



# FAMILY INDEPENDENCE ADMINISTRATION


Matthew Brune, Executive Deputy Commissioner

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

Stephen Fisher, Assistant Deputy Commissioner  
Office of Procedures

## POLICY BULLETIN #13-46-OPE

### CASES CLOSED IN ERROR FOR FAILURE TO RECERTIFY AS A RESULT OF SYSTEM MAILING ERROR

<b>Date:</b> May 03, 2013	<b>Subtopic(s):</b> Eligibility
<p> This procedure can now be accessed on the FIAweb.</p> <p>See pages 4-5 of this PB for the specific instructions.</p>	<p>The purpose of this policy bulletin is to provide Job Center staff and the Special Project Job Center (SPC) staff with instructions on handling a select group of cases that were closed in error for failure to recertify (<b>G10</b>).</p> <p>This policy bulletin also provides instructions for SPC staff on handling cases that were closed in error for employment related infractions and for whom a recertification must be completed in order to reactivate the case.</p> <p>Due to a systematic mailing error some Cash Assistance (CA) participants may not have received a Notice of Recertification Appointment (<b>W-908T</b>). Subsequently their Cash Assistance (CA) cases were closed <b>G10</b> (Failure to Recertify on Date).</p> <p>Since the closings were the result of agency error, participants are being called in to complete a face to face recertification (FFR). For cases that have been closed <u>less</u> than 60 days, each Job Center has mailed out a manual <b>W-908T</b> calling the participant into the Job Center. For cases closed <u>more</u> than 60 days, the Special Project Center (SPC) has mailed out a manual <b>W-908T</b> calling the participant in. In addition to the <b>W-908T</b>, a notice (<b>FIA-1028o</b>) has been included to inform participants that if they have any difficulties in reporting to the SPC that they must call the SPC which will reschedule the appointment at the participant's assigned Job Center.</p> <p><b>Note:</b> The processes described below are only for the specifically identified cases. Refer to <a href="#">PD #10-34-ELI</a> for the handling of all other re-applicants.</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

Model Job Centers

As these cases are already closed (less than 60 days), the new FFR appointments will not be reflected in the Front Door Reception (FDR) system. If a participant reports to the center for their scheduled appointment with their **W-908T**, FDR staff must route the participant to the Case Management Unit (CMU) using a CA Appointment ticket.

If the participant reports to the center without the **W-908T**, FDR staff must check the list provided by the Regional Office to verify that the participant has a scheduled FFR appointment. If the participant's name appears on this list, he/she must be routed to CMU using a CA Appointment ticket.

If the participant does not appear on the list of cases scheduled for the Job Center, a secondary list of cases which have been scheduled to report to the SPC must be checked. If the case appears on this list, they must be routed to the CMU using a CA Appointment ticket.

If the participant is not on either of the lists, they are to be treated as a new applicant and routed to the Case Establishment Unit (CEU) using a CA Application ticket.

Non-Model Job Centers

If the participant reports to a Non-Model Job Center with the **W-908T**, the Receptionist will alert the CMU JOS/Worker that the participant has reported for the FFR appointment.

If the participant reports to a Non-Model Job Center without the **W-908T**, the Receptionist must check the list provided by the Regional Office to verify that the participant's name is on the list. If the name appears on the list, the Receptionist must identify which CMU JOS/Worker the case is assigned to and alert him/her that the participant has reported for the FFR appointment.

If the participant does not appear on the list of cases scheduled for the Job Center, a secondary list of cases which have been scheduled to report to the SPC must be checked. If the case appears on this list, the Receptionist must identify which CMU JOS/Worker the case is assigned to and alert them that the participant has reported for the FFR appointment.

If the participant is not on either of the lists, they are to be treated as a new applicant.

