Human Resources Administration Department of Social Services

OFFICE OF POLICY, PROCEDURES, AND TRAINING

James K. Whelan, Executive Deputy Commissioner

Adam Waitzman, Assistant Deputy Commissioner
Office of Procedures

POLICY DIRECTIVE 19-06-ELI

(This Policy Directive Replaces PD #08-16-ELI)

CONTINUING CASH ASSISTANCE FOR INDIVIDUALS TEMPORARILY ABSENT FROM THE HOME

Date: June 19, 2019	Subtopic(s): Cash Assistance
AUDIENCE	The instructions in this policy directive are for JOS/Workers at the Job Centers, and staff at the HIV/AIDS Services Administration (HASA) and are informational for all other staff.
REVISIONS TO THE PROCEDURE	 This policy directive is being revised to clarify information about: individuals who enter residential treatment programs and are currently in receipt of Cash Assistance (CA); individuals who are applying for or in receipt of CA; and individuals who leave their residence to live at and attend post-secondary schools outside of the jurisdiction
POLICY	An individual applying for or currently in receipt of CA who is temporarily absent from the household due to illness or other good cause and who intends to return to the household, is entitled to a continued CA grant.
Reminder	This policy does <u>not</u> apply to individuals who are temporarily absent due to incarceration. Individuals incarcerated more than two weeks are not eligible to receive CA.
Reminder	This policy applies to individuals who are temporarily absent from home due to military service.
Reminder	This policy applies to single person households as well as to multi-person households.
	This policy applies to individuals who are attending and residing at post-secondary schools.

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

BACKGROUND

Social Service rules allow for the continuation of a CA grant on behalf of an applicant or participant who is temporarily absent from the household due to illness or other reasons if the individual:

- does not leave the United States (US);
- establishes the intent to return to the household; and
- complies with all agency requirements.

Reminder

See PB #01-92-ELI

Individuals in military service are considered temporarily absent, since the U.S. military bases are considered US soil. Workers must consider in full, the needs, income and resources of the temporarily absent household member serving in the military.

The CA grant can continue indefinitely if the temporarily absent individual is reasonably expected to return to the home and the conditions listed above continue to exist.

Examples

Examples include:

- A parent applying for CA for himself and his two children, ages 14 and 19, where the 19-year-old is attending college and living in a dormitory in Albany, New York;
- a minor attending boarding school in another district or state;
- a single individual attending and residing at a post-secondary school (college);
- An adult temporarily caring for a sick relative out of state;
- A minor who is sent to remain temporarily with family during the summer vacation because the parent has no one to care for the child while the parent is at work;
- An adult who temporarily leaves the jurisdiction to complete a short-term work assignment in another state; and
- A 22-year-old veteran who applies for CA and is sent to a six-month training assignment at a US base in Germany.

Absence extends beyond six months

If the temporary absence extends beyond a six-month period, the absent person or head of household on behalf of a minor <u>must</u> submit affirmative evidence of the absent individual's continuing intention to return to the home and that the individual is prevented from returning home because of illness or other good cause.

In addition, the temporarily absent person must continue to be financially eligible for CA in the same or different amount and have continuing contact with the Agency through correspondence or through use of the services of another social services agency located within or outside of the state.

Filing unit rules continue to apply to temporarily absent individuals.

The temporarily absent person will only be eligible for continued CA shelter and fuel allowances in three instances. They are as follows:

- An individual who enters a residential treatment center (RTC) and requires a personal needs allowance (PNA) for substance abuse (SA). The PNA is authorized in lieu of the individual's basic allowance.
- A minor who is removed from their home by the Administration of Children's Services (ACS) and placed in foster care; where the needs of the child are provided by the foster care payments and the plan is to have the child returned to the home. This applies to children who were active members of a CA case at the time they were removed.
- An individual who is in a medical facility and is reasonably expected to return home. The individual may receive an allowance for household expenses for up to 180 days if it is essential to retain the housing. These payments cannot be continued beyond 45 days, unless the Worker has reviewed the individual's status within the first 45 days and it is expected that the individual will not remain in the facility for more than 180 days and is likely to return home.

