

COUNCIL OF THE DISTRICT OF COLUMBIA

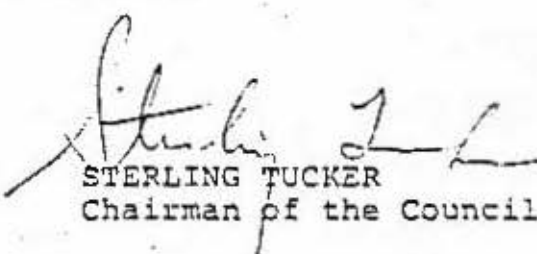
NOTICE

April 13, 1977

D.C. LAW 1-108

"District of Columbia Public Assistance Regulation Revising the Definition of Certain Terms of the Financial and Medical Assistance Programs".

ursuant to Section 412 of the District of Columbia  
ment and Governmental Reorganization Act (PL 93-198),  
e Council of the District of Columbia adopted Bill  
n first and second readings November 22, 1976, and  
1976, respectively. Following the signature of the  
January 3, 1977, this legislation was assigned Act  
published in the January 21, 1977, edition of the  
er, and transmitted to both Houses of Congress for  
view, in accordance with Section 602(c)(1) of the Act.  
The Council of the District of Columbia hereby  
e that the 30-day Congressional Review Period has  
d, therefore, cites the following legislation as  
-108, effective April 7, 1977.

  
STERLING TUCKER  
Chairman of the Council

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 7, 1977

To define certain terms relating to incapacity and disability for purposes of the financial and medical assistance programs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Public Assistance Regulation Revising the Definition of Certain Terms of the Financial and Medical Assistance Programs".

Sec. 2. For the purpose of determining coverage and conditions of eligibility of applicants and recipients in financial and medical assistance programs of the District of Columbia, the Mayor shall apply the following definitions relating to incapacity and disability with respect to parents and other adults who are otherwise eligible for assistance under such programs:

(a) Physical or mental incapacity.

(1) For the Aid to Families with Dependent Children program, physical or mental incapacity shall be deemed to exist when one parent has a physical or mental defect, illness, or impairment. The incapacity shall be supported by competent medical testimony and must be of such a debilitating nature as to reduce substantially or eliminate the parent's ability to

support or care for an otherwise eligible child and be expected to last for a period of at least thirty days.

(2) For the General Public Assistance program, physical or mental incapacity shall be deemed to exist when the applicant or recipient has a physical or mental defect, illness, or impairment. The incapacity shall be supported by competent medical testimony and must be of such a debilitating nature as to reduce substantially or eliminate the ability of the applicant or recipient to care for or support himself and be expected to last for a period of at least thirty days.

(3) In making the determination of ability to support, the Mayor shall take into account the limited employment opportunities of handicapped individuals.

(4) A finding of eligibility for Old Age, Survivors, and Disability Insurance or Supplemental Security Income benefits, based on disability or blindness, shall be deemed acceptable proof of incapacity for purposes of the Aid to Families with Dependent Children or General Public Assistance programs.

(b) Disability. An individual shall be deemed to be disabled if he is unable to engage in any substantial gainful activity because of any medically determinable physical or mental impairment which is expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve

Sec. 2. Regulation No. 72-4, approved February 26, 1972,  
hereby repealed.

Sec. 3. This act shall become effective as provided by section  
(c) of the District of Columbia Self-Government and Governmental  
Organization Act.