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Informational Letter

Section 1

Transmittal:	05-INF-18
To:	Local District Commissioners
Issuing Division/Office:	Employment and Transitional Supports
Date:	October 21, 2005
Subject:	Food Stamp Program Questions and Answers: Expedited FS Application Processing, IPVs, NYSNIP, TOP/CAMS
Suggested Distribution:	Temporary Assistance Directors Food Stamp Directors Staff Development Coordinators Fraud Investigation Directors
Contact Person(s):	Food Stamp Policy - Food Stamp Bureau at (800)-343-8859 ext. 3-1469
Attachments:	Questions From Regional FS Meetings 2005
Attachment Available On – Line:	<input checked="" type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
05 ADM-5 05 INF-8 05 INF-4 05 INF-1 05 LCM-4 04 ADM-1 04 LCM-13 03 INF-10 LDSS-4799 LDSS - 4799 NYC LDSS-3938 99 LCM-4					

Section 2

OTDA 05-INF-18
(Rev. 10/2005)

I. Purpose

The purpose of this Informational Letter is to transmit answers to questions raised at the Food Stamp Regional meetings.

II. Background

The questions and answers in this document relate to the Food Stamp Regional Meetings. If you have questions relating to this release, please contact the Food Stamp Bureau directly at the referenced number. Policy issues related to TA and HEAP should continue to be directed to the appropriate policy or bureau.

III. Program Implications

These policy clarifications should assist districts to administer the Food Stamp Program.

Issued By

Name:

Title:

Division/Office:

Questions from 2005 Regional FS Meetings

Expedited FS Application Processing

1. Q: When is Day One of the first five calendar day's time span which is required for expedited processing?

A: Day One begins with the day immediately following the date the district receives the application. Applicants must have a PIN, CBIC card, benefits, and notice issued *by* day five; they have to have the opportunity to participate, that is, be able to purchase groceries on that fifth day.

2. Q: How do we process expedited timeframes for mail in applications?

A: The date the application is received by the district becomes the date of application. The application must be screened for expedited processing *on that date* as per normal procedure. The district must call any telephone numbers listed on the application to begin the Expedited Screening Form LDDS- 3938. If, after making more than one attempt to reach the applicant using the phone number listed, the district is still unable to contact the household they must document their efforts (time and dates of call attempts) in the case record. If the household did not list any contact telephone information to begin the screening, the district must send a written request for the household to contact a worker as soon as possible and document the efforts made in the case record. If contact is not made, the District must screen based on what is listed.

3. Q: Why are there no questions/spaces for the worker to check if the applicant has any FS employment sanctions or IPV's?

A: Obtaining information such as employment sanctions or IPV's is part of the *full eligibility interview*. Such information should be checked on the clearance report and recorded on the reverse of form LDSS-3938 if that prohibits the applicant from qualifying for expedited processing. The other members of the household still may qualify for both expedited processing and ongoing FS with that individual removed from the household count; thus, this further necessitates the full eligibility interview.

IPV/Claims Questions

4. Q: When an IPV is already placed on a case, and then another one is found, does the client serve them consecutively or concurrently?

A: IPV is an individual sanction. Sanctions will be served consecutively.

5. Q: If a claim is more than 10 years old, can we still collect it?

A: The LDSS can continue to try to collect on a claim that is 10 years or older. Such claims, however, are not eligible for TOP. Therefore, in most situations, this claim should be evaluated for possible termination. As a claim, which in all probability has an extreme likelihood of non-collection, termination may be more appropriate.

6. Q: Please clarify threshold of claim establishment. Is it \$125 or \$500?

A: NYC has a threshold of \$500 for active or inactive cases. Upstate has \$125 limit for active cases, and \$500 for inactive. However, districts also have the discretion to set up for lesser repayment amounts upon claim establishment.

7. Q: Can LDSS use a local collection service for their non-TOP claims?

A: Yes, if they so choose. Any additional collection fees assessed by the local districts would not be certifiable for collection under the TOP program.

8. Q: If we decide to terminate a claim, can it be reactivated later to be recouped through an active case?

A: Yes. When the eligibility worker establishes the new case, the cases listed on the clearance report should be checked out in WMS for prior claims. The worker must then add the recoupment to the case, and in doing so, renote the client on the acceptance notice with amount of allotment reduction.

9. Q: Can we compromise on IPVs?

A: Upon a further review OTDA has determined that compromise at the discretion of the district is a valuable tool for collection of unpaid balances for IPVs. This agency is drafting a letter to USDA to request that we be able to change our compromise/termination policy toward IPV claims in the rest of state outside of New York City. We will inform all local districts when the policy is actually changed.

10. Q: What can be done to assure that any IPVs are listed on the clearance for workers to see before expedited/ongoing stamps are issued?

A: The sanction code (WP1-WP8 or WS1-WS8) should be in the system as soon as the IPV determination is made. However, to be sure, the worker should double check the case file. If the determination came after case closing, then the designated district worker must do an open/close transaction and place the code at that time.

11. Q: Can a claim be established on a FS expedited issuance?

A: No, all benefits issued under expedited processing are not subject to claims establishment.

12. Q: Can an IPV be sent to TOP if court ordered restitution is unsuccessfully collected?

A: No.

13. Q: Is there a fill date on the demand/repayment letters to allow districts to determine the payment date?

A: Yes. The district can determine the *amount due* as well as the payment date, in accordance with their claims billing schedules.

14. Q: Can we use CNS notices to establish a claim, and send the request for compromise/repayment agreement on previously closed cases?

A: Yes. In CNS you use a 00 transaction type (CNS only), and using code(s) R27, R28 and R29, depending upon the type of error.