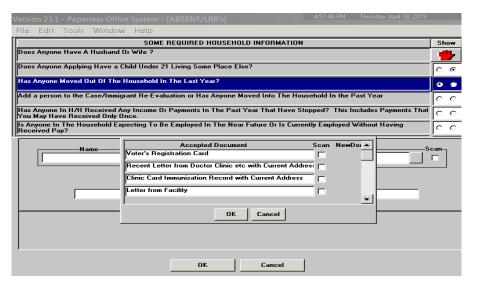
REQUIRED ACTION

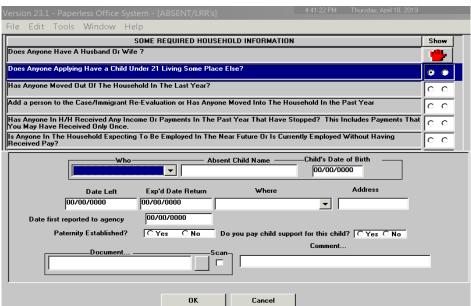
If the temporarily absent applicant/participant meets the criteria for the continuous receipt of a food, rent and other (FR&O) grant, the JOS/Worker must annotate the reason(s) for continuance of the grant in the Paperless Office Systems (POS) comment section and ensure that all supporting documentation is scanned and indexed.

A. Actions Done through POS on Active Cases

To continue the issuance of <u>only</u> the shelter and fuel allowance, the JOS/Worker must do the following in POS:

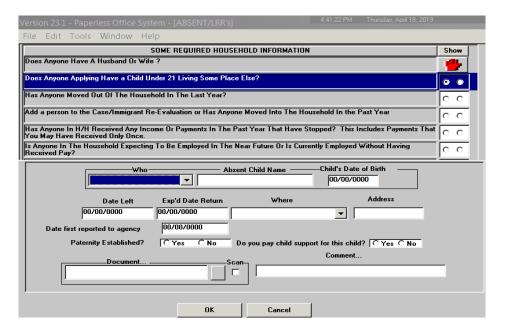
- 1. Active Adults or Minors in multi-person households
- Start a Change Case Data Activity
- Go to the Absent/LRR screen and answer "Yes" to "Has anyone moved out of the household in the last year?" or "Does anyone applying have a Child Under 21 Living Some Place Else?"



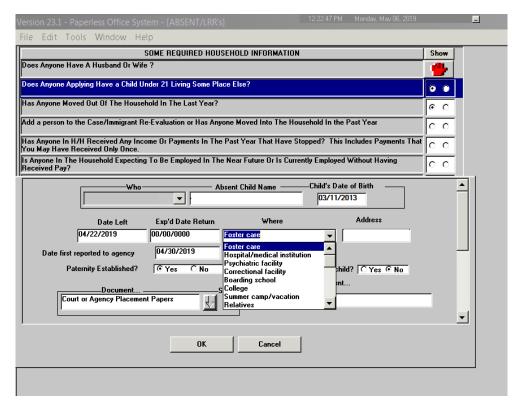


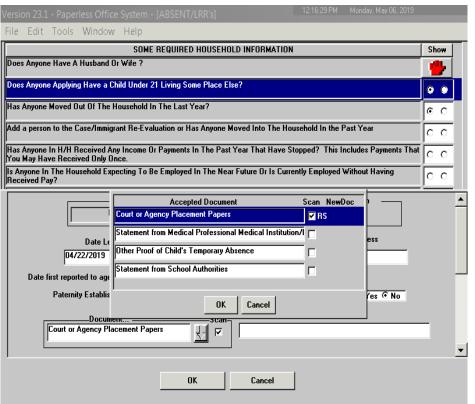
- Put in the appropriate client information.
- Make changes required to close the individual line(s) on the POS Turn-Around Document (TAD) window using closing code F60 – Left Household.
- Click the "Run Rules" radio button to ensure that the change is saved to the POS TAD.
- Review the current budget.
- Create a new budget from the budget window.
- Select the number of adults temporarily absent from the home in the "Fuel (absent from home)" drop down window on the Household/Suffix Financial Needs budget screen.
- Ensure that the individual line(s) on the budget window is closed.

- Save the budget
- Go back to the POS TAD and select the new budget.
- Click the "Run Rules" radio button to ensure that the POS TAD successfully passes.
- Scan all non-POS generated forms and notices that are signed by the individual into the electronic case record.
- 2. Active Minors in multi-person households who are placed in Foster Care
- On the Absent/LRR's window, click "Yes" for the question: "Does Anyone Applying Have a Child Under 21 living someplace else?"

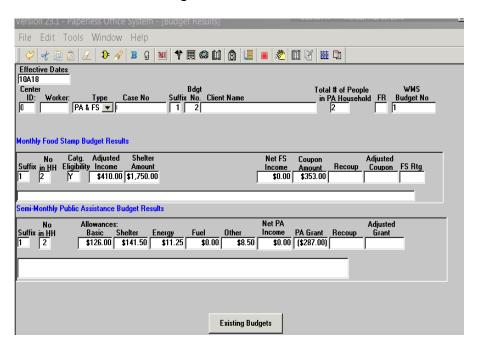


 Choose the appropriate reason from the "Place of Relocation" drop down menu and the documents provided by the applicant/ participant.

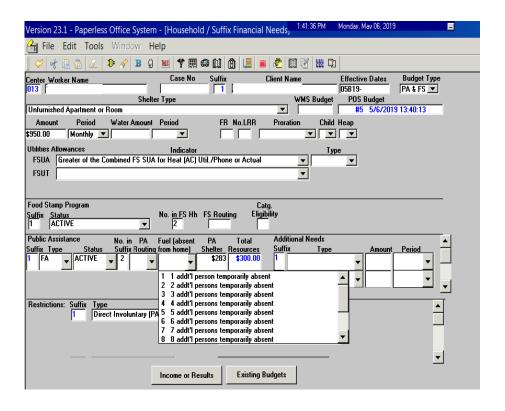


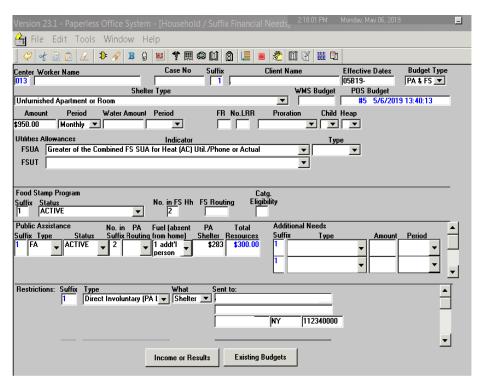


- Make changes required to close the individual line(s) on the POS Turn-Around Document (TAD) window using closing code F75 – Absent From Household Without Good Cause.
- Click the "Run Rules" radio button to ensure that the change is saved to the POS TAD.
- Review the current budget results.

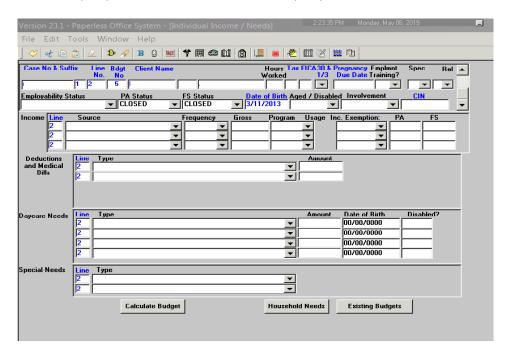


- Create a new budget from the budget window.
- On the Household/Suffix Financial Needs screen (budget screen) select the appropriate minor(s) temporarily absent from the home from the Fuel (absent from the home) drop down.

