



OFFICE OF POLICY, PROCEDURES AND TRAINING

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Customized Assistance Services

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WeCARE Bulletin

(Policy supersedes *Protocols for Assisting Clients Who Are Unable to Work* issued on 01/13/2016)

<p>Date: March 23, 2016</p>	<p>Protocols for Assisting Clients Who Are Unable to Work</p>
<p>Revisions to Prior Bulletin</p>	<p>This bulletin has been modified to include new NYCWAY action code functionality. These updates do not otherwise effect the provision of services to client on the Federal Disability Benefits pathway as described in the Functional Capacity Outcome of Unable to Work procedure issued on 4.8.2013.</p>
<p>Purpose</p>	<p>The purpose of this bulletin is to alert Wellness, Comprehensive Assessment, Rehabilitation and Employment (WeCARE) vendors to recent amendments to Human Resources Administration (HRA) policy regarding assisting clients on the Federal Disability Benefits (FDB) pathway who have appointed representatives and/or who are not eligible for federal disability benefits due to immigration status.</p>
<p>Representation by Outside Counsel</p>	<p>During the FDB Functional Capacity Outcome (FCO) Service Initiation Appointment, the vendor informs clients about retaining an authorized representative (AR) for assistance with Social Security Administration (SSA) matters. The vendor ascertains whether clients have assigned the role to AR to anyone, and if not, advises them of their options to assign the role of AR to WeCARE or an outside representative.</p> <p>When a client informs the vendor and provides documentation that s/he has an outside representative to serve as Authorized Representative, the vendor enters the Pending Possible Referral to WeCARE action code (36BX) into NYCWAY to close the FCO Service Initiation Appointment and prevent the client from being called into DSP if SSA denies the application. The vendor coordinates with the client's AR regarding the client's Supplemental Security Income (SSI) application status. To do so, the vendor must:</p> <ol style="list-style-type: none"> 1. enter the representative's contact information in the client's case record 2. ensure that the appropriate authorizations pursuant to the Health Insurance Portability and Accountability Act (HIPAA) are signed and scanned, indexed and deposited into the HRA One Viewer 3. send all WeCARE medical records to the client's AR

	<p>Effective immediately, vendors are not to contact SSA with respect to a pending SSI claim or appeal if the client has selected an outside AR, without that AR's permission, other than to ascertain if an appeal has been filed.</p>
<p>Assisting Clients Ineligible for SSA Benefits Due to Immigration Status</p>	<p>Some WeCARE clients with the FCO of Unable to Work who are assigned to the FDB Pathway are determined to be ineligible for federal disability benefits due to immigration status. When SSA denies the SSI or Social Security Disability Insurance (SSDI) applications due to citizenship issues, it is evident with the SDX: SSI Denied Non-Citizen/Non-Eligible Alien action code (305I) in NYCWAY. These clients will maintain their work-exempt status with HRA, however the client will not be required to reapply for SSI/SSDI or Social Security Disability Insurance (SSDI) benefits after the denial for citizenship unless their immigration status changes.</p>