



FAMILY INDEPENDENCE ADMINISTRATION

Seth W. Diamond, Executive Deputy Commissioner



James K. Whelan, Deputy Commissioner
Policy, Procedures and Training

Lisa C. Fitzpatrick, Assistant Deputy Commissioner
Office of Procedures

POLICY DIRECTIVE #06-03-ELI

(This Policy Directive Replaces PD #04-04-ELI)

MENTAL HEALTH OUTREACH AT CORRECTIONAL FACILITIES

Date: February 10, 2006	Subtopic(s): Eligibility
-----------------------------------	------------------------------------

AUDIENCE

The instructions in this policy directive are for designated staff at the Office of Central Processing (OCP) and Job Centers and are informational for all other staff.

REVISIONS TO ORIGINAL DIRECTIVE

This policy directive has been revised to:

- Inform Staff that Brad H. class members can apply for Food Stamps while they are incarcerated;
- Inform Discharge Planners at correctional facilities and Services Planning and Assistance Network (SPAN) Offices to now submit the Statewide Common Application (**LDSS-2921**) on behalf of Brad H. class members instead of the Application/Job Profile (**W-680B**);
- Revise Food Stamp Implications;
- Change all references to HS Systems (HSS) to Wellness, Comprehensive Assessment, Rehabilitation and Employment (WeCARE);
- Correct the form number for the Domestic Violence Screening form. The correct form number is **M-322d**;
- Remove the instructions for non-Paperless Office System (POS) Centers;
- Revise the address for the New York City Department of Health and Mental Hygiene (NYC DOHMH);
- Revise the Request to Pend the Application (**W-137E**) form to include food stamps.

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 2 at the prompt followed by 765 or
send an e-mail to *FIA Call Center*

POLICY

The Family Independence Administration (FIA) has implemented a special application process for individuals who are released from correctional facilities in New York City and are deemed, or are likely to be deemed, seriously and persistently mentally ill (SPMI) and in need of mental health treatment.

BACKGROUND

In August 1999, the Brad H. class action suit was filed, alleging that the City of New York failed to provide appropriate discharge plans for mentally ill individuals incarcerated in City jails. As a result of the settlement of this lawsuit, the City of New York is responsible for ensuring that incarcerated individuals who are in need of mental health treatment and services are provided with immediate access to medication and/or any other services upon release.

Access to medication and services is expected to assist in successfully reintegrating these individuals into the community and reducing the likelihood of their reentry into the criminal justice system as a result of untreated mental illness.

SPAN Offices are located in each borough.

To comply with this settlement, Discharge Planners from the Office of Correctional Health Services of the Health and Hospital Corporation (HHC) stationed at correctional institutions in New York City and staff from the Department of Health and Mental Hygiene's SPAN Offices will discuss with affected individuals their plan for support upon release, including a possible need for public assistance (PA), Medicaid (MA) and food stamps (FS).

Discharge Planner

Prior to release from the correctional facility, the Discharge Planner will assist a Brad H. class member who is currently incarcerated but pending discharge in applying for PA and FS by:

Public assistance application process

Applicants will be given the entire application kit.

- Providing a Public Assistance Application Kit;
- Assisting the individual with the completion of the **LDSS-2921**;
- Assisting the individual in gathering documentation necessary to support his/her eligibility;
- Screening the individual for immediate needs by completing an Immediate Needs Questionnaire (**Attachment D**);
- Advising the incarcerated individual that s/he can request to have the application pended for up to 90 days by completing the Request to Pend the Application (**W-137E**). The Discharge Planner will explain in plain language the importance of having the application pended;
- Providing the individual with a Referral Notice (**Attachment A**) in order to identify him/herself as a Brad H. class member.

The Discharge Planning staff will send (via fax and messenger) to the OCP, the **LDSS-2921**, the Immediate Needs Questionnaire (**Attachment D**), the **W-137E**, if the request to pend the application is made, and any other relevant documentation the individual may have.

Office of Central Processing (OCP)

Upon receipt of an application packet from the Discharge Planner, OCP will:

Once the **LDSS-2921** has been registered, the application process will continue when the individual is released and reports to a Job Center.

- Register the application into the Welfare Management System (WMS) for PA, MA and FS;
- Review the clearance report to determine if an active case already exists;
- Scan the documents in the HRA Image Viewer;
- Contact the Discharge Planner to determine whether a mistake was made if the Immediate Needs Questionnaire (**Attachment D**) is not in the packet;

New information

Note: Completion of the Food Stamp Application Expedited Processing Summary Sheet (**LDSS-3938**) is waived until the Brad H. applicant reports to the Job Center to continue with the application process.

- Hold the case for up to 90 days if the **W-137E** is submitted with the application; and
- Reject the case on the 91st day if the applicant did not report to a Job Center by the 90th day.

SPAN Office

The SPAN Office staff will assist a Brad H. class member who has been released from jail but has not submitted an application for PA through the Discharge Planner in applying for PA, MA and FS. The SPAN Office will:

- Provide an Application Kit;
- Screen the individual for immediate needs by completing the Immediate Needs Questionnaire (**Attachment D**);
- Assist with the completion of the application; and
- Give the individual a Referral Notice (**Attachment B**) in order to identify him/herself as a Brad H. class member.

Individuals referred from the SPAN Office are responsible for filing the application at a local Job Center.

Application Requirements

Brad H. applicants will be subject to all application requirements. Since May 23, 2005, all Brad H. class members have received a mandatory referral to WeCARE vendors (Federation of Employment and Guidance Services [FEGS] and Arbor), even if they did not contend to have a health or mental health barrier. The applicant is referred to WeCARE on a day when the psychiatrist is available and the impact of the applicant's mental illness on employability shall be completed on the first visit.

CASAC will be stationed at WeCARE

To assist with the full determination of the individual's employability, the Human Resources Administration (HRA) Credentialed Alcohol and Substance Abuse Counselor (CASAC) stationed at WeCARE will evaluate Brad H. individuals who screen positive for substance abuse or are determined by WeCARE to test positive for substance abuse. The CASAC will determine if the individual is in need of substance abuse treatment.

There is an edit in the MAPPER system to prevent the Worker from making a BEV appointment.

The Bureau of Eligibility Verification (BEV) interview for Brad H. class members will be waived during the application process. BEV will see this population using their normal undercare computer match process.

REQUIRED ACTION

OCP Staff

Upon receipt of a packet from the Discharge Planner, OCP staff must register the application as follows:

- Register the case in applying (**AP**) status for PA, MA and FS, using the date the application was received from the Discharge Planner as the application file date;
 - Enter Center **068** as the designated Center;
 - Enter **BRADH** as the designated caseload.

Do not image documents received via fax.

In addition, OCP must:

- Scan the documents into the HRA Image Viewer once the original copy of the application and associated documents have been received;
- Review the clearance report to determine if the applicant has an active case;

- New address

 - If the applicant has an active case for which s/he is the casehead, reject the application using Reject Code **M67** (Active on Another Case) and send the applicant the Action Taken on Your Application: Public Assistance, Food Stamps and Medical Assistance Coverage Part A: (**LDSS-4013A NYC**) form and the Action Taken on Your Application: Public Assistance, Food Stamps and Medical Assistance Coverage Part B: (**LDSS-4013B NYC**) form, informing him/her of the decision made on the applications. The notice must go to the applicant's known address of record and to the NYC DOHMH, Forensic Behavioral Health Services, 225 Broadway, 17th Floor, New York, NY 10007.

- Revised

 - Determine if a **W-137E** was submitted.
 - If a **W-137E** was *not* submitted, place the case in a 30/45-day tickler file, depending on the case type. If there is no indication in WMS or NYCWAY that the applicant reported to a Job Center to continue the application process and on 30th day, take action to reject the PA and FS application. Prepare the **LDSS-4013A (NYC)**, the **LDSS-4013B (NYC)**, and inform the applicant of the decision made on his/her applications. The **LDSS-4013A (NYC)** and the **LDSS-4013B (NYC)** must be sent to the applicant's address of record or to the General Post Office at 390 9th Ave, New York, NY 10001. In addition, a copy of the **LDSS-4013A (NYC)** and the **LDSS-4013B (NYC)** should be forwarded to: NYC DOHMH, Forensic Behavioral Health Services, 225 Broadway, 17th Floor, New York, NY 10007.

- New address

 - If a **W-137E** was submitted, the application will be pended for up to 90 days. Several steps must be taken to periodically review the status of the pending application in WMS and NYCWAY. OCP staff must review the status of the pended application as follows:
 - 30th/45th day: WMS and NYCWAY indicate the applicant has not reported to a Job Center to continue the application process:
 - ◀ If the case is in **AP** status, do not take any action on the case.
 - ◀ Prepare the **LDSS-4013A (NYC)** and the **LDSS-4013B NYC** using the space following the recoupment section on the **LDSS-4013A (NYC)** and the **LDSS-4013B NYC** to note that the PA/MA/FS application has been held for an extension at the individual's request.

- Reviewing the status of pending applications

- 30th/45th day

- ◀ Send the **LDSS-4013A (NYC)** and the **LDSS-4013B NYC** to the applicant's address of record if there is a mailing address. If there is no mailing address, send notice to the Manhattan General Post Office at 390 9th Avenue, New York, NY 10001.

80th day

- 80th day: WMS and NYCWAY indicate the applicant has not reported to a Job Center to continue the application process:

Revised

- ◀ Contact the Discharge Planning Unit at DOHMH by phone at (718) 546-4012 or by fax at (718) 546-4000 and send a transmittal indicating the name and case number. This is done for all cases where the applicant has not reported to a Job Center to continue the application process. (If an applicant is still incarcerated, the Discharge Planner will prepare and submit a new application and Immediate Needs Questionnaire [**Attachment D**].)

If the applicant is still incarcerated, the Discharge Planner will submit a new application when a new release date is known.

91st day

- 91st day: WMS and NYCWAY indicate the applicant has not reported to a Job Center to continue the application process:

Revised

- ◀ Contact the Discharge Planning Unit at DOHMH by phone at (718) 546-4012 or by fax at (718) 546-4000 to determine if the applicant is still incarcerated. If the applicant is still incarcerated, a new application must be submitted.
- ◀ If the applicant is still incarcerated or has been released but still has not reported to a Job Center to continue the application process, reject the application on the 91st day using Reject Code **E10** (Failure to Keep/Continue Interview: No Scheduled Appointment).
- ◀ Prepare and send a second **LDSS-4013A NYC** and a **LDSS-4013B NYC** to the applicant's mailing address as listed on the application (or to the General Post Office) and to the NYC DOHMH, Forensic Behavioral Health Services, 225 Broadway, 17th Floor, New York, NY 10007.

Reject Code **E10** is used to deny the PA and FS portions of the case.

Second **LDSS-4013A NYC/ LDSS-4013B NYC** sent to applicant

New address

Job Center Staff

Application Receptionist

Applicant identifies him/herself as a Brad H. applicant.

Once an individual reports to the Job Center and identifies him/herself as a Brad H. applicant (the individual should have a referral notice identifying him/herself as a Brad H. applicant, but the individual can also verbally identify him/herself as a Brad H. applicant), the Application Receptionist must check WMS and/or NYCWAY to determine whether the applicant was referred from the SPAN Office or the Discharge Planner. (If a pending application exists in WMS and the Center designation is **068**, the applicant was referred by the Discharge Planner).

Applicant does not identify him/herself as a Brad H. applicant

If the individual does not identify him/herself as a Brad H. applicant but the Initial Clearance on the **Site Determination** window shows that the individual has a PA case in **AP** status at Center **068**, the Receptionist must refer the individual to the Brad H. Liaison as indicated below.

The Receptionist must also:

This action is only necessary for cases registered by OCP.

- Assign the case to the Clerk to perform the application/maintenance (app/maint) action. The Center designation must be changed in WMS to pull the case into POS;
- Once the app/maint action is completed, review the application and the Immediate Needs Questionnaire (**Attachment D**) to determine if an immediate need/emergency situation exists;
- Make an In-Center Referral of an Application Interview activity to the Brad H. Liaison, who will process the application in accordance with the instructions outlined in this policy directive;
- Alert the Brad H. Liaison of any immediate need that may exist;
- If the individual is identified as a Brad H. applicant but does not have an existing application on file, click the **Referral** button on the **Site Determination** window and select **Other** as the reason for the referral, then enter "Brad H. Case" in the text box as the description.

Each Center will have a designated liaison to handle the application process for all Brad H. applicants.