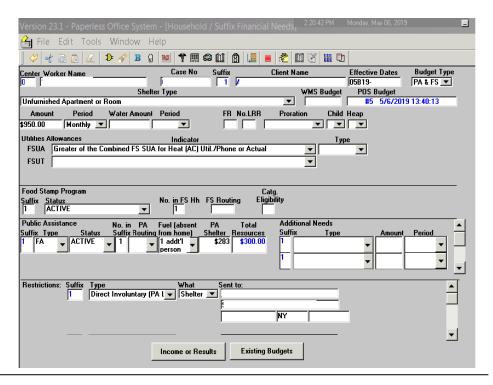




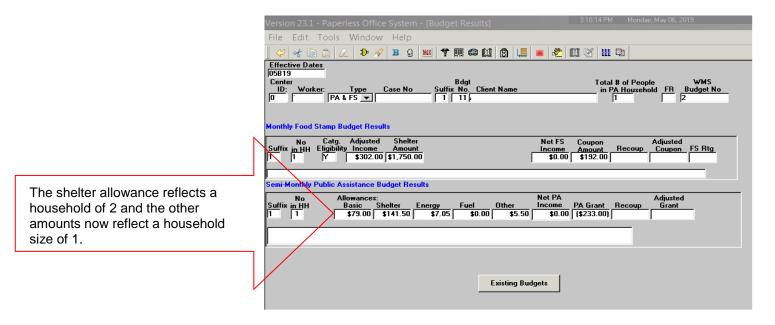
 After the number of children absent from the home is selected go to the Individual Income/Needs screen, review the line of the child(ren) and ensure that the child(ren) line is closed.



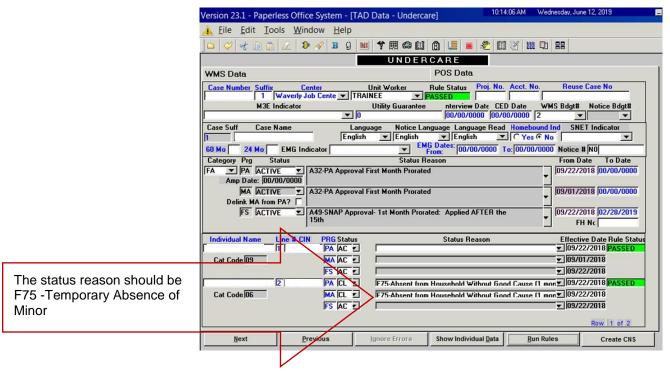
 After the line of the child is closed, the number of household members will be reduced and the PA shelter allowance will remain unchanged as if the child was still part of the household.



- Calculate and save a new budget.
- Ensure that the new budget reflects a reduction in the number of household members, other allowance, and the basic allowance. Also ensure that the shelter allowance and fuel allowance remain the same as if the child(ren) are still in the household.



- Go back to the POS TAD and select the new budget
- Click the "Run Rules" radio button to ensure that the POS TAD successfully passes
- The line for the absent child(ren) will show a status of closed for CA and SNAP with reason code F75 Temporary Absence of a Minor on the POS TAD. Staff should write a case comment relating to the "without good cause" provision stating that the child(ren) was removed and placed in foster care and there is an intent to return the child to the parent.



Scan all non-POS generated forms and notices that are signed by the individual into the electronic case record.

3. Single Person Household in Residential Treatment with an Active Case at Center 52 Residential Treatment Service Center (RTSC)

See the Preparation of Form DSS-3575 for PA Single Issuance Grants in the Authorization of **Grants Manual for** instructions on single issuance grants/checks.

- Leave the case in an active (AC) status
- Issue a monthly rent payment via a direct vendor single issuance grant, using issuance code **09**. The grant should be for the lower of the maximum allowable shelter allowance or the participant's monthly rent.

Note: The JOS/Worker must document in the case record that the participant will return to their home in the community and that there is no other method to retain the housing. For example, if the client's adult sibling takes over paying the rent for the participant while the participant is in treatment, the agency would not continue the shelter allowance because there is another method to retain the housing.

Note: The shelter payment to the residential treatment center and the participant's personal needs allowance (PNA) will be systemically issued in recurring semi-monthly payments for as long as the individual remains in treatment.

Reminder

Evaluate the absent participant's status every 45 days before continuing shelter payments.

New

New

New

- 4. Single person household not in Residential Treatment
- Change the PA case status from AC to SI in the POS TAD.
- Check WMS Inquiry Benefit Issuance to determine when the last shelter allowance was issued on behalf of the participant.
- Issue a monthly rent payment via a direct vendor single issuance grant, using issuance code 09. The grant should be for the lower of the maximum allowable shelter allowance or the participant's monthly rent.
- 5. <u>Single and Multi-person Households Eligible for all CA</u> Benefits

Reminder

When an individual applying for or currently in receipt of CA is temporarily absent from the household due and does not fall into any of the preceding four sub-sections of Section A above, the individual is entitled to a continued full CA grant, if otherwise eligible.

