individual that a missed interview could be rescheduled.

**K. Delay Caused by the Applicant**

1. Applicant caused delays include, but 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.

**L. Appeals and Complaints of Discrimination.**

1. Give written notice of the right to, and the procedures for requesting and obtaining an administrative hearing to each applicant or recipient of benefits:

- a) At the time of application; and
- b) When the local department notifies the individual of an action to deny, delay, reduce, or terminate assistance.

2. See Chapter VIII, Appeals & Hearings

**M. Complaints of Discrimination.**

1. 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, race, color, sex disability, religion, national origin, 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.

**N. Case Record.**

1. Maintain official records, 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.