



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #04-03-ELI

(This Policy Directive Replaces PB #02-179-ELI)

FOOD STAMP REJECT CODE 258

Date: February 27, 2004	Subtopic(s): Public Assistance, Food Stamps
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AUDIENCE This policy directive is for all staff at the Job Centers and is informational for all others.

POLICY As a condition of eligibility, a Public Assistance (PA) applicant must have an initial eligibility interview (“I” interview) within seven (7) days of application. Failure to comply without good cause will result in an immediate denial of the PA application.

For Food Stamp (FS) applications, however, an applicant has 30 days from the date an application is filed to comply with an initial eligibility interview (“I” interview). The agency must schedule an “I” interview by no later than the 20th day of application. If the applicant fails to keep the scheduled or rescheduled appointment(s) for an “I” interview, a denial solely because the applicant failed to report or make himself/herself available for an “I” interview may not be processed until the 31st day from the date of application.

REQUIRED ACTION In all Job Centers, to deny a Public Assistance (PA) application prior to the 30th day of application for an individual who applied for PA and FS but failed to keep or comply with an initial eligibility interview, Workers must take the following actions:

- Use PA Rejection Code **286** and FS Rejection Code **258**. The use of FS Rejection Code **258** will allow the FS case to remain in Application (**AP**) status until the 30th day of application.

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call (718) 557-1313 then press 2 at the prompt followed by 765 or
send an e-mail to FIA Call Center

When a case denial/reject (**RJ** only) using these codes is entered into WMS, the system automatically creates two separate transactions. WMS processes the PA reject immediately. The FS denial, clocks down to the 30th day of application. If by the 30th day an action to indicate the applicant has complied is not taken, the system will automatically place the FS case in **RJ** status.

In addition, Workers must:

POS Centers

- Prepare the Food Stamps Request for Contact/Missed Interview (**LDSS-4753**) and the Action Taken on Your Application: Public Assistance, Food Stamps and Medical Assistance Coverage (**M-3**) and print the forms.
- Select “Change Case Data” in the **Select Activity** list box:
 - Use the 31st day from the application date as the scheduled date
 - Select a time
 - Enter a case comment
 - Click **OK**
- Check the queue regularly by looking at the “Scheduled For” column.
- On the scheduled date, if the applicant has not complied, open the “Change Case Data” activity and print the **LDSS-3152**.
- Scan all other non-POS-generated forms and notices that are signed by the individual into the electronic case record, except Domestic Violence- and Child Abuse-related documents.

In instances where the applicant reapplies for PA before the 30th day of application:

- Register the case using original FS filing date. The applicant will now have two PA/FS cases in AP status (the initial case that is clocking down for **RJ** and the reapplication with the original FS filing date).
- In order to avoid a WMS error, the initial FS **RJ** action that is clocking down on the original PA/FS application must be taken immediately. This is done by:
 - canceling the pending action (transaction cancellation); and
 - submitting a new action, using code **Y99**, to reject the FS portion of the original application by the following day.

Both of these transactions should be submitted on the same day.

This administrative rejection will ensure only one PA/FS case is in AP status at the Job Center.

- If the new application has already been registered with a different application date, it must be withdrawn and reregistered using the date of the original FS application. The case should appear in AP status under an Application/Registration (App/Reg) case number.

Example:

Ms. Jean submits an application for PA and FS on 1/2/04. Ms. Jean is not entitled to expedited services. She states she cannot wait for an interview that day and is informed that as a condition of eligibility for PA she must return to be interviewed by 1/8/04.

Ms. Jean fails to return by 1/8/04 to be interviewed and on 1/9/04 an action to deny her PA application using Rejection Codes **286** for PA and **258** for FS is processed. An **M-3** and **LDSS-4653** are prepared and sent to Ms. Jean.

Ms. Jean reapplies for PA and FS on 1/12/04. The PA application is registered using the current date as the date of application. Upon review of the internal clearance it is discovered that Ms. Jean has a pending PA/FS case in **AP** status. The Worker must:

Administrative Rejection

- Withdraw the new application and reregister the application using the date of the original application (1/2/04).
- Prepare a transaction cancellation request to stop the 30-day clock on the pending FS case **RJ** action resulting from the 1/2/04 PA/FS application.
- At the same time, initiate a new action, using code **Y99**, to reject the FS case by the next day to complete an administrative rejection on the 1/2/04 PA/FS application.
- Continue with the application process. Remember that the eligibility determination due date is driven by the original application date, which in this example is 1/2/04.

Non-POS Centers

- Prepare the **M-3** and ensure that the pended box is checked for FS and the statement “*you have until the (enter the 30th day of application) to comply with an initial eligibility interview*” is entered. In addition, prepare the **LDSS-4753** and print both forms.

- Ensure that copies of the **M-3** and the **LDSS-4753** are either imaged and indexed or filed in the case record.
- After the application denial actions have been approved, place the rejected case in a tickler file scheduled for the 31st day of application.

If the applicant does not comply by the 30th day:

- Remove the case from the tickler file on the scheduled date.
- Complete and send the Action Taken on Your Food Stamp Case (**LDSS-3152**) informing the applicant that his/her FS application has been denied for failure to keep/have an initial eligibility interview.
- Ensure that a copy of the **LDSS-3152** is imaged and indexed to the case record.

PROGRAM IMPLICATIONS

Food Stamp Implications

Households not eligible for Public Assistance (PA) may require a separate Food Stamp determination in accordance with current procedures.

Medicaid Implications

There are no Medicaid implications.

LIMITED ENGLISH SPEAKING ABILITY (LESA) IMPLICATIONS

For Limited English Speaking Ability (LESA) applicant/participants, make sure to obtain appropriate interpreter services in accordance with Policy Directive #02-43-OPE. Supervisors must also ensure the following actions are taken:

- At application/recertification, that the applicant/participant submits a complete Language Questionnaire (**W-680FF**) and the Worker ensures his/her language is correctly recorded in WMS.
- Selected forms have been translated and are available on the FIAweb in Arabic, Chinese, Haitian Creole, French, Korean, Russian, Vietnamese and Yiddish (in addition to Spanish). Workers must provide both the appropriate translated form and the English version of the form to applicants/participants whose primary reading language is one of the translated languages.

- For POS Centers, when a multilingual form is not available in POS, a manual form is completed. When imaging forms for the case record, make sure to include both the English and the translated version of the form. The **W-680FF** must be included in the imaged case record.

FAIR HEARING IMPLICATIONS

Avoidance/Resolution To avoid inappropriate adverse actions, review the case record, documentation and WMS to ensure that all information is correct.

Conferences at Job Centers If the applicant/participant comes to the Job Center to request a conference, the Receptionist must alert the Fair Hearing and Conference (FH&C) unit that the applicant/participant needs to be seen by the FH&C Supervisor I/Associate Job Opportunity Specialist I (AJOS I). If the applicant/participant calls the Worker directly, the Worker must tell the applicant/participant to call the FH&C unit.

The FH&C Supervisor I/AJOS I will listen to and evaluate the applicant's/participant's complaint. After reviewing the case record and discussing the issue with the Worker and Group Supervisor, the FH&C Supervisor I/AJOS I will make a decision. The FH&C Supervisor I/AJOS I is responsible for ensuring that further appeal by the applicant/participant through a Fair Hearing request is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

Evidence Packets All complete and relevant evidence packets must include a copy of the **M-3**, **LDSS-4753**, **LDSS-3152**, a detailed History Sheet (**W-25**) and any other information to support the action.