

**DEPARTMENT  
POLICY****State Disability Assistance (SDA)**

To receive SDA, a person must be disabled, caring for a disabled person, or age 65 or older.

**DEFINITIONS****Participation**

Participation in a substance abuse/mental health treatment program which meets the requirements established by the treatment provider.

**Material to the  
Determination of  
Disability**

Used in reference to substance abuse, this phrase means that, if the person stopped using drugs or alcohol, his or her remaining physical or mental limitations would not be disabling.

**Substance Abuse**

The use of alcohol or drugs which results in a physical or mental impairment, as documented by objective medical findings.

**Substance Abuse  
Treatment  
Program**

Any program for the treatment of substance abuse, including self-help programs such as Alcoholics Anonymous.

**DISABILITY**

A person is disabled for SDA purposes if he or she meets any of the following criteria:

- Receives other specified disability-related benefits or services; see Other Benefits or Services in this item.
- Resides in a qualified Special Living Arrangement (SLA) facility.

- Is certified as unable to work due to mental or physical disability for at least 90 days from the onset of the disability.
- Is diagnosed as having Acquired Immunodeficiency Syndrome (AIDS).

**Note:** If the client's circumstances change so that the basis of his/her disability is no longer valid, determine if he/she meets any of the other disability criteria. Do **not** simply initiate case closure.

### Other Benefits or Services

Persons receiving one of the following benefits or services meet the SDA disability criteria:

- Retirement, Survivors and Disability Insurance (RSDI), due to disability or blindness.
- Supplemental Security Income (SSI), due to disability or blindness.
- Medicaid (including deductible) as blind or disabled if the disability/blindness is based on:
  - A Disability Determination Service (DDS) determination, or
  - A hearing decision, or
  - Having SSI which was based on blindness or disability that was recently terminated (within the past 12 months) for financial reasons; see Recently Eligible for SSI in BEM 260.

Medicaid received by former SSI recipients based on policies in BEM 150 under SSI TERMINATIONS, including MA While Appealing Disability Termination, does not qualify a person as disabled for SDA. Such persons must be certified as disabled or meet one of the other SDA qualifying criteria; see Medical Certification of Disability in this item.

- Michigan Rehabilitation Services (MRS). A person is receiving services if he has been determined eligible for MRS and has a signed active individual plan for employment (IPE) with MRS. Do **not** refer or advise applicants to apply for MRS for the purpose of qualifying for SDA.

- Michigan Bureau of Services for Blind Persons (BSBP), formally known as the Commission for the Blind. A person is receiving services if he has been determined eligible for BSBP and has an active BSBP case.
- Special education services from the local intermediate school district. To qualify, the person may be either of the following:
  - Attending school under a special education plan approved by the local Individual Educational Planning Committee (IEPC).
  - Not attending under an IEPC approved plan but has been certified as a special education student **and** is attending a school program leading to a high school diploma or its equivalent, **and** is under age 26. The program does not have to be designated as special education as long as the person has been certified as a special education student. Eligibility on this basis continues until the person completes the high school program or reaches age 26, whichever is earlier.
- Refugee or asylee who lost eligibility for SSI due to exceeding the maximum time limit.

### Special Living Arrangements

Persons admitted to a qualified SLA facility meet the SDA disability criteria.

Qualified SLA facilities are:

- Homes for the aged.
- County infirmaries.
- Adult foster care homes.
- Substance abuse treatment centers (SATC).

See BEM 615 for descriptions of these facilities.

In addition, a person receiving post-residential substance abuse treatment meets SDA disability criteria for 30 days following discharge from the SATC. To qualify, the person must:

- Have received SDA while residing in the SATC, **and**
- Continue outpatient substance abuse treatment immediately following discharge.

**Note:** If a client states they have a plan and a scheduled date to continue outpatient substance abuse treatment, then they would be eligible for the 30 days post treatment SDA.

### Medical Certification of Disability

When the person does not meet one of the criteria under Other Benefits or Services or Special Living Arrangements, follow the instructions in BAM 815, Medical Determination and Disability Determination Service (DDS), Steps for Medical Determination Applications. The DDS will gather and review the medical evidence and either certify or deny the disability claim based on the medical evidence.

The DDS will deny the disability claim if the medical evidence shows that substance abuse is a contributing factor material to the determination of disability. The DDS may approve the disability claim if the medical evidence shows that substance abuse is **not** material to the determination of the disability.

### CARETAKER OF A DISABLED PERSON

A caretaker of a disabled person may receive SDA provided that the assistance of the caretaker is medically necessary for at least 90 days and the caretaker and the disabled person live together.

Assistance means personal care services and includes meal preparation, laundry, food shopping, errands, light cleaning, non-nursing personal care (bathing, dressing, etc.) and assistance with medication.

The disabled person does not have to be related to the caretaker or receive SDA.

### AGE

Persons age 65 or older may receive SDA.

Refer persons age 65 or older to the Social Security Administration (SSA) to apply for SSI; see BEM 270 and BEM 271.

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**SPECIAL  
DIAGNOSIS**

Person diagnosed as having Acquired Immunodeficiency Syndrome (AIDS).

**VERIFICATION  
REQUIREMENTS**

Verify the disability or the need for a caretaker at application, re-determination, when required by the DDS, or as needed when the client's circumstances change. Verify age only if the client's statement is inadequate or inconsistent.

Verify participation in substance abuse treatment at each medical review.

If the client's circumstances change so that the verification method used to establish eligibility is no longer valid, obtain new verification following policy in BAM 130. (For example, a client no longer participating in Special Education may now have to provide medical evidence.) Do **not** immediately send a negative action notice for case closure. First request verification according to policy in BAM 130.

**VERIFICATION  
SOURCES****SSI or RSDI**

- Correspondence from the SSA.
- ED-030, BENDEX Report.
- Single Online Query (SOLQ) Response.

**Vocational  
Rehabilitation  
Services****MRS or BSBP**

- DHS-4698, Verification of Vocational Rehabilitation Status.
- Other statement from MRS or BSBP.
- Current (within the last 12 months) signed copy of the client's individual plan for employment (IPE).

**Special Education  
Services**

Statement from the local or intermediate school district.

**Special Living Arrangements**

Confirmation from the facility.

**Substance Abuse Treatment**

- Form DHS-4762, Verification of Substance Abuse Treatment.
- Other statement from the treatment provider.

The verification must be signed by the treatment provider. Verification from self-help groups such as Alcoholics Anonymous or Narcotics Anonymous is acceptable.

**Medical Certification**

DHS-49-A, Medical-Social Eligibility Certification, showing DDS approval for SDA.

**Caretaker of a Disabled Person**

- DHS-54A, Medical Needs.
- Statement by a M.D. or D.O. that the client is needed in the home to provide personal care to the disabled household member for at least 90 days. The statement must include the diagnosis and the length of time care is needed.

**LEGAL BASE****SDA**

Annual Appropriations Act

Michigan Administrative Code R400.3115 - R400.3180