See Job Center instructions for cases to be processed by the Special Project Center

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### Processing Cases in the Job Center

Refer to page 5 of [PB #10-01-SYS](#) for information on Reopening a case through the CA Recertification Interview Activity

JOS/Workers must conduct a FFR interview and reopen the case. In the Paperless Office System (POS) staff must use the CA Recertification Interview Activity to process the reopening of the case. CA opening code **Y42** (Closed in error) must be used to reopen the CA; Medicaid (MA) opening code **Y67** (Other) must be used to reopen the MA; and the Supplemental Nutrition Assistance Program (SNAP) opening code **Y45** (Other) must be used to reopen the SNAP portion of the case.

**Note:** If the case is a multisuffix case, staff must ensure that both suffixes closed on the same date and for the same reason. Additionally, in order to complete the FFR and reopen the case, if there is more than one payee for each suffix, both suffix payees must be present.

Staff should use the prior closing date as the new Continuing Eligibility Determination (CED) date. For example, if the case closed on February 4, 2013, even though the interview and reopening activity are not being processed until May 10, 2013, the CED date should be February 4, 2013.

Since these cases are all considered to have been closed due to agency error, staff must restore any lost benefits to the participant, retroactive to the date of closing. This includes any missed direct vendor rent payments to landlords as well as any SNAP benefits that may not have been issued. Staff must also check the benefit issuance history to ensure there is no duplication of benefits.

Cases closed more than 60 days will be processed by the Special Project Center.

For participants who were called into the SPC but report to their regularly assigned Job Center instead, POS edits prevent the processing of these cases as part of the undercare system. In these situations, the JOS/Worker must conduct an FFR using the Recertification Form for: Temporary Assistance (TA) – Medical Assistance (MA) – Medicare Savings Program (MSP) – Supplemental Nutrition Assistance Program (SNAP) (**LDSS-3174**). Staff must complete the interview, scan and index the entire **LDSS-3174**, as well as all documentation submitted by the participant, and alert the SPC that the participant completed the FFR and that the documentation has been scanned and indexed.

Participants claiming difficulties in reporting to the SPC.

In addition to the individuals who report to the wrong location on their own, the SPC will be scheduling appointments at the Job Center for individuals who have indicated that they would have difficulties in reporting to the SPC. These FFRs must be handled in the same manner as those for individuals who report to the wrong location for their appointment.

To alert the Special Project Job Center, staff must contact the Center Director's Designee who will send an email to Michael Ferrer ([ferrermi@hra.nyc.gov](mailto:ferrermi@hra.nyc.gov)) and John Noel ([noeljo@hra.nyc.gov](mailto:noeljo@hra.nyc.gov)) notifying them that the FFR has been conducted and is ready for processing.

**Note:** If during the FFR the participant reports an immediate need (i.e. utility turn off, rent arrears), record the participant's request on a paper Request for Emergency Assistance or Additional Allowance (**W-137A**). Scan and index the **W-137A** and include details of the request in the email to the Special Project Center so that the request may be recorded in POS and processed timely.

### Processing Cases at the Special Project Center

The SPC will be responsible for handling cases that have been closed in error for more than 60 days. The center has sent the **W-908T**, **FIA-1028o**, and the Important Notice Regarding Your Recertification Appointment (**FIA-1094b**) which explains to the identified participants the system error and their need to complete a FFR.

SPC staff will conduct the FFR interview in POS through the CA Recertification activity. However, staff must not transmit this action to WMS through POS.

Once the interview is completed and a new budget has been generated through POS, SPC staff must suspend the CA Recertification Activity. The case must be reopened manually using the Turn Around Document (TAD) (**LDSS-3517**). Staff must use the CA opening code **Y42** (Closed in Error), the Medicaid (MA) opening code **Y67** (Other), and the SNAP opening code **Y45**. The "From Date" for CA and SNAP (Elements 226 and 235) must be the date the case closed **G10**. For MA, the "From Date" (Element 242) must be the first of the month the case was closed in. For example, if the case closed February 14, 2013, the "From Date" for CA and SNAP will be 02/14/13 and the "From Date" for MA will be 02/01/13.