15. Q: What documentation is considered acceptable for expedited issuance of FS benefits? Is 99 ADM 06 still correct?

A: The revised DSS-3938, which has been renamed the *Food Stamp Application Expedited Processing Summary Sheet*, identification for the primary applicant is, in most cases, the only documentation required for issuing food stamps within five calendar days. The final 05 ADM 13 has been released, and will supersede 99 ADM 06, (as well as the additional clarification of 2002 INF 23).

16. Q: Regarding pended verification required in the past... does the household have to provide that particular verification they were missing then, or does this relate to whatever verification is required now to determine eligibility?

A: Workers need to examine what the household's situation is now, and reassess if any or all of the previously pended documentation is required for the household's current situation. For example, if proof of earned income was required and pended six months ago, but the applicant is no longer employed, the wage documentation is not necessary. Only by examining the household's current situation can a worker determine if any past documentation is still needed or if it is no longer required.

17. Q: Where on the Expedited Processing Summary Sheet would we document LDSS's best efforts to contact H/H for a full interview but H/H was unavailable?

A: Document such information under the comment section on the reverse of form.

18. Q: Can you clarify Part 2 section B where it indicates Go to section 3? That is the Migrant/Seasonal Farm Worker part and it is confusing to direct the question to that part.

A: The form is meant to guide the worker through a variety of issues that must be addressed for determining qualification for expedited processing of the application. With Part 2, section B the worker is asked if: "*the Household's total gross income during month of application plus the household's liquid resources are less than their monthly rent/mortgage plus utility expenses?*" If the answer is yes, the household qualifies for expedited processing, and the worker skips part three and completes part four. If the answer is no, the household doesn't qualify for expedited processing *unless* it is a migrant/seasonal farm worker household. If it is a migrant/seasonal farm worker household, you are to answer the questions in Part 3, as there is additional criteria which must be considered to render a decision.

19. Q. Will counties be notified when the updated FS Source Book is available online?

A: The updated version is now on-line.

20. Q: Please review the Missed Interview procedure.

A: If the applicant leaves a signed and dated application with an address on it at the agency, and then does not stay for the interview, the agency must attempt to contact the applicant by phone (if there is one) to set up a time for a screening and interview. If it is not possible to contact the household by phone, the agency must send a letter by mail with an appointment date within five calendar days to the address provided on the application to meet Expedited Processing Screening requirements. If there is no response, the District must screen the applicant for Expedited Processing based upon the information on the application. If not qualified for Expedited Processing, the District must hold the application 30 days from the date it was received in district (filed). At that point, the district may deny the application for failure to interview using the appropriate CNS code and notice.

21. Q: Will local districts get copies of actual TOPS letters that have been sent to clients that are in their districts? Or will they at least get a list of the clients that have been sent those letters so districts can know ahead who will be coming in and/or calling them?

A: The letters sent to former recipients are considered confidential, as the addresses used are supplied by the IRS and other federal data bases. Therefore, in holding to the restrictions the IRS has for its information, Districts will not receive copies of the mailed notices. We have attached a “sample copy of the 60 day notice for district use (see attachment A). Should the former recipient tell you the contents of the letter, or show it to you, they are in effect, waiving the confidentiality. Districts can always check CAMS for the claims which will have been sent 60 day notices.

NYSNIP

22. Q: What if the district thinks that the client may not be living alone? Should we look further into this?

A: Workers must treat the SDX report as the primary, verified source for information, and not adjust the case unless the client directly informs the worker of the change. Workers need to be aware that simply because someone else is living with the recipient it doesn't automatically mean the recipient would no longer be classified as a live alone for SSI purposes. Districts should not investigate any “tips” for NYSNIP; it is not putting their resources to best use.

23. Q: Does NYSNIP include aged/disabled people?

A: Aged/disabled people are included only if they are SSI live alone recipients as defined by SSA.

24. Q: Can we get access to a real-time online SDX report?

A: It is currently being piloted and may become available more widely in the future.

25. Q: Can SSI recipients be excluded from RFI and new hire reports so workers will not think they have to act on that information for NYSNIP cases?

A: No. This information is needed for other programs. Also, not all SSI recipients are eligible for NYSNIP.

26. Q: If the worker changes the client's certification period for NYSNIP do we have to notify the client?

A: Yes, and a Request for Contact to verify current circumstances must be sent.

27. Q: Does the worker have to do comparative budgeting when the client reports a change to see if they are eligible for a higher benefit with a regular FS case as compared to a NYSNIP case?

A: If the client requests this information a worker must provide it. If a client reports a change in shelter costs or a utilities situation, loss of non-SSD or other income, the worker would have to calculate whether the individual is still NYSNIP eligible. If these situations do not exist, workers do not have to perform this action, as there are standard benefit levels automatically budgeted as part of the program.

28. Q: How do we determine district of responsibility when the SSI recipient gets their benefits through a representative payee who lives in a different district? The address on the SSA award letter is usually where check actually goes.

A: Workers should use the SDX address for the recipient to determine the county which is responsible, regardless of the mailing address of the representative payee.

29. Q: Is a report going to be generated of case changes/ closings during mass conversion and staggered under care run so workers will know what happened to their cases? Or will they just get clean 3209's?

A: There will be many reports of various types of activity on NYSNIP cases, and each district will decide who will handle this information.

30. Q: What happens at the end of the 48 month cert period: Auto renewal by SSA/SDX? Or does worker have to do an actual recertification? What if the address has changed since there are no mandated reporting rules and they don't get the recertification form? (Same concerns with 24 month mailer.)

A: Two to three months before end of the current cert period, the district must send a recert call-in notice to the recipient. If the recipient does not reply, