

Introduction

EAEDC stands for Emergency Aid to Elders, Disabled and Children. EAEDC replaced the former General Relief program, which was abolished in October of 1991.

EAEDC provides cash and limited medical benefits to:

- needy individuals who are either disabled, elderly, full-time high school students under age 21, Mass. Rehabilitation Commission (MRC) participants, or persons caring for a disabled household member, *and*
- needy children and their parents or caretakers where the family does not qualify for TAFDC.

The Massachusetts Department of Transitional Assistance (DTA) runs the EAEDC program in Massachusetts.

About the EAEDC Program

The EAEDC program, Emergency Aid to Elders, Disabled and Children, is a 100% state-funded program providing cash and medical assistance to certain categories of needy persons residing in Massachusetts. EAEDC was created in October of 1991 and enacted under Chapter 255 of the Acts of 1991, replacing the long-standing General Relief program.

In October of 1991, there were over 37,000 individuals and families receiving General Relief benefits, including persons over the age of 45 with little or no recent work history, persons receiving treatment from substance abuse halfway houses, and families ineligible for TAFDC due to the "grandparent" and "stepparent" deeming rules (such as families with babies of teen parents and stepchildren). These and other categories of persons were cut from benefits. In addition, the new program used a more stringent disability standard, resulting in thousands of disabled persons losing their basic cash and medical assistance. In 1992, the caseload dropped from 37,000 under General Relief to 20,100 under EAEDC. The EAEDC caseload has remained steady at roughly 15,000 per year for the last few years.

Due to successful litigation and legislative efforts, the EAEDC disability process has been significantly improved. Filed by Merrimack Valley Legal Services and the Disability Law Center, the decision in the *Correia* lawsuit required the Department of Transitional Assistance (DTA) to establish a "fair, just and equitable" standard for the Department and the agency under contract to do disability reviews. Legislative efforts by the Mass. Coalition for the Homeless, local Legal Services offices, community agencies and the Mass. Law Reform Institute (MLRI) resulted in a new and fairer disability definition within the EAEDC state budget line item. In addition, advocates have continued to

Introduction

persuade the state Legislature of the importance of the EAEDC program and have successfully fought off efforts to cut categories of recipients.

The EAEDC program, however, remains fragile. As individuals and families begin to lose federal cash assistance benefits due to federal law changes, such as the August 1996 Personal Responsibility and Work Opportunity Reconciliation Act, which has cut TAFDC and SSI benefits to families and legal immigrants, ongoing advocacy will be needed to protect these meager state benefits for elders, the disabled and children. The Mass. Coalition for the Homeless, the Mass. Immigrant and Refugee Advocacy Coalition, Legal Services and community groups have played a vital role in maintaining this safety net and will be called upon again in the future.

The basic statutory authority for the EAEDC program is found under the Mass. General Laws (M.G.L.), chapter 117A. The EAEDC program is also legislated through the EAEDC line item included in the annual state budget. The line item number is 4408-1000—and it contains both an "appropriation" (money) for the year as well as language describing the categories of persons who are eligible.

The regulations covering the EAEDC program are set by the Department of Transitional Assistance and published in chapter 106 of the Code of Mass. Regulations (106 C.M.R.). In each section of this Guide there will be a set of numbers with a section sign (§), such as § 320.100. These numbers are sections of the EAEDC or other DTA regulations which set forth the rules concerning the eligibility conditions and benefits listed. **But this Guide does not include all the rules. And no one can remember all of them. You have to look them up.** Legal Services offices and local welfare offices have copies of the DTA regulations. Every welfare office must make available a copy of their regulations for you to look at. 106 C.M.R. § 701.240. The regulations are also available on the Internet at: www.state.ma.us/dta.

In some cases, it is also necessary to look at the state laws and the budget language. Note that the DTA also issues other procedural materials to local workers including "Field Operations Memos," an "EAEDC Reference Guide," and a "Disability Determination Guide." Although these materials do not have the force of regulation or statute, they tell you how workers are instructed to handle EAEDC cases. If you do not have access to these materials, check with a Legal Services advocate. A list of these programs is at **Appendix A**. MLRI and the Disability Law Center are also available to answer your questions and to work with you to make EAEDC a better program.

The EAEDC program is even more complicated than its predecessor, the General Relief program. As a result, many people are denied benefits they are entitled to get. You can help by learning the rules, by explaining them to poor people, and by working with poor people to make sure that welfare offices follow the rules so that people get the benefits they need for themselves and their children.
