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 | INFORMATIONAL LETTER |  
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TRANSMITTAL: 90 INF-39

TO: Commissioners of  
 Social Services

DIVISION: Income  
 Maintenance

DATE: August 10, 1990

SUBJECT: Incapacity as an ADC Deprivation Factor

SUGGESTED

DISTRIBUTION: Public Assistance Staff  
 Medical Assistance Staff  
 Staff Development Coordinators

CONTACT PERSON: Sandy Borrelli  
 Bureau of Income Support Programs, 1-800-342-3715,  
 extension 4-4233

ATTACHMENTS: Family Support Administration (FSA) Regional  
 Transmittal No: FSA-RT-90-9 (June 7, 1990) - not  
 available on-line.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
78 ADM-102		369.2(g)(1)		PASB	
81 ADM-55		(i)		Section	
88 ADM-35		369.3(d)(1)		VIII-L-All	
89 INF-25					

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This is to advise districts that the recently issued FSA Transmittal No: FSA-RT-90-9 upholds and reinforces the Department's policy regarding incapacity as an ADC deprivation factor.

The Department has long held that any physical or mental condition which substantially limits or eliminates the parent's ability to function in the role of breadwinner or homemaker, when documented, is sufficient to support a finding of incapacity. The condition must have an expected duration of at least 30 days but it need not be of a serious nature.

In 89 INF-25, we reminded districts of this policy and urged a careful review of two parent family cases where no deprivation had previously been found to exist.

We are taking this opportunity to share FSA Transmittal 90-9 with you and to again stress that local district staff must at each contact and at recertification carefully review two parent PG-ADC households for incapacity which the worker may have previously overlooked, thought too minor to qualify, or which did not exist at last contact.

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Oscar R. Best, Jr.  
Deputy Commissioner  
Division of Income Maintenance