In addition to reopening the case, SPC staff must restore any lost benefits, including direct vendor rent payments to the landlord and SNAP benefits retroactive to the date of the closing.

Refer to page 189 of the [Authorization of Grants Manual](#)

Cases closed in error for an employment infraction

In addition to the individuals identified as possibly not having received the original **W-908T** as a result of the mailing system error, SPC staff will also be responsible for processing the FFR for participants whose cases were closed erroneously for an employment infraction and who were thus not called in timely for an FFR.

For these cases, the SPC staff must use CA opening code **Y46** (Employment Unit Override) which will allow for the reopening of the CA as well as delete the sanction imposed in error. For these cases, benefits must be restored retroactive to the date the employment infraction was imposed.

### Rescheduling

If a participant contacts the Job Center or the SPC prior to the date of the new FFR appointment and wishes to reschedule, they may do so. If the rescheduled appointment would push the closing of the case beyond 60 days, Job Center staff must conduct the FFR using the **LDSS-3174**, scan and index all submitted documentation, and alert the SPC that the FFR was conducted and must be processed.

If the participant reports to the Job Center after the scheduled date of the FFR, without having asked to reschedule the FFR, he/she must complete a new application. His/her case will not be reopened through completion of a FFR.

If the participant reports to the SPC after the scheduled date of the FFR, without having asked to reschedule, they must be referred to the appropriate Job Center to begin the application process unless an emergency situation is reported. If the individual reports an emergency situation, the SPC will address the emergency, process the application and transfer the case back to the appropriate center after an eligibility determination has been made.

### Failure to Report

In most instances, no action will be required by Job Center or SPC staff for participants who fail to report to the new FFR appointment. Their cases will remain closed with **G10** as the reason code.

The only exception to this will be for individuals who were previously denied in error for an employment infraction. In these instances, SPC staff will have to place the case in Single Issue (SI) status with reason code **Y46**, which will delete the sanction, and then close out the case using **G10**.

*Effective Immediately*

**Reference:**

[Authorization of Grants Manual](#)

**Related Items:**

[PD #10-34-ELI](#)


[PB #10-01-SYS](#)

**Attachments:**

**FIA-1028o (E-S)** Notice

**FIA-1094b (E-S)** Important Notice Regarding Your Recertification Appointment

**W-908T** Notice of Recertification Appointment (Rev. 8/21/12)

 Please use Print on Demand to obtain copies of forms.

## Notice

If you have a physical, mental health, or learning problem that makes it difficult for you to travel to the location indicated in the enclosed appointment notice, please call (212) 331-4909 for further assistance.

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**Aviso**  
**SAMPLE**

Si usted tiene un problema físico, mental, o de aprendizaje que le dificulte trasladarse al local indicado en el adjunto aviso de cita, favor de llamar al (212) 331-4909 para más ayuda.

## Important Notice Regarding Your Recertification Appointment

According to our records, you did not recertify for Cash Assistance (CA) and Supplemental Nutrition Assistance Program (SNAP) benefits. A further review of our records indicates that you may not have received the Notice of Recertification Appointment (**W-908T**). If you wish to continue receiving Cash Assistance and SNAP benefits, you must have a face to face interview to complete the Recertification Form for Temporary Assistance, Medical Assistance, Medicaid Savings Program and Supplemental Nutrition Assistance Program (SNAP) (**LDSS-3174**), AND submit current documentation of income, household composition and verification of any changes since your last recertification. If you choose to recertify for assistance and you have missed any benefits, we will restore your benefits from the date your case closed.

SAMPLE

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Aviso Importante Respecto a su Cita para Recertificación

Según nuestros archivos, usted no se recertificó para Asistencia en Efectivo (CA) y los beneficios del Programa de Asistencia de Nutrición Suplementaria (SNAP). Una revisión más extensa de nuestros archivos indica que puede ser que usted no haya recibido el Aviso de Cita para Recertificación, (**W-908T**). Si desea seguir recibiendo Asistencia en Efectivo y los beneficios de SNAP, usted debe realizar una entrevista en persona para llenar el Formulario de Recertificación para Asistencia Temporal, Asistencia Médica, el Programa de Ahorros de Medicaid y el Programa de Asistencia de Nutrición Suplementaria (SNAP) (**LDSS-3174**), y presentar documentación actual de ingreso salarial, composición del hogar y prueba de cualquier cambio que se haya dado desde la última recertificación. A usted le restauraremos cualquier beneficio que le haya faltado a partir de la fecha en que se cerró su caso, si opta por recertificarse para asistencia.



Date: \_\_\_\_\_  
Case Number: \_\_\_\_\_  
Case Name: \_\_\_\_\_  
Caseload: \_\_\_\_\_  
Worker Name: \_\_\_\_\_  
Worker Phone: \_\_\_\_\_  
FH&C Phone: \_\_\_\_\_  
Recertification Process: \_\_\_\_\_

### Notice of Recertification Appointment

**NOTE:** As of August 29, 2012, any reference to the Food Stamp Program in this notice shall mean the Supplemental Nutrition Assistance Program (SNAP), and any reference to Food Stamps shall mean SNAP benefits.

This letter is to inform you that in order to assist us in determining if you continue to be eligible for the receipt of Cash Assistance, Medical Assistance and/or SNAP, you must be recertified as follows:

1

SAMPLE

**Your Recertification will take place.**

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Location: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Other:

2

**To reschedule your interview**

Phone Number: \_\_\_\_\_

3

The following adult individual(s), who according to our records is/are 18 years of age or older

4

5

The following case member(s) must be finger imaged. Arrangements will be made at the interview to be finger imaged.

6

Provide Social Security Number for

7

**Be sure to read the "Interview/Application Rights for Supplemental Nutrition Assistance Program (SNAP) Benefits" section of this notice.**

Depending on the program(s) for which you are recertifying, you will need to provide information on and proof of the items checked below that explain your current situation and how it has changed. If you need any help getting this proof, please let your Worker know as soon as possible.

If the Center you report to requires a paper recertification application, it will be provided to you when you arrive for your interview. If you are reporting to a Center that uses a paperless computer system, your recertification application will be completed and filed on the computer. You will be assisted with this electronic recertification process. Regardless of how you file your recertification application, you must provide all documents requested in this appointment notice at the time of your face-to-face interview or through the mail-in interview process.

**Cash Assistance: Proof of Documents** – You will need to:

- provide information about the people in your home;
- prove that the people who get assistance live in your home;
- show proof of expenses (such as rent, utilities, child care);
- show proof of any income you get;
- show proof of any assets you have;
- show proof of any changes in your living situation, such as change in household size.

**SNAP Benefits Documents** – You will need to provide current proof of any of the following that apply:

- earned income for the past four (4) weeks;
- any change of \$100 or more in the amount of your household's monthly unearned income;
- any medical expenses since you last applied or were recertified for anyone in your household who is 60 years of age or older or disabled;
- any change in your living situation such as changes in income, resources, shelter (rent, utility, heat, telephone, etc.), family size, child care costs and any other changes.

**Child Care Notice**

To participate in a work activity, if you have children under the age of 13, you may need to make child care arrangements. If you have a child care provider, have him/her complete the child care provider enrollment form, **which is being sent to you in a separate envelope**, and submit it with your recertification application.

**What happens if I do not**

8

**Cash Assistance** – If you do not

9

we will think that you do not want Cash Assistance. We will then close your Cash Assistance case and send you a notice informing you of the closing date. This decision is based on 18 NYCRR § 351.22.

**Medical Assistance** – A face-to-face interview is not required to continue your medical assistance. However, you must report any changes in address, income, resources or household size to this department.