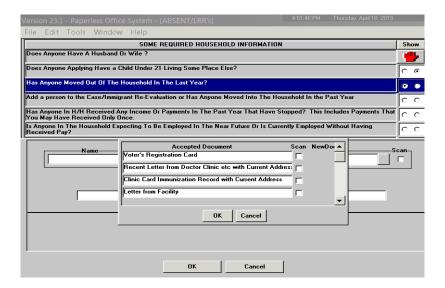
In the case of an applicant the staff would process the case as per current procedure and make a note in the case notes that the individual is temporarily absent and why.

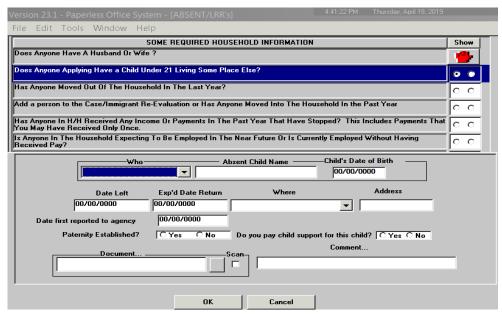
If the temporarily absent individual is a participant, the staff would leave the case in AC status and make a note in the case record that the individual is temporarily absent and why

B. Actions Done through POS on Application Cases

To issue <u>only</u> the shelter and fuel allowance, the JOS/Worker must do the following in POS:

- 1. Applying Adults or Minors in multi-person households
 - Register the case and input appropriate client information in the CA POS Application Interview activity as per current procedure
 - Go to the Absent/LRR screen and answer "Yes" to "Has anyone moved out of the household in the last year?" or "Does Anyone Applying Have A child under 21 Living Some Place Else?"





- When the final eligibility determination is ready to be made, go to the Eligibility Determination Screen in POS and take action to reject the line of the temporarily absent individual(s).
- Create a new Budget
- Ensure that all other eligibility factors are met as per current procedure.
- Select the number of individuals temporarily absent from the home in the "Fuel (absent from home)" drop down window on the Household/Suffix Financial Needs budget screen.
- Ensure that the individual line(s) on the budget window shows as rejected
- Save the budget
- Go back to the POS TAD and select the budget.

- Complete all required fields as per current procedure
- Select the reason status code of F60 Left Household for the temporarily absent individuals
- Click the "Run Rules" radio button to ensure that the POS TAD successfully passes
- Scan and index all required documents and non-POS generated forms and notices that are signed by the individual into the electronic case record.

2. Applying Adults with Minors Already in Foster Care

Children who are currently in foster care at the time of the application <u>cannot</u> be added to the application as a temporarily absent individual or household member.

The adult would apply as an individual or with any children who are currently in the applying adult's care.

C. <u>Issuances Done Manually</u>

If POS is unavailable, the JOS/Worker must do a manual budget as follows:

1. Multi-person households

- Calculate a new budget in Welfare Management Systems (WMS) as follows:
 - Enter the number of absent individual(s) in the fuel field of the NSBL02 screen.
 - Reduce the number of CA and SNAP participants (if any) by the number entered in the fuel field. Do not adjust the shelter amount.
 - Enter the line number of the individual to be removed and transmit to access the individuals line screen (NSLB06).
 - Enter CL in the CA and FS status field of the individual's line and transmit.
- Annotate the TAD to remove the temporarily absent individual from the case.
- Submit the TAD through Paperless Alternative Module (PAM)

Note: If removing more than one person, you must access the NSBL06 screen for each change the CA and FS status appropriately.

2. Single person households

- Change the case status to SI in the POS TAD
- Issue a monthly rent payment via a direct vendor single issuance grant, using issuance code **09**.
- Submit the grant and TAD through PAM
- Repeat benefit issuance each month

Need list of codes for the supplements

Note: If the household is in receipt of a shelter supplement, the JOS/Worker must also issue the rent supplement each month using the appropriate supplement code.

- Evaluate the absent participant status every 45 days before continuing payments. At the point the individual returns to the household, the CA case must be activated (AC) immediately.
- If an individual in receipt of Safety Net Assistance (SNA) who
 is in a medical facility remains absent beyond six months (180
 days), cease the rent payments and close the case using the
 appropriate code.

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications See this procedure.

