



# FAMILY INDEPENDENCE ADMINISTRATION

Matthew Brune, Executive Deputy Commissioner




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

Lisa C. Fitzpatrick, Assistant Deputy Commissioner  
Office of Procedures

## POLICY BULLETIN #10-72-ELI

### NEW CLOSING/DENIAL/SANCTION CODES FOR FAILURE TO APPLY, COMPLETE, APPEAL, OR ACCEPT SUPPLEMENTAL SECURITY INCOME

<b>Date:</b> July 16, 2010	<b>Subtopic(s):</b> NYCWAY
<p> This procedure can now be accessed on the FIAweb.</p>	<p>The purpose of this policy bulletin is to advise Job Center staff of the creation of four new codes that will replace the use of closing code <b>F12</b> (Failed to Apply for SSI).</p> <p>Any applicant or participant of Cash Assistance (CA) who has medical documentation indicating a physical or mental impairment, and appears to qualify for Supplemental Security Income (SSI) benefits, or who during the CA application/recertification process appears to be potentially SSI eligible, or who otherwise appears to be eligible for SSI benefits must, as a condition of eligibility for CA, apply for and cooperate with all Social Security Administration (SSA) eligibility requirements. This includes appealing any denial of the initial application for SSI and if determined eligible by the SSA, accept SSI.</p> <p>When an applicant/participant, who is part of a multi-person household, refuses without good cause to cooperate in applying for SSI, or appealing an SSI denial, or accepting benefits, the non-compliant applicant/participant must be sanctioned until compliance. When an applicant/participant, who is part of a single-person household, refuses without good cause to cooperate in applying for SSI, or appealing an SSI denial, or accepting benefits, the case is denied/closed.</p> <p>When an adult caretaker applicant/participant refuses without good cause to cooperate in applying for SSI, or appealing an SSI denial, or accepting benefits on behalf of child in his/her care, the non-compliant adult must be sanctioned until compliance if he/she is also in receipt of CA. If the adult caretaker is not on CA, no adverse action is taken.</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

To effectively indicate noncompliance related to an applicant/participant's requirement to apply for SSI benefits, or accept SSI benefits, or appeal a denial of SSI benefits, or follow Wellness, Comprehensive Assessment, Rehabilitation and Employment (WeCARE) recommendations regarding a pending SSI application, the following codes should be used:

- **EZ1** – Failure to apply for SSI – this code is used when the applicant/participant fails to apply for SSI.
- **EZ2** – Failure to appeal an SSI denial – this code is used when the applicant/participant fails to appeal the SSI decision and/or fails to do all the things necessary to persuade the SSA to overturn the SSI denial.
- **EZ3** – Failure to accept SSI – this code is used when the applicant/participant is determined eligible for SSI, but does not accept the benefit.
- **EZ4** – Failure to complete the application steps for SSI – this code is used when the applicant/participant has been determined by WECARE to be potentially eligible for SSI, but fails to follow WECARE recommendations indicating what he/she must do in reference to his/her pending SSI application.

**EZ3** is not currently generated by NYCWAY.

In most instances the closing/denial/sanctions related to these codes will be automated through NYCWAY. As a result, NYCWAY has action codes associated with each of the aforementioned codes.

The NYCWAY infraction codes and the corresponding closing/denial/sanction codes appear as follows on the next page:

The **468/** Action Codes are for participants and the **469/** Action Codes are for applicants.

New Infraction Code	Description	Closing/Denial/Sanction Code
<b>491D</b>	Failure to Appeal SSI Benefits Denial	<b>EZ2</b>
<b>468Q</b>	WeCARE FTR to Disability Benefits Appointment	<b>EZ1</b>
<b>468Y</b>	WeCARE FTC with Federal Disability Assessment Process	<b>EZ1</b>
<b>469Q</b>	WeCARE FTR To Disability Benefits Appointment	<b>EZ1</b>
<b>469Y</b>	WeCARE FTC with Federal Disability Assessment Process	<b>EZ1</b>
<b>469Z</b>	Failure To Complete Application Process For SSI	<b>EZ4</b>

When an applicant/participant is determined to be exempt from the work requirements and potentially eligible for Federal disability benefits WeCARE will assist the applicant/participant in filing an application for Federal disability benefits (i.e., SSI), or supplementing an already filed application with new medical information. Through this process the WeCARE applicant/participant is called in to comply with some aspect of the application process. If the applicant/participant does not respond to any WeCARE/SSI related appointment, the WeCARE vendor will post outreach code **173D** (WeCARE Outreach Initiated for FTR to SSI Referral). Depending on the type of appointment, if the outreach is unsuccessful, one of the above action codes (except **491D**, which is used by the Disability Services Program [DSP] and **468Y**, which must be posted manually) will autopost in NYCWAY.

Outreach code **173Y** will replace **173E** (WeCARE Outreach Initiated for FTC to SSI Referral).

If the initial application for Federal disability benefits is denied, the applicant/participant will be called into DSP. DSP will assist the individual with the SSI appeal process. If the applicant/participant fails to comply with any part of the appeal process, NYCWAY will autopost the outreach action code **173Y** (FTR/FTC Outreach-WC Client at DSP). The WeCARE vendor will conduct an outreach to those applicants/participants. If the applicant/participant does not respond to the outreach attempts, NYCWAY will auto-post action code **491D**. Action code **491D** is the only code that is being used for DSP infractions.

Closings/Sanctions

In the automated process, NYCWAY will send a file to WMS indicating the specific action code and the adverse action to take. WMS will initiate the adverse action and generate the appropriate CNS notice.

If the adverse action cannot be processed through the automated process, NYCWAY will post the appropriate **411** (Individual Removal Budgeting Process Required) series action code and the case will appear on the **NOI** Worklist.

For case actions that must be processed manually, the staff responsible for the **NOI** Worklist must pull up the Worklist and review the infraction code. The noncompliant individual on the case (for cases with multi-persons) should be denied/closed. The denial/closing/sanction code will be based on the NYCWAY infraction code (see chart on page 3).

*Effective Immediately*

**References:**

NYCRR 369.2(h), 370.2(b)(5)  
Temporary Assistance Source Book (TASB), Chapter 9, Section O  
page 9-60, Chapter 10, Section F pages 10-7, 10-8

**Related Items:**

PD #09-13-SYS  
PB #06-77-OPE