**SNAP Benefits** – If you submit your recertification application by

\_\_\_\_\_ and are still eligible, you will receive uninterrupted SNAP benefits. However, you will not get  
Last Day of Certification Period

SNAP benefits after \_\_\_\_\_ unless you are recertified.  
Last Day of Certification Period

If you, a member of your household or your authorized representative do not

10

you will not get SNAP benefits unless you apply again and are eligible.

If any proof is still needed after

11

you will be told what you need to submit and you will have at least ten (10) days to submit it. This decision is based on 18 NYCRR § 387.17.

**What If I No Longer Want or Need Assistance?**

If you do not want or need Cash Assistance, SNAP benefits and/or medical assistance, please tell us. If you want any of these benefits to stop, check the box(es) below next to the benefit(s) and tell us the reason why. It is important for you to tell us why you want your case closed because, depending on the reason, you may be able to get medical assistance for up to a year. You may also be able to get help with your child care expenses.

If you check any of the box(es) below, sign, date and send this form to the address of the Job Center listed on page 1 of this form.

SAMPLE

- I do not want or need CASH ASSISTANCE. (If you check this box but still want SNAP benefits, you must submit a recertification application in the manner explained on page 4 in the Interview/Application Rights for SNAP Benefits section of this notice. Your medical assistance will continue unless you also check the next box.)
- I do not want MEDICAL ASSISTANCE.
- I do not want SNAP benefits.

Reason:

Participant's Signature

Case Number

Date Signed

**YOU HAVE THE RIGHT TO APPEAL THIS DECISION.  
BE SURE TO READ THE INTERVIEW/APPLICATION RIGHTS FOR  
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS AND THE  
CONFERENCE AND FAIR HEARING INFORMATION SECTION OF THIS NOTICE FOR  
HOW TO APPEAL THIS DECISION.**

## Interview/Application Rights for Supplemental Nutrition Assistance Program (SNAP) Benefits

You have a right to:

- request that the SNAP in-office interview be waived in hardship situations. Hardship generally includes, but is not limited to, illness, transportation difficulties, care of a household member, hardship due to residency in a rural area, prolonged severe weather or work or training hours that prevent you from coming during regular office hours.
- ask for an application for SNAP benefits. This office must accept the application as long as it is signed and has a readable name (and address, if you have one).
- apply for SNAP benefits in person, by mail, fax or through an authorized representative. An interview may be required.

If all members of your household are now receiving Supplemental Security Income (SSI) or plan to apply for SSI, you may apply for SNAP benefits at the Social Security office instead of turning in your recertification form at the SNAP Center. If you choose to do this, the Social Security office must also get your application by the date noted at the top of page 3 in the SNAP Benefits section of this notice. They will interview you and send your application and supporting documents to the SNAP Center to see if you can still get SNAP benefits.

**SAMPLE**

### Services and Other Information

- Social services may provide information and education about family planning for up to 90 days from the effective date stated in this notice. A loss of Cash Assistance and medical assistance benefits will require a redetermination of your eligibility for social services within 30 days of such a decision. This does not necessarily mean that services will be terminated. It means that your continuing eligibility for these services will have to be redetermined. For further information, please contact your Worker.
- If you are getting Cash Assistance, medical assistance or SNAP benefits, you may be able to get a discount on your phone service. For information on LIFELINE, call Verizon toll-free at (800) 555-5000.
- Although you may no longer be eligible for Cash Assistance, SNAP benefits or medical assistance, you still may be eligible for assistance with your heating costs by applying for the Home Energy Assistance Program (HEAP). Information on HEAP can be obtained by calling HEAP Central at (800) 692-0557.

## Conference and Fair Hearing Information

### CONFERENCE

If you think our decision is wrong, or if you do not understand our decision, please call us to set up a conference (informal meeting with us). To do this, call the Fair Hearing and Conference (FH&C) unit phone number on **page 1** of this notice or write to us at the address on **page 1** of this notice. Sometimes this is the fastest way to solve a problem you may have. We encourage you to do this even if you have asked for a Fair Hearing. If you ask for a conference, you are still entitled to a Fair Hearing.

