

From: Maresca, Meredith

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To: TTAB EFiling

CC:

Subject: U.S. TRADEMARK APPLICATION NO. 86435009 - CAPABLE - P12992-01 - Request for  
Reconsideration Denied - Return to TTAB - Message 8 of 8

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Attachment Information:

Count: 10

Files: Metrocare 7.jpg, Metrocare 8.jpg, Metrocare 9.jpg, Metrocare 10.jpg, Metrocare 11.jpg,  
Metrocare 12.jpg, Metrocare 13.jpg, Metrocare 14.jpg, Perry Lee 1.jpg, Perry Lee 2.jpg

**Services Provided:** Services may include the following:

- Nursing and personal care
- Physical rehabilitation
- Noon meals and snacks
- Transportation
- Social, educational, and recreational activities
- Client Eligibility: Age: no limit

**Financial Eligibility:** The individual must be a Medicaid recipient or be determined financially eligible for Title XX services. The caseworker applies allowable exclusions to Income and Resources. The countable income must not exceed:

- \$1,500 per month for an individual
- \$3,000 per month for a couple

The countable resources must not exceed:

- \$5,000 or less for an individual
- \$6,000 or less for a couple

For more information, call the **Texas Department of Human Services** @ (972) 337-6100.

## EXTENDED REHABILITATION SERVICES

**Service Description:** The Extended Rehabilitation Services (ERS) program helps Texans with severe disabilities work by offering on-going support in their jobs. Services are long-term and extended to both the job site and away. Community Integrated Employment, a primary goal of the program, helps clients work in their communities. Alternative Sheltered Employment is also an option for some people who need more assistance and where the majority of co-workers are also disabled.

**Eligibility:** Eligibility criteria for ERS include, but are not limited to, the following:

- Being capable of achieving an employment outcome;
- 16 years of age or older;
- Legal resident of Texas; and
- Capable of earning at least 15% of minimum wage

**Services:** ERS clients are eligible for all Vocational Rehabilitation Services. In addition, there are services unique to ERS that are not time limited. All services are tailored to individual needs and may include:

- Mobility assistance;
- Job coaching;
- Transportation to and from job;
- Activities to improve daily living skills;
- Assistance in developing self-help and adaptive skills; and
- Assistive technology necessary for employment.

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## PRIMARY HOME CARE (PHC)

**Service Description:** Primary Home Care (PHC) is a non-technical, medically-related personal care service prescribed by a physician as part of a client's plan of care. PHC is available to eligible clients, whose health problems cause them to be functionally limited in performing activities of daily living.

**Services Provided:** Services may include the following:

**Personal Care:** These services include assistance with activities related to the care of the client's physical health. **These activities include bathing, grooming, routine hair and skin care, preparing meals, feeding, exercising, helping with self-administered medication, toileting, and transferring/ambulating.**

**Home Management:** These services include assistance with housekeeping activities that support the client's health and safety. These activities include changing bed linens, housekeeping, laundering, shopping, storing purchased items, and washing dishes.

**Escort:** Accompanying the client on trips to obtain medical diagnosis or treatment or both. This service does not include the direct transportation of the client by the attendant.

### Client Eligibility:

**Age:** There is no age limit.

**Financial Eligibility:** The individual must be a Medicaid recipient or be determined financially eligible for the program. The countable income must not exceed:

- \$1,500 per month for an individual
- \$3,000 per month for a couple

The countable resources must not exceed:

- \$5,000 or less for an individual
- \$6,000 or less for a couple

**Functional Eligibility:** The individual must meet functional need criteria. Level of impairment is measured in a client needs assessment interview by a DHS caseworker.

For more information, call the **Texas Department of Human Services @ (972) 337-6100.**

## QUALIFIED MEDICARE BENEFICIARY (QMB)

**Service Description:** The Qualified Medicare Beneficiary (QMB) provides some medical-related financial assistance by paying for Medicare Part B premiums, deductibles, and co-pay amounts for eligible Medicare beneficiaries.