SNAP Implications

Eligibility for SNAP benefits is based on the household composition. Temporarily absent members must reside in the household for a majority of the month to be included in the SNAP household. Individuals cannot be considered a member of the household during the months that the household member is not physically there (e.g. an 18-year-old residing in a dorm at an out of state college cannot be included in their parent's/guardian's SNAP household).

Individuals residing in non-medical RTCs can qualify for SNAP. If the individual is already part of an active CA/SNAP or NCA SNAP case, the individual must be removed from that case prior to establishment of the RTSC SNAP case. When the RTSC SNAP case is established, the SNAP benefit will be sent directly to the RTC.

See PD #01-51-ELI

Military households in receipt of Family Subsistence Supplemental Allowance Payments (FSSA) must have that income included in the household's SNAP calculation as unearned income. This may cause a reduction or discontinuance of SNAP benefits.

Medicaid Implications

There are no Medicaid Implications.

LIMITED ENGLISH PROFICIENT (LEP) AND DEAF/HARD OF-HEARING IMPLICATIONS

Staff must obtain appropriate interpretation services for individuals who are Limited English Proficient (LEP) or deaf or hard-of-hearing. Please refer to PD #18-10-OPE, PD #17-19-OPE and DSS PB #2019-003 for detailed instructions.

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 applicants/participants must receive either adequate or timely and adequate notification of all actions taken on their case.

Conferences at Job Centers

An applicant can request and receive a conference with a Fair Hearing and Conference (FH&C) AJOS I/Supervisor I at any time. If an applicant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen. In Model Centers, the Receptionist at Main Reception will issue an FH&C ticket to the applicant to route him/her to the FH&C Unit and does not need to verbally alert the FH&C staff.

The FH&C AJOS I/Supervisor I will listen to and evaluate any material presented by the applicant, review the case file and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS I/Supervisor I will explain the reason for the Agency's action(s) to the applicant/participant.

If the determination is that the applicant/participant has presented good cause for the adverse action or that the outstanding Notice of Intent needs to be withdrawn for other reasons, the FH&C AJOS I/Supervisor I will Settle in Conference (SIC), enter detailed case notes in New York City Work, Accountability and You (NYCWAY) and forward all verifying documentation submitted by the applicant/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 I/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form (LDSS-3722), change the Fair Hearing Status from 02 to a 01 if the case has been granted Aid to Continue (ATC), or prepare and submit a PA Recoupment Data Entry Form – WMS (LDSS-3573) to delete a recoupment. The AJOS I/Supervisor I must complete a Conference Report (M-186a).

If the determination is that the applicant/participant has not shown good cause for the adverse action or that the Agency's action(s) should stand, then the AJOS/Supervisor I will explain to the applicant/participant why they cannot SIC. The AJOS/Supervisor I must complete an **M-186a** form.

Should the applicant/participant elect to continue their appeal by requesting or proceeding to a Fair Hearing, already 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.

The FH&C AJOS I/Supervisor I is responsible for ensuring that further appeal by the applicant through a Fair Hearing request is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

Conferences at NCA SNAP Centers

If an applicant comes to the NCA SNAP Center and requests a conference, the Receptionist must alert the Center Director's Designee that the applicant is to be seen. If the applicant contacts the Eligibility Specialist directly, advise the applicant to call the Center Director's Designee.

The Center Director's Designee will listen to and evaluate the applicant's complaint regarding the action taken on the case. After reviewing the documentation and case record and discussing the issue with the Group Supervisor/Eligibility Specialist, the Center Director's Designee will decide.

The Center Director's Designee is responsible for ensuring that further appeal by the applicant 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

Evidence Packets must include a copy of the Action Taken Notice and any other information to support the action.

REFERENCES 18 NYCRR 352.30(a)-(b)

18 NYCRR 349.4(a)(1)-(2)

TASB Chapter 29 Section B, pages 29-2 and 29-3 SNAP Source Book, Section 5(4)(a) - (b), page 108

02 INF 3, Attachment

01 INF 11 00 INF 15

GIS 01 TA/DC042

RELATED ITEMS

PD #18-10-OPE

PD #17-19-OPE PD #00-33R PB #01-92-ELI PD #01-51-ELI

Budgeting Manual Public Assistance, Appendix A, page A-17 Budgeting Manual Public Assistance, Appendix E, pages E-6 to E9