### STATE FAIR HEARING

**How to Ask for a Fair Hearing:** If you believe the decision(s) we are making is/are wrong, you may request a State Fair Hearing by telephone, in writing, fax, in person or online.

- (1) TELEPHONE:** Call **(800) 342-3334**. (Please have this notice in hand when you call.)
- (2) WRITE:** Send a copy of the entire notice, with the "Fair Hearing Request" section completed, to:  
Office of Administrative Hearings  
New York State Office of Temporary and Disability Assistance  
**P.O. Box 1930, Albany, NY 12201**  
(Please keep a copy for yourself.)
- (3) FAX:** Fax a copy of the entire notice, with the "Fair Hearing Request" section completed, to:  
**(518) 473-6735**.
- (4) IN PERSON:** Bring a copy of the entire notice, with the "Fair Hearing Request" section completed, to the Office of Administrative Hearings, New York State Office of Temporary and Disability Assistance at:  
**14 Boerum Place, Brooklyn, NY 11201**
- (5) ONLINE:** Complete an online request form at: <http://www.otda.ny.gov/oah/forms.asp>

**What to Expect at a Fair Hearing:** The State will send you a notice that tells you when and where the Fair Hearing will be held. At the hearing, you will have a chance to explain why you think our decision is wrong. To help explain your case, you can bring a lawyer and/or witnesses such as a relative or a friend to the hearing, and/or give the Hearing Officer any written documentation related to your case such as: pay stubs, leases, receipts, bills and/or doctor's statements, etc. If you cannot come yourself, you can send someone to represent you. If you are sending someone who is not a lawyer to the hearing instead of you, you must give that person a letter to show the Hearing Officer that you want that person to represent you. At the hearing, you, your lawyer or your representative can also ask questions of witnesses whom we bring, or you bring, to explain the case.

**LEGAL ASSISTANCE:** If you need free legal assistance, you may be able to obtain such assistance by contacting your local Legal Aid Society or other legal advocate group. You may locate the nearest Legal Aid Society or advocate group by checking the Yellow Pages under "Lawyers."

**ACCESS TO YOUR FILE AND COPIES OF DOCUMENTS:** To help you get ready for the hearing, you have a right to look at your case files. If you call, write or fax us, we will send you free copies of the documents from your files, which we will give to the Hearing Officer at the Fair Hearing. Also, if you call, write or fax us, we will send you free copies of specific documents from your files which you think you may need to prepare for your Fair Hearing. To ask for documents or to find out how to look at your file, call **(718) 722-5012**, fax **(718) 722-5018** or write to **HRA Division of Fair Hearing, 14 Boerum Place, Brooklyn, New York 11201**. If you want copies of documents from your case file, you should ask for them ahead of time. They will be provided to you within a reasonable time before the date of the hearing. Documents will be mailed to you only if you specifically ask that they be mailed.

**INFORMATION:** If you want more information about your case, how to ask for a Fair Hearing, how to see your file or how to get additional copies of documents, call or write to us at the phone number/address listed on **page 1** of this notice.

**FAIR HEARING REQUEST**

**Deadline:** If you want the State to review our decision, you must ask for a Fair Hearing within sixty (60) days from the date of the notice for Cash Assistance, medical assistance or social services issues and ninety (90) days for SNAP issues.

If you cannot reach the New York State Office of Temporary and Disability Assistance by phone, by fax, in person or online, please write to ask for a Fair Hearing before the deadline.

**I want a Fair Hearing. The Agency's decision is wrong because:**

SAMPLE

Print Name: \_\_\_\_\_ Case Number: \_\_\_\_\_  
                    First Name                      M.I.                      Last Name  
Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_