Brad H. applicants referred by SPAN office

Brad H. Liaison

Discharge Planner referrals

If a Brad H. applicant has submitted an application prior to release and reports to the Job Center prior to the expiration of the pend period, the Brad H. Liaison must:

- Check the HRA Image Viewer for the documents scanned in by OCP;
- Register the application in accordance with current procedure. The FS file date is determined as follows:

New information

- If the Brad H. applicant reports to the Job Center within 30 days of his/her release, the FS file date must be the date of release.
- If the Brad H. applicant reports to the Job Center more than 30 days after his/her release, the FS file date must be the date the applicant reported to the Job Center.

Note: A Brad H. class member can prove his/her date of release by either presenting a discharge document with the release date or by self-declaring the date. If the Brad H. applicant cannot produce a discharge document and/or cannot remember his/her discharge date, use the date the applicant reported to the Job Center as the FS file date.

SPAN Office referrals

If the applicant has been referred by the SPAN office:

- Register the application in accordance with current procedure. The FS file date is the date the applicant reports to the Job Center, regardless of his/her release date;
- In order to make a Brad H. WeCARE referral on these cases, synchronize the case with NYCWAY by performing the following actions in NYCWAY:

This action does not generate the WeCARE appointment; the Worker will have to go back into NYCWAY to schedule the WeCARE appointment.

- Enter the application registration number in the **Case Number** field.
- Enter Action Code **938W** (Brad H. Applicant Referral to Medical Assessment) in the **Enter an Action** field and press **Enter**.

Expedited Food Stamps and Immediate Needs

The Brad H. Liaison must also determine eligibility for expedited food stamps and immediate needs on the same day the individual reports to the Job Center and check WMS for all Brad H. applicants to see if the applicant:

- is currently in sanctioned status;
- has a recently closed case (less than 30 days);
- received expedited Food Stamp service on an application that was previously closed or rejected; or
- has an active case.

If any of the above circumstances exist, proceed as follows:

I-interview required

Durational Sanctions

If the Brad H. applicant has recently been sanctioned (line sanction or case closing for single-person household) due to noncompliance, determine the reason for the noncompliance and, if appropriate, take action to lift the sanction (by activating the line or reopening the case) or if an action to sanction is pending, settle the case and restore benefits appropriately:

Benefits cannot be restored for any period during which an individual was incarcerated.

- If the sanction was caused as a direct result of the incarceration (for example, an applicant failed to keep a scheduled appointment because s/he was incarcerated and was sanctioned as a result) take action to lift the sanction or, if an action to sanction is pending, settle the case and restore benefits.
- If the applicant can show good cause for his/her noncompliance with a requirement (for example, an applicant failed to keep a scheduled appointment because s/he did not have child care in place) or has valid medical documentation to prove that s/he was incapacitated at the time the sanction/closing was imposed, take action to lift the sanction or, if an action to sanction is pending, settle the case and restore benefits.

In instances where the sanction or case closing was justified (if incarceration or illness was not the reason for failing to comply and there was no other good cause reason) and a durational sanction has not yet expired, reject the PA application in accordance with current procedure and process separate determinations for MA and FS.

Case Closed Less Than 30 Days

I-interview may not be required

If a review of WMS indicates that the applicant's case was recently closed (less than 30 days) for reasons other than noncompliance with an employment requirement, determine if the reason for the closing was incarceration (for example, as a result of incarceration, the applicant failed to keep a face-to-face recertification appointment). If incarceration was a direct cause of the closing, resolve the issue (e.g., conduct the face-to-face recertification interview) and take action to reopen the case. If incarceration was not the cause of the closing, the applicant must complete the application process outlined in this policy directive.

Received Expedited Food Stamp Service on a Previous Application

I-interview required

If a review of WMS indicates that the applicant received expedited Food Stamp service on a previous application (within the last 12 months) with Issuance Code **54** or **55**, indicating that verification was pended and recurring food stamps were not subsequently authorized or the application was denied for failure to comply with an eligibility requirement, review the reason for the denial to determine if it was related to Food Stamp eligibility. Evaluate the individual's application to determine if s/he is currently eligible to receive expedited Food Stamp service. If the individual is eligible for expedited food stamps, s/he can receive benefits, provided all required verification is submitted. In this instance the Food Stamp benefit must be issued as a code **52** (Expedited Service).

Active Cases

Contact the Brad H. Liaison at the other Center to inform him/her of the required follow-up.

