



Department of Human Resources  
311 West Saratoga Street  
Baltimore MD 21201

Family Investment Administration  
**ACTION TRANSMITTAL**

Control Number: #05-45

Effective Date: Immediately

Issuance Date: June 16, 2005

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES  
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT  
FAMILY INVESTMENT SUPERVISORS AND CASE MANAGERS**

**FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR**

**RE: TDAP TYPE 2 REDETERMINATIONS**

**PROGRAM AFFECTED: TEMPORARY DISABILITY ASSISTANCE PROGRAM  
(TDAP)**

**ORIGINATING OFFICE: OFFICE OF PROGRAMS**

**SUMMARY:**

The Temporary Disability Assistance Program (TDAP) policy now requires case managers to get a new Medical Report Form (DHR/FIA 402B Revised 05/01) and submit it to the State Review Team (SRT) for a new decision of disability at each redetermination of a long-term (Type 2) TDAP recipient's eligibility. Effective immediately the policy is changed to better match TDAP requirements to Medical Assistance (MA) requirements, eliminate the need for a CARES workaround to prevent the MA case from closing if the TDAP case closes, and reduce the workload for both TDAP case managers and the State Review Team.

After the SRT's initial determination of disability, MA policy requires no medical re-examination and no new 402B as long as the customer is continuing the application process for Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI). The MA case remains open until a final SSI/SSDI decision is made. Action Transmittal 01-28 said: "There is no additional medical re-examination required as long as the customer is appealing a Social Security Administration (SSA) decision of not disabled or is determined permanently disabled by SRT. In those circumstances, the customer is not required to submit DHR/FIA 402B and should not be referred to SRT. An eligibility determination, for all factors of eligibility other than disability, is all that is required in these situations."

Effective immediately, TDAP policy is changed to match the MA policy quoted above. At redetermination verify that the customer is still pursuing SSI/SSDI and the Social Security Administration has made no final decision, and review to be sure that the customer meets other requirements. If the customer has stopped pursuing SSI/SSDI, or no longer meets other factors of eligibility, close the case.

**ACTION REQUIRED:**

TDAP Type 2 Redetermination

- (a) Complete eligibility determination for all factors of eligibility. If the customer has been previously determined disabled by SRT and there has been no break in TEMHA/TDAP eligibility since that determination:
  - **Do not have the customer get a new 402B completed.**
  - **Do not refer the case to SRT.**
  
- (b) Verify whether the customer is still pursuing SSI/SSDI benefits.
  - Ask the customer the status of his or her SSI/SSDI application.
  - Verify the status of the SSI/SSDI application using one of the following systems SDX, SVES, or SOLQ. When status can not be determined from information on these systems, and
  - DEAP is the customer's representative, verify using DEAP documentation, or
  - Customer has private representation, require customer to submit documentation from representative, or the Social Security Administration.
  
- (c) When there is no supporting verification from the above sources that the customer is still pursuing SSI/SSDI benefits, or
  - The customer does not meet all other factors of eligibility,
  - The customer is ineligible for TDAP
  
- (d) When acceptable documentation verifies that the customer continues to pursue SSI/SSDI benefits, and
  - The customer meets all other factors of eligibility,
  - Recertify the customer for TDAP.
  - The certification period is 12 months.

**ACTION DUE:**

This policy is effective upon receipt of the action transmittal.

**INQUIRIES:**

Please direct TDAP questions to Cynthia Carpenter at 410-767-7495.

cc: FIA Management Staff  
Constituent Services  
DHR Help Desk