



FAMILY INDEPENDENCE ADMINISTRATION


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POLICY BULLETIN #13-100-OPE

RICHARD C. SETTLEMENT PAYMENT MAILING

Date: November 18, 2013	Subtopic(s): SNAP Benefits
<p> This procedure can now be accessed on the FIAweb.</p>	<p>The purpose of this policy bulletin is to inform all Cash Assistance (CA) and Non-Cash Assistance (NCA) Supplemental Nutrition Assistance Program (SNAP) staff about a settlement mailing that is being sent to select class members regarding a one-time SNAP payment being issued as a result of the <u>Richard C. v. Berlin</u> lawsuit.</p> <p>As required by the <u>Richard C. v. Berlin</u> settlement, a one-time SNAP benefit is being authorized on or before November 18, 2013 to the SNAP case that includes an individual who was the class member's head of household at the time of an employment sanction. Class members are individuals who had one or more SNAP sanctions imposed between August 3, 2009 and December 14, 2012.</p> <p>The <u>Richard C. v. Berlin</u> case involved individuals who had their SNAP benefits reduced or ended following a sanction notice that did not say that a SNAP work sanction could be avoided by complying with SNAP work requirements. The settlement of the case provides that SNAP sanctions imposed between August 3, 2009 and December 14, 2012 must be repaid to the sanctioned individual's SNAP household.</p> <p>The letter also informs the SNAP household that SNAP work-related sanctions imposed between August 3, 2009 and December 14, 2012 will not be considered in the future when determining the number of SNAP work-related sanctions an individual has received, as required by the settlement agreement. This information is important because the length of a SNAP sanction may increase based on the number of prior SNAP sanctions.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

Individuals with questions about this payment should be directed to contact the plaintiff's class counsel by calling the following numbers:

- (877) 894-0087 for NYC
- (888) 959-0797 for areas outside of New York City

Effective Immediately

Attachments:

- | | |
|---------------------|--|
| Attachment A | Information About A Special "Richard C" Settlement Payment |
| Attachment B | Information About A Special "Richard C" Settlement Payment (Spanish) |

Attachment A

NYS OTDA
RICHARD C UNIT – 11A
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-001

New York State
Office of Temporary
and Disability Assistance



NOVEMBER 2013

Case Number:

INFORMATION ABOUT A SPECIAL "Richard C" SETTLEMENT PAYMENT

Because of a settlement in the Richard C. v. Berlin lawsuit, you recently received, or will soon receive, a special one-time payment of \$ _____ in Supplemental Nutrition Assistance Program (SNAP) benefits.

If you are a current recipient of either SNAP, Public Assistance or Medicaid benefits your one-time payment of SNAP benefits can be accessed through your Electronic Benefit Transfer (EBT) card. If you are not a current recipient you will receive a mailing with an EBT card and a separate mailing with a Personal Identification Number (PIN) to allow you to access your benefit. If you reside in New York City and receive Medicaid benefits only, you will be required to call the EBT Helpline number on the back of your Medicaid card to establish a PIN to access your one-time SNAP benefit from your Medicaid card.

You must access these benefits within 365 days from the date of payment was authorized or the benefits will no longer be available to you.

The Richard C. v. Berlin case involved individuals who had their SNAP benefits reduced or ended following a sanction notice that did not say that a SNAP work sanction could be avoided by complying with SNAP work requirements. The settlement of the case provides that SNAP sanctions imposed between August 3, 2009 and December 14, 2012 must be repaid to the sanctioned individual's SNAP household. State records show that you, or someone active on your current SNAP case, were the head of household of a SNAP case that included an individual who was sanctioned between August 3, 2009 and December 14, 2012. That is why your household is receiving this special one-time SNAP benefit.

The SNAP benefit paid to your household is based on the reduction in SNAP benefits due to the sanction for each of the months the sanction was required to be in effect. If more than one sanction was imposed during this time period, your payment includes those restored benefits also.