I-interview not required

If the individual has an active case on which s/he is the casehead or legally responsible relative, explain to him/her that it is not necessary to submit another application. However, a referral to WeCARE is required regardless of the individual's current employment status code. The Worker must enter Action Code **199H** (Client Identified as Brad H.) in NYCWAY to identify the individual as a Brad H. class member, then enter Action Code **138W** (Brad H. Referral to WeCARE) to refer him/her to WeCARE. If additional follow-up is required, contact the Brad H. Liaison at the original Center to inform him/her that the individual is being referred back to his/her original Center.

Note: If the individual requests to have the WeCARE appointment rescheduled, reenter Action Code **138W** to schedule a new appointment.

If a Brad H. applicant is active on another PA case and s/he is not the casehead or legally responsible relative, determine if the applicant is residing at the same address as the primary tenant and whether meals are purchased and prepared separately from those of the primary tenant.

I-interview required

- If the primary tenant is the parent of the Brad H. applicant and the individual is 22 years of age or older and meals are purchased and prepared together, the applicant must be a separate suffix on the PA case and share the same FS suffix. In this instance create a new suffix with the Brad H. applicant as the casehead. If the meals are not purchased and prepared together, the Brad H. applicant can choose to have his/her own case.

- If the primary tenant is the parent of the Brad H. applicant and the applicant is 21 years of age or younger, s/he is mandated to the FS case and therefore must be a suffix on the PA case. In this instance create a new suffix with the Brad H. applicant as the casehead.

After the aforementioned issues have been evaluated and resolved, continue with the normal application process:

Evaluate for immediate needs and expedited Food Stamp service

- Conduct the I-interview and review the Immediate Needs Questionnaire (**Attachment D**) to determine if an emergency exists. Ask the applicant about emergency situations that may exist and evaluate for immediate needs and/or expedited food stamps in accordance with current procedure (see section on Determining Eligibility on page 13). If the applicant is found ineligible for an immediate needs grant or expedited Food Stamp service, be sure to note the reason(s) in the case record in accordance with current procedure.

All Brad H. applicants must be referred to WeCARE

- Initiate an Employability Plan (EP) to make the necessary referral(s).
- All Brad H. applicants must be evaluated by the psychiatrist at a WeCARE vendor to determine their ability to participate in work activities. Schedule the applicant for a WeCARE appointment by entering Action Code **938W** (Brad H. Referral to WeCARE) in NYCWAY and give the applicant the Physician’s Employability Report (**W-538**). Action Code **938W** will automatically generate the appointment for a date and time when the psychiatrist will be available.

Revised action code text for Brad H. referrals to WeCARE

If the appointment must be changed, it must be scheduled for a day when the psychiatrist will be available (see the Brad H. Appointment Schedule [**Attachment C**] for available days and times). Give the applicant a return appointment for a date after the WeCARE process is completed, in accordance with current procedure.

Applicant Task List (**W-680F**) is not required

Note: If the applicant requests to have the WeCARE appointment rescheduled, reenter **938W** to schedule a new appointment.

- Screen the applicant/participant for drug and/or alcohol abuse using the Alcohol and Drug Abuse Screening and Referral Form (**LDSS-4571**). If the individual screens positive for substance, refer him/her to the CASAC at WeCARE for the same day as the WeCARE appointment by posting Action Code **915S** (Referral to Substance Abuse) in NYCWAY. The Worker can make this referral within the Employability Plan (EP) after the **938W/138W** has been posted. The **915S** will generate the Referral for Assessment at Substance Abuse Service Center (SASC [**W-456AA**]), which must be given to the applicant/participant.

CASAC will evaluate the individual for substance abuse treatment and will assign applicants/participants to treatment programs.

Note: After the WeCARE medical exam on Day 1, if the individual is determined to be a possible substance abuser by WeCARE or by the Worker in the Job Center, the Outstationed Worker (OSW) at WeCARE will refer the individual to the CASAC stationed at WeCARE using Action Code **242C** (ADC SA Program/Clinical Assessment Needed). In the event that the individual cannot be seen by the CASAC or the individual is unable to remain for the substance abuse assessment, the Supervisor of the OSW must refer the applicant/participant to the CASAC at the Substance Abuse Centralized Assessment Program (SACAP) at 109 E. 16th Street in Manhattan, using Action Code **915T** (OSW Brad H. Referral to SASC) in NYCWAY, which will generate an online appointment.