**Client Eligibility:** An individual must be enrolled in Medicare Part A, 65 years old or receiving disability benefits from social security for at least 24 months, and have an income

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below \$707 for an individual and \$942 for a couple. Assets may not exceed \$4,000 for an individual and \$6,000 for a couple; excluding homestead.

## SPECIFIED LOW-INCOME MEDICARE BENEFICIARY

**Service Description:** The Specified Low-Income Medicare Beneficiary (SLMB) provides financial assistance by paying only for Part B Medicare premiums for individuals having slightly higher incomes than those qualifying for QMB.

**Client Eligibility:** An individual must be enrolled in Medicare Part A. 1999 monthly income limit: \$844 for an individual and \$1,126 for a couple. Assets may not exceed \$4,000 for an individual and \$6,000 for a couple.

For more information, call the **Texas Department of Human Services** @ (972) 337-6100.

## RESIDENTIAL CARE

**Service Description:** The Residential Care (RC) program provides services to eligible adults who require access to care on a 24-hour basis but do not require daily nursing intervention. Services include, but are not limited to, personal care, home management, escort, 24-hour supervision, social and recreational activities, transportation, food, and room. Services provided under the RC program are delivered through one of the two arrangements: supervised living or emergency care.

**Services Provided:** Supervised living is a state-funded 24-hour living arrangement in which the client is expected, if able, to contribute to the total cost of his or her care. The client keeps a monthly allowance for personal and medical expenses, and the remainder of his or her income is contributed to the cost of care.

Emergency care is a state-funded or Title XX-funded living arrangement that provides services to eligible clients while caseworkers seek a permanent care arrangement. Emergency care clients do not contribute toward the cost of their care.

**Client Eligibility:** The individual must be 18 years of age or older.

**Financial Eligibility:** The individual must be a Medicaid recipient or be determined financially eligible for Title XX services. The caseworker applies allowable exclusions to Income and Resources. The countable income must not exceed:

- \$1,500 per month for an individual
- \$3,000 per month for a couple

The countable resources must not exceed:

- \$5,000 or less for an individual
- \$6,000 or less for a couple

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**Functional Assessment:** The individual must meet functional need criteria. Level of impairment is measured in a client needs assessment interview by a DHS caseworker.

**Other Criterion:** The individual must not have needs that exceed the facility's capability under its licensed capacity.

For more information, call the **Texas Department of Human Services** @ (972) 337-6100.

## RESPIRE CARE

**Service Description:** The Respite Care program provides short-term services for adults who are elderly and adults who are disabled who require care and/or supervision while allowing their caregivers temporary relief. Services may be provided inside or outside the house.

**Services Provided:** Services may be provided:

- In a nursing home or hospital, and include personal care, nursing intervention, supervision, meal preparation, and a room.
- In an adult foster care home or personal care home, and include personal care, housekeeping, supervision, meal preparation, transportation, and a room.
- In an adult day health care facility, and include personal care, nursing services, supervision, meal preparation, and transportation.
- In the individual's own home by a home care attendant, and include personal care, housekeeping, meal preparation, supervision, and transportation.
- In the individual's own home by a sitter, and include housekeeping, meal preparation, and supervision.

**Client Eligibility:** The individual must be 18 years of age or older.

**Financial Eligibility:** The individual must be a Medicaid recipient or be determined financially eligible for this program.

**Other Criteria:**

- The individual must need care or supervision or both due to a physical disability or functional impairment.
- The individual must have a caregiver who needs relief from care-giving responsibilities because of severe stress or who is temporarily unable to provide care.

**Service Maximum:** 336 hours (14 days) per year.

For more information, call the **Texas Department of Human Services** @ (972) 337-6100.

## TEXAS REHABILITATION COMMISSION (TRC)

VOCATIONAL REHABILITATION PROGRAM

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