



FAMILY INDEPENDENCE ADMINISTRATION
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POLICY DIRECTIVE #07-43-ELI

**MASS REBUDGETING OF CASH ASSISTANCE FOR HOUSEHOLDS THAT INCLUDE
 A FILING-UNIT MEMBER RECEIVING SUPPLEMENTAL SECURITY INCOME**

<p>Date: November 16, 2007</p>	<p>Subtopic(s): Cash Assistance (CA) Budgeting/Supplemental Security Income (SSI)</p>
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AUDIENCE The instructions in this policy directive are for all Job Center staff and are informational for other staff.

POLICY The needs of a Supplemental Security Income (SSI) recipient cannot be included when determining the standard of need for a family.

BACKGROUND Previously, determining the standard of need for Cash Assistance (CA) households with a filing-unit member in receipt of SSI was based on a budgeting method that totaled the needs of all the household filing-unit members, including the individual in receipt of SSI, then deducted the SSI recipient's prorated share from the household's CA grant.

Doe v. Doar, a lawsuit brought against the Office of Temporary and Disability Assistance (OTDA), challenged the method of determining the needs of a CA household when it included a recipient of SSI. This budgeting method is referred to as Doe proration and it has been invalidated by the court.

As part of the settlement in the Doe v. Doar litigation, OTDA will be conducting mass rebudgets (MRBs) beginning on November 25, 2007, of all active CA cases where the Doe proration was applied. The New York State Systems Office-Welfare Management System (WMS) will remove the proration indicator, Relationship Indicator Code **Y** (SSI individual would be in filing unit) in the **Rel** (Relationship) field of the **Budget** window, for the affected cases.

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*

With the replacement of the **Y** with an **N** (Individual with SSI is not in filing unit) in the **Rel** field, the SSI recipient's needs will not be prorated nor will the recipient be counted when determining the standard of need for the household.

Active cases excluded for various reasons from the MRB will be placed on an exception list and forwarded to the Family Independence Administration (FIA) per current procedure. JOS/Workers will have to manually process the required actions for the cases on this list.

REQUIRED ACTION

When Workers receive the list of cases that were excluded from the MRB, they must remove the proration indicator and calculate the new budget based on the revised procedure (see [PB #07-127-ELI](#)).

To remove the proration indicator and create a new budge in POS:

- select **New Budget** in the **Existing Budgets** window
- go to the **Budget (Individual Income/Needs)** window
 - Select the individual with the SSI.
 - Verify income source code **31** (SSI Benefit) has been entered in the **Income Source** field for the SSI recipient from the SSI question in the interview.
 - Enter **N** in the **Rel** field.
 - If more than one individual has SSI, click on the "Change Line No." button and select the individual(s) with the SSI and repeat the above instructions.
 - Click on the "Calculate/View Results" button. POS automatically saves every calculated budget whether or not it is authorized in WMS.