- If the CASAC determines that the individual requires treatment, the CASAC will refer the individual to a treatment program and enter Action Code **240T** (SACAO [Substance Abuse Clinical Assessment Outcome]: SA Exempt) in NYCWAY, which will cancel the return appointment to the Job Center. If the individual is in a court-ordered treatment program and the program is HRA-approved, the CASAC must enter the treatment information in NYCWAY. If the program is not an HRA-approved program, the CASAC will enter the assessment outcome in NYCWAY. In this instance the individual will be called into SASC after three months for a reevaluation. In either situation (HRA-approved/not approved), the CASAC will enter Action Code **218** CJS (Criminal Justice System – Mandated TP [Treatment Program]).

Brad H. individuals who are referred to an inpatient or residential program will not be infraacted for failing to return to WeCARE.

Note: If the CASAC determines that the individual is in need of immediate treatment that will prevent him/her from returning to WeCARE to complete the WeCARE evaluation, the action code posted by the CASAC will close out the WeCARE return appointment and prevent the WeCARE infraction from being posted. After the individual completes the inpatient treatment, s/he will be called back into SACAP for a follow-up assessment, in accordance with current procedure.

- Based on the results of the WeCARE and/or CASAC referrals, if the applicant is deemed fully employable or employable with limitations, modify/update the EP and refer him/her to the appropriate vendor for engagement. Ensure that all child care issues, if applicable, have been resolved prior to referring the applicant/participant to a vendor.
- Refer to PD #03-60-EMP
- If the applicant is a single parent (or caretaker of a child) and requests training or indicates that s/he is currently enrolled in an HRA approved training program, access the Training Assessment Questionnaire on the Employability Plan (EP), enter a **Y** for the question “Is Applicant in (or nearing) Training?” and post a **935T** (Applicant in Vocational/Educational Training) in NYCWAY. Once the case becomes active the applicant will be called in to the Training Assessment Group (TAG).
 - If the participant is a single parent (or caretaker of a child) and meets the criteria for a referral to TAG, refer him/her to TAG in accordance with current procedure.
- Referral to OCSE
- If minor children are on the case and there is an absent parent, schedule the applicant for an appointment with the Office of Child Support Enforcement (OCSE).
- Referral to Domestic Violence Unit
- Screen the applicant for domestic violence (DV) using the Domestic Violence Screening Form (**M-322d**). The EP has been programmed to allow the availability of DV referrals for Brad H. applicants after a WeCARE outcome has been posted to NYCWAY.
- Revised information
- Click **No** for the “Previous EVR Referral” question and for the “New Referral Necessary” question in the **Referrals** window.
- Reapplicants
- If the applicant is reapplying and/or the documents needed to verify eligibility requirements (e.g., residence, citizenship, alien status, etc.) are available in the case record or on the HRA Image Viewer, do not ask the applicant to resubmit documents.
- Eligibility Determination
- Determine whether or not the applicant is eligible for expedited Food Stamp service or an immediate needs grant.

Eligible for expedited FS If the applicant is eligible for expedited Food Stamp services, single-issue the FS portion of the case using FS Opening Code **029** as the FS reason code and issue benefits from the FS file date (see page 8 to determine the FS file date.)

Note: New FS Opening Code **029** identifies the case as a Brad H. case and allows food stamps to be issued from a date other than the date the PA application was filed.

Eligible for recurring FS When accepting the case for recurring benefits, if food stamps were not issued under expedited processing and the applicant is otherwise eligible, use FS Opening Code **029** as the reason and issue benefits from the FS file date (see page 8 to determine the FS file date.) In addition, ensure that the caseload is changed from Brad H. to an appropriate Unit Worker.

Eligible for recurring PA The need for additional documentation may require additional visits; eligibility for PA will be determined upon compliance.

For cases where a decision to accept the PA case is made beyond the 30th (FA)/45th (SNA) day, issue public assistance benefits as follows:

- If there is a **W-137E** on record, issue benefits from the date on which all eligibility criteria were satisfied.
- If the delay is caused by the Agency, issue benefits retroactive to the 30th/45th day.

Prepare the **LDSS-4013** If the Brad H. applicant is determined eligible for ongoing assistance, accept the case as per current procedure. Prepare the Action Taken on your Application: Public Assistance, Food Stamp Benefits and Medical Assistance Coverage (**LDSS-4013A** and **LDSS-4013B**) as follows:

Public Assistance

Recertification period

- In the “Action taken on your application dated” section, enter the date the application was received by the Agency (OCP registration date for Discharge Planner referrals or date the individual reports to the Job Center for SPAN Office referrals). This date may be different from the FS file date used to issue benefits.
- In the “Accepted from” section, enter the date eligibility was determined as the “From” date. The “To” date must be six months from the date the application was received by the Agency.

Food Stamp Benefits

- In the “Approved” section, enter the date the benefits were issued from as the “From” date and six months from the date the application was received by the Agency as the “To” date.
- In the “Other Information” section, indicate that the reason for issuing benefits from the aforementioned date is because the applicant was incarcerated during the application period and, therefore, not eligible for food stamps.

Recertification period

Note: No matter which date of issuance is used, for recertification purposes, the date the application was submitted to the Agency

PROGRAM IMPLICATIONS

Model Office Implications

The Application Receptionist referred to in this policy directive refers only to the Application Receptionist in the PA area at the Model Office, not the Front Door Reception Receptionist also located at the Model Office.

Food Stamp Implications

HRA has received a waiver from the United States Department of Agriculture (USDA) to allow Brad H. class members to apply for food stamps while they are still incarcerated. As part of the waiver, if the Brad H. class member presents him/herself at a Job Center within 30 days of his/her release from jail, the food stamps must be issued from the date of release. If the class member presents him/herself at the Job Center more than 30 days after his/her release, food stamps must be issued from the date s/he appeared at the Job Center, as per current procedure.

Revised

Medicaid Implications

A separate Medicaid process has been initiated for this program. Applicants may have an active Medicaid case upon release.

LIMITED ENGLISH SPEAKING ABILITY (LESA) IMPLICATIONS

For Limited English Speaking Ability (LESA) and Hearing Impaired applicants, make sure to obtain appropriate interpreter services in accordance with PD #05-37-OPE and PD #05-40-OPE.

FAIR HEARING IMPLICATIONS

Avoidance/ Resolution

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up to date. Remember that applicants/participants must receive either adequate or timely and adequate notification of all actions taken on their case.

Conferences

An applicant/participant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS/Supervisor I at any time. If an applicant/participant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen. If the applicant calls the Brad H. Liaison directly, the Liaison must tell the applicant to call the FH&C Unit.

The FH&C AJOS/Supervisor I will listen to and evaluate the applicant/participant's complaint. After reviewing the case file and discussing the issue(s) with the Brad H. Liaison, s/he will determine if the action taken was correct. If the determination is that the action taken was correct, the FH&C AJOS/Supervisor I will explain the reason for the determination to the applicant/participant. If the explanation is accepted, no further action is necessary. The AJOS/Supervisor I must complete a Conference Report (**M-186a**).

If the determination is that the action taken was incorrect or correct but lacking the supporting documentation, the FH&C AJOS/Supervisor I will settle in conference (SIC), enter detailed case notes in NYCWAY and forward all verifying documentation submitted by the applicant/participant to the appropriate JOS/Worker for corrective action to be taken. In addition, if the adverse case action still shows on the **Pending (08)** screen in WMS, the AJOS/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form (**LDSS-3722**) if the case has been granted aid continuing (ATC) to change the **02** to an **01** or a PA Recoupment Data Entry Form (**LDSS-3573**) to delete a recoupment. The **M-186a** must also be prepared.

Evidence Packets


Should the applicant/participant elect to continue his/her appeal by requesting or proceeding to a Fair Hearing already requested, the FH&C AJOS/Supervisor I is responsible for ensuring that further appeal is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

All Evidence Packets must contain a detailed history, copies of relevant WMS screen printouts, other documentation relevant to the action taken and copies of NYCWAY **Case Notes** screens.

REFERENCES

14 NYCRR 587.1
New York Mental Hygiene Law, Section 29.15(f)

ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

- W-137E** Request to Pend an Application (Rev. 2/10/06)
- Attachment A** Referral Notice (Discharge Planner) (Rev. 2/10/06)
- Attachment B** Referral Notice (SPAN Office) (Rev. 2/10/06)
- Attachment C** Brad H. Medical Appointment Schedule (Rev. 2/10/06)
- Attachment D** Brad H. Immediate Needs Checklist



Date: _____

Request to Pend an Application

To Whom It May Concern:

I _____ am a Brad H class member and submitted an application for Public Assistance and food stamps on _____. As a result of difficulties I may encounter in complying with requirements needed to establish my eligibility, I therefore request to have my application pended, if necessary, for 90 days.

SAMPLE

Signature of Applicant

Fecha: _____

Petición para Tener la Solicitud Pendiente

A Quien le Corresponda:

Yo, _____ pertenezco a la clasificación Brad H, y he sometido una solicitud de Asistencia Pública y cupones para alimentos el _____. Como resultado de las dificultades que pueda enfrentar al cumplir los requisitos necesarios para establecer mi elegibilidad, peticiono por consiguiente que mi solicitud permanezca pendiente, si es necesario, por 90 días.

Firma del Solicitante

REFERRAL NOTICE

Note to Client: Please bring this notice with you to the HRA Job Center.

To Whom It May Concern:

Be advised that _____ is a member of the Brad H. class and has submitted an application for public assistance, food stamps and Medical Assistance on _____. The application and relevant documentation can be accessed via the HRA Image Viewer.

Sincerely,

Discharge Planner

AVISO DE REFERENCIA

Nota al Cliente: Favor de traer este aviso con usted al Centro de Trabajo de la HRA.

A Quien le Corresponda:

Por la presente le informamos que _____ es miembro de la acción en grupo Brad H., y que ha entregado una solicitud para asistencia pública, cupones para alimentos y Asistencia Médica el _____. La solicitud y documentos pertinentes están disponibles en el Visionador de Imágenes de la HRA (HRA Image Viewer).

Atentamente,

Planificador de Puesta en Libertad

REFERRAL NOTICE (SPAN Office)

Notice to Client: Please bring this notice with you to the HRA Job Center.

To Whom It May Concern:

Be advised that _____ is a member of the Brad H. class and is submitting an application for public assistance, food stamps and Medical Assistance.

Please refer him/her to the Brad H. liaison.

Sincerely,

SPAN Office

AVISO DE REFERENCIA (Oficina SPAN)

Aviso al Cliente: Favor de traer este aviso con usted al Centro de Trabajo de la HRA.

A Quien Le Corresponda:

Por el presente le informamos que _____ es miembro de la acción en grupo Brad H., y que ha solicitado asistencia pública, cupones para alimentos y Asistencia Médica.

Favor de enviar al solicitante al enlace de Brad H. (Brad H. liaison).

Atentamente,

Oficina SPAN

Brad H. Medical Appointment Schedule

When referring Brad H. applicants to WeCARE, staff must enter the appropriate action code in NYCWAY (**938W** for applicants and **138W** for participants) to schedule the applicant/participant for a WeCARE appointment. The action code will trigger slot availability based on the chart below. The following list provides the time and day availability for Brad H. applicants to go to WeCARE:

Borough	Day	Time	Slots per day
Bronx applicants	Mondays through Fridays	8 AM – 1 PM	1 appointment per day
Manhattan	Mondays through Fridays	8 AM – 1 PM	1 appointment per day
Brooklyn	Wednesday Thursday	8 AM – 1 PM 8 AM – 1 PM	3 appointments on Wednesday 2 appointments on Thursday
Queens	Tuesday Thursday	8 AM – 1 PM 8 AM – 1 PM	2 appointments per day

* Staten Island applicants are referred to the WeCARE office in Manhattan.

IMMEDIATE NEEDS CHECKLIST

1. Does the applicant have housing available upon release? Y N

If no explain in space provided:

SAMPLE

2. Is the applicant facing a threat of an eviction, pending eviction or homelessness? Y N

If yes explain in space provided:

3. Does the applicant have a utility disconnect notice, or shut-off scheduled within 72 hours, or have utilities already been disconnected (Con Ed, Keyspan, etc.)? Y N

If yes explain in space provided:

4. Does the applicant have fuel for heating during the cold weather? Y N

If no explain in space provided:

Attachment D

5. Does the applicant have access to food, or little or no food upon release?

Y N

If no explain in space provided:

6. Is the applicant without items necessary for health and safety?

Y N

If yes explain in space provided:

SAMPLE