HOUSE DOCKET, NO. 983 FILED ON: 1/17/2023

HOUSE . . . . . No. 217

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 of certain benefits.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Paul A. Schmid III	*8th Bristol*	*1/17/2023*

HOUSE DOCKET, NO. 983 FILED ON: 1/17/2023

HOUSE . . . . . No. 217

By Representative Schmid of Westport, a petition (accompanied by bill, House, No. 217) of Paul A. Schmid, III 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.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to income calculation of 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:

SECTION 1. Chapter 123B Section 16 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding following 2 paragraphs: -

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

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

(i) an individual uses a vehicle to travel to work and that vehicle requires structural or operational modifications that are directly related to the individual’s disability and critical to the 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.