



George E. Pataki
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NY 12243-0001

Robert Doar
Acting Commissioner

Local Commissioners Memorandum

Section 1

Transmittal:	04 LCM 1- Revised
To:	Local District Commissioners
Issuing Division/Office:	Division of Temporary Assistance
Date:	February 19, 2004
Subject:	District of Fiscal Responsibility Procedures Reminder
Contact Person(s):	Program Questions: 1-800-343-8859; Central Team (TA) 4-9344;
Attachments:	None
Attachment Available On – Line:	

Section 2

I. Purpose

The purpose of this memorandum is to remind local districts of district of fiscal responsibility (DFR) procedures outlined in 00 INF-19, and to urge local districts to review and follow these procedures when dealing with DFR situations. 02 INF-38 contains the most recent local district DFR contacts to use in these situations. We are also planning to display the DFR contacts on CentraPort under the “Directories” section entitled County Profiles. You will be notified of this change once it is implemented. In addition, local districts are reminded to follow Food Stamp (FS) DFR policy as outlined in 01 ADM-1 and the FS Source Book (FSSB), Section 5, page 57. Local districts should also review and adhere to policy as outlined in GIS 02 MA/006 and GIS 02 MA/011, which pertain to DFR responsibility for residents of certain adult care facilities.

II. Background

00 INF-19 was the product of a DFR workgroup formed in 1999. This workgroup, chaired by the New York Public Welfare Association (NYPWA), included local district representatives and staff from the Office of Temporary and Disability Assistance (OTDA), the Department of Labor (DOL), and the Department of Health (DOH). The workgroup met to discuss continuing concerns about lack of cooperation among local districts, and a perceived failure by some to follow existing guidelines. 00 INF-19 provided updated DFR guidelines, DFR administrative procedures, and a new non-binding voluntary mediation process as a way to address these concerns.

III. Program Implications

All local districts are urged to review and follow the guidelines and procedures outlined in 00 INF-19. As a result of communications that we have received from local districts around the state, it appears that these recommended guidelines are not always followed. The referenced informational letter includes step-by-step procedures for processing DFR situations, which if followed by everyone, would greatly help to alleviate most current concerns, as well as potentially avoid many costly inter-district fair hearing disputes.

Local districts are also encouraged to follow the above referenced FS policy guidelines, which require that FS benefit authorization, with certain exceptions, is the responsibility of the district in which the eligible household resides. Exceptions include households residing in domestic violence shelters who receive TA and FS from a district other than the one in which they reside; households receiving TA and FS for the month following the month of their move to another county; and households receiving FS under the transitional benefit alternative (TBA) when they move to another county.

Lastly, local districts should be following the policy outlined in the above noted GIS messages. These GIS messages notify local districts of a change to SSL 62.5 (d), which provides that when an individual enters an adult care facility (Congregate Care Level II adult home, enriched housing program or residence for adults) in another district and is or becomes in need of Temporary Assistance and/or Medicaid, the DFR from which the individual was admitted to the adult care facility continues to be responsible for providing assistance and care.

Issued By

Name: Patricia A. Stevens

Title: Deputy Commissioner

Division/Office: Division of Temporary Assistance