

# HOUSE . . . . . No. 269

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Paul A. Schmid, III***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to income calculation for certain benefits.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>1/26/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>2/25/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/25/2021</i>

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By Mr. Schmid of Westport, a petition (accompanied by bill, House, No. 269) of Paul A. Schmid, III, Susan L. Moran and Christopher Hendricks relative to income calculation for certain benefits paid for necessary work-related travel expenses for certain persons with developmental or intellectual disabilities. Children, Families and Persons with Disabilities.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Second General Court  
(2021-2022)  
\_\_\_\_\_

An Act relative to income calculation for certain benefits.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 16 of chapter 123B of the General Laws, as appearing in the 2018  
2   Official Edition, is hereby amended by adding following 2 paragraphs:-

3           For the purposes of this section, the term “necessary work-related travel expenses” shall  
4   mean any expenses incurred for the purposes of commuting to work.

5           The department shall deduct certain necessary work-related travel expenses for persons  
6   with a developmental disability or an intellectual disability when calculating an individual’s  
7   income for the purposes of determining charges pursuant to this section. Necessary work-related  
8   travel expenses shall be deducted if:

9           (i) an individual uses a vehicle to travel to work and that vehicle requires structural or  
10   operational modifications that are directly related to the individual’s disability and critical to the  
11   individual’s operation or use of the vehicle. The department shall deduct the costs of the

modifications and a mileage allowance at a rate determined by the Federal Highway Administration;

(ii) an individual uses driver assistance, taxicabs, or other hired vehicles to travel to work. The department shall deduct amounts paid for the hired vehicle service;

(iii) an individual uses public transportation to travel to work. The department shall deduct amounts paid for public transportation services; or

(iv) an individual is unable to use public transportation or a hired vehicle service to travel to work due to their disability and uses an unmodified vehicle to travel to work. The department shall request documentation from a physician or other source to verify that the need to drive is caused by the individual's disability. If the department receives verification, the department shall deduct a mileage allowance at a rate determined by the Federal Highway Administration.

SECTION 2. Section 9A of chapter 118E of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

(17) For the purposes of determining financial eligibility for persons with a developmental disability or an intellectual disability, as defined in section 1 of chapter 123B, the division shall deduct certain necessary work-related travel expenses pursuant to section 16 of chapter 123B from the applicant's income, if applicable.