

MEMORANDUMForm DSS-524 (Rev. 11/68)
Formerly BOA-100**TO:** Commissioner George K. Wyman**DATE:** May 12, 1971**FROM:** Felix Infausto.**SUBJECT:** Proposed order amending Part 300 of
Department Regulations

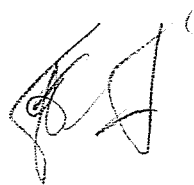
I recommend that you sign the attached proposed order amending Part 300 of Department Regulations relating to the recording and distribution of official releases and issuances.

SRS Program Regulation 10-10, dated November 14, 1970 requires the State Plan to contain a provision that program manuals and other policy issuances which affect the public, including Department Regulations and Board Rules governing eligibility be maintained in central office and in each district office of the Department for examination on regular work days by interested individuals. A new subdivision (d) is being added to Section 300.3 to provide for the availability of such materials.

Furthermore, it is proposed to add a new section 300.5 to Part 300 of the Regulations, for the purpose of requiring that copies of agency program manuals and other public issuances be made available, upon request, without charge to custodians, such as libraries or research centers, which are centrally located and accessible to the recipient population.

The new section also provides that specific policy manuals shall be made available, upon request, to an applicant, recipient or his representative, to assist him in preparing for a fair hearing. It further provides when a reasonable charge, related to cost, may be made to an applicant, recipient or his representative.

Clearances have been received from Mr. Chesbro, Miss Walsh and Mr. Tallcott.



Attachment



STATE OF NEW YORK

DEPARTMENT OF SOCIAL SERVICES

1450 WESTERN AVENUE
ALBANY, NEW YORK 12203



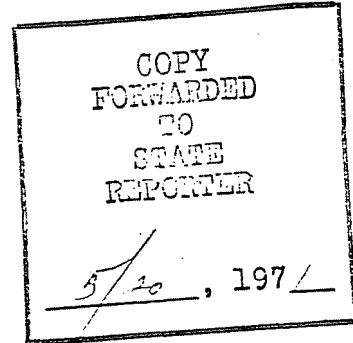
7005

BALDWIN MAULL
CHAIRMAN
STATE BOARD OF SOCIAL WELFARE

GEORGE K. WYMAN
COMMISSIONER

FELIX INFAUSTO
COUNSEL AND BOARD SECRETARY

May 17, 1971



Mr. Kenneth Sullivan
Bureau of Miscellaneous Records
Department of State
162 Washington Avenue
Albany, New York

Dear Mr. Sullivan:

Enclosed herewith for filing is the original and two conformed copies of the following changes in the Official Regulations of the State Department of Social Services:

- 300.3 - Recording and internal distribution of official
(Amend) releases
- 300.4 - Requests for additional copies of releases
(Amend)
- 300.5 - Availability of program manuals and public issuances
(New)

Very truly yours,

Felix Infausto
FELIX INFAUSTO
Counsel

Encs.

*Copy of this letter returned to Felix Infausto, Counsel,
on filing receipt.
E. Lindsey*

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED MAY 18 1971

John P. Tompkins
Secretary of State

RECEIVED
MAY 25 1971
N.Y. STATE COUNSEL
SOCIAL SERVICES DEPT. OF
SOCIAL SERVICES

STATE DEPARTMENT OF SOCIAL SERVICES

ALBANY, NEW YORK

Pursuant to the provisions of sections 20 and 34 of the Social Services Law,
George W. Chesbro/Acting

I, ~~George K. Wyman~~, Commissioner of Social Services, do hereby amend in part, as hereinafter indicated, Part 300 of the Official Regulations of the State Department of Social Services, being Chapter II of Title 18, NYCRR, effective immediately upon filing with the Secretary of State.

The introductory phrase of section 300.3 preceding subdivision (a) is hereby amended to read as follows:

Each social services district shall:

Section 300.3 is hereby further amended by adding thereto a new subdivision to be designated subdivision (d) thereof to read as follows:

(d) maintain for examination on regular work days during regular office hours by individuals, upon request for review, study or reproduction by an individual or organization, copies of such program manuals and other policy issuances which affect the public, including the Department's rules and regulations governing eligibility; need, and amount of assistance; recipients rights and responsibilities; and services offered by the agency.

Section 300.4 is hereby amended to read as follows:

300.4 Requests for additional copies of releases. Requests from social services officials for additional copies of releases shall set forth the quantity required; the appropriate identifying information; and the reasons for the request. Such request shall be made on Department form DSS-193 and shall be prepared in accord with instructions prescribed by the Department.

Part 300 is amended by adding thereto a new section to be numbered section 300.5 thereof to read as follows:

300.5 Availability of program manuals and public issuances. (a) Current

copies of agency program manuals and other public issuances shall be made available upon request without charge to custodians, such as public or private libraries or research centers, which are centrally located and readily accessible to a substantial number of the recipient population and who agree to accept responsibility for filing all amendments to such program manuals or public issuances transmitted by the agency.

(b) Upon request, specific policy material shall be made available for an applicant, recipient or his representative to determine whether a fair hearing should be requested or to prepare for a fair hearing.

(c) A reasonable charge related to cost may be made to an applicant, recipient or representative for materials requested for purposes other than those specified in subdivision (b) or to a group other than one specified in this Part.

Dated: May 14, 1971

Signed: George W. Chesbro
ACTING COMMISSIONER

This is to certify that this is the original of an order of the State Department of Social Services, made on May 14, 1971, amending in part, Part 300 of the Official Regulations of the State Department of Social Services, being Chapter II of Title 18 NYCRR.

Dated: May 14, 1971

Signed: George W. Chesbro
ACTING COMMISSIONER

MEMORANDUMForm DSS-524 (Rev. 11/68)
Formerly BOA-100**TO:** Commissioner Wyman
and others below**DATE:** May 25, 1971**FROM:** Felix Infausto**SUBJECT:** Regulations filed with
Secretary of State

We have received confirmation from the Department of State of the filing on May 18, 1971 of the following changes in the Official regulations of the State Department of Social Services:

- 300.3 - Recording and internal distribution of official
(Amend) releases
- 300.4 - Requests for additional copies of releases
(Amend)
- 300.5 - Availability of program manuals and public issuances
(New)

A copy of the above mentioned changes is attached.

att.

cc: Mr. Chesbro
Miss Walsh
Mr. Shulman
Dr. Nuckols
Mr. Sullivan
Mr. Shapiro
Mr. Tallcott
Mr. Yamin
Mr. Zetterstrom
Mr. Sussman
Mr. Iemma