The settlement also provides that SNAP work related sanctions imposed between August 3, 2009 and December 14, 2012 will not be considered in the future when determining the number of SNAP work-related sanctions an individual has received. This is important because the length of a SNAP sanction may increase based on the number of prior sanctions.

If you have questions, you may contact Plaintiffs' Class Counsel at www.legal-aid.org, www.empirejustice.org or www.nolej.org. You can also call the New York State Office of Temporary and Disability Assistance at 1-800- 342-3009 and say you have questions about your Richard C. notice.

Attachment B

NYS OTDA
RICHARD C UNIT – 11A
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-001

New York State
Office of Temporary
and Disability Assistance



Noviembre 2013

Nº de Caso:

INFORMACIÓN SOBRE EL PAGO ESPECIAL PERTINENTE AL ACUERDO EN LA CAUSA «Richard C»

A raíz del acuerdo acordado en la demanda conocida como Richard C. v. Berlin, usted recientemente recibió o recibirá, un pago único por la cantidad de \$ _____ del programa de Asistencia Nutricional Suplementaria (SNAP).

Si actualmente es un beneficiario de SNAP, Asistencia Pública o Medicaid, el pago único del subsidio SNAP lo puede retirar usando la tarjeta Electrónica de Transferencia de Beneficios (EBT, por sus siglas en inglés). Si actualmente no es un beneficiario, recibirá un correo con una tarjeta EBT y por separado otro correo con el número de identificación personal (PIN) asociado con la tarjeta y con el cual podrá retirar el subsidio. Si usted reside en la Ciudad de Nueva York y solamente recibe el subsidio Medicaid, se le exigirá llamar a la línea directa de EBT (el número lo encontrará en el dorso de la tarjeta Medicaid), con motivo de establecer un número de acceso PIN con el cual podrá retirar el pago único del subsidio SNAP usando la tarjeta de Medicaid.

Debe retirar este subsidio dentro de 365 días contados a partir de la fecha en que se autoriza el pago, de lo contrario perderá el subsidio.

La causa Richard C. v. Berlin fue registrada por un grupo de personas a las cuales se les redujo o se les cesó, el subsidio SNAP tras haber recibido una notificación de sanción en la cual no se les informaba que la sanción relativa al requisito de trabajo del subsidio SNAP se podía haber evitado si se cumplía con el requisito de trabajo exigido por el programa SNAP. El acuerdo estipula que las sanciones impuestas por el programa SNAP entre el 3 de agosto de 2009 y el 14 de diciembre de 2012, deben de ser reintegradas a los grupos familiares beneficiarios de SNAP a los cuales se les impuso. Los archivos del Estado muestran que usted o un miembro activo de su caso vigente de SNAP, era el jefe de familia de un caso SNAP del cual uno de los miembros recibió una sanción entre el 3 de agosto de 2009 y el 14 de diciembre de 2012. Por dicho motivo su grupo familiar recibirá un pago único especial de subsidio SNAP.

El subsidio SNAP que se le pagará a usted se ha calculado sobre la base de la reducción del subsidio SNAP a consecuencia de la sanción por cada mes que la sanción estuvo vigente. Si se impuso más de una sanción durante ese periodo, su pago incluirá también el monto del subsidio restituido.

El acuerdo también estipula que las sanciones de requisito de trabajo del programa SNAP impuestas entre el 3 de agosto de 2009 y el 14 de diciembre de 2012, no se tomarán en cuenta en un futuro cuando se calcule las veces que una persona ha recibido una sanción por incumplimiento de requisito de trabajo del programa SNAP. Ello es importante dado que la duración de una sanción del programa SNAP puede aumentar según el número de sanciones previas.

Si tiene preguntas puede comunicarse con los abogados de los demandantes en: www.legal-aid.org, www.empirejustice.org o bien; www.nclej.org También puede llamar a la oficina estatal *New York State Office of Temporary and Disability Assistance* marcando el 1-800- 342-3009 e infórmenos que tiene preguntas sobre la carta de notificación que recibió pertinente a la causa Richard C.