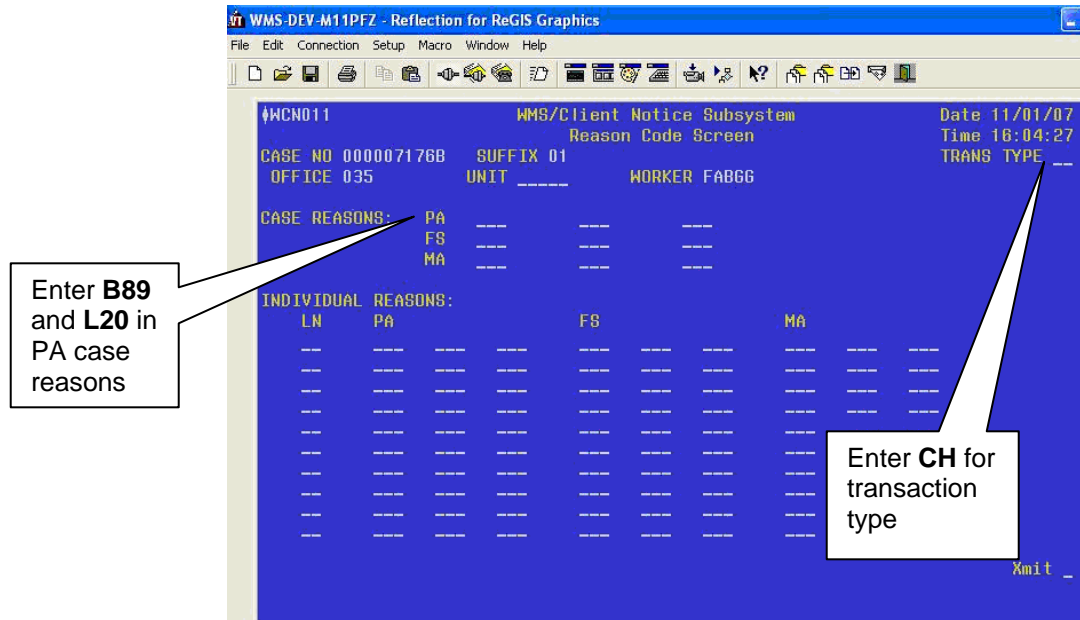


The **POS Budget Results** window will appear.

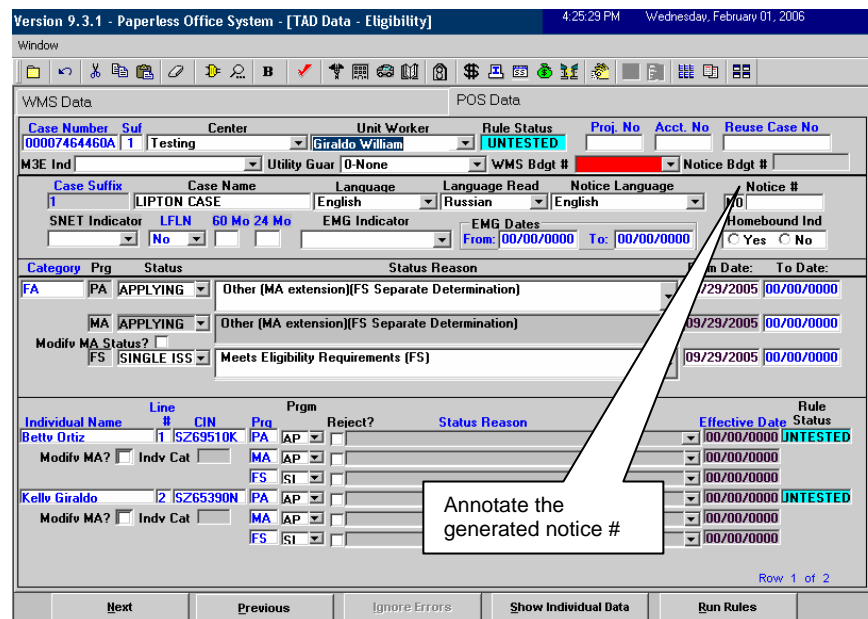
- Click “Y” in the **Save?** field in the WMS screen.
- Enter the budget number in the WMS **Budget #** field.

Once the new budget is calculated, JOS/Workers must go into the Client Notification System (CNS) and enter:

- **CH** for transaction type enter codes; and
- **B89** and **L20** in the PA section for case reasons.



The notice number that is generated must be annotated on the TAD.



Submit TAD for approval and processing once the new budget and notice number have been annotated. No further actions are required at this time as the State will be handling supplementation.

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications

POS implications are covered in this procedure.

Food Stamp Implications

An increase in CA will reduce the Food Stamp grant in almost every case.

Medicaid Implications

There are no Medicaid implications.

LIMITED ENGLISH SPEAKING ABILITY (LESA) AND HEARING-IMPAIRED IMPLICATIONS

For Limited English Speaking (LESA) participants, make sure to obtain appropriate interpreter services in accordance with [PD #06-12-OPE](#). For hearing-impaired participants, make sure to obtain appropriate interpreter services in accordance with [PD #06-13-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 participants must receive either adequate or timely and adequate notification of all actions taken on their case, as appropriate.

Conferences

A participant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS/Supervisor I at any time. If a 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.

The FH&C AJOS/Supervisor I will listen to and evaluate the participant's complaint. After reviewing the case file and discussing the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor, 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 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 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 participant elect to continue his/her appeal by requesting a Fair Hearing or proceeding to one that has already been 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

[07-ADM-06](#)

RELATED ITEMS

[PB #07-127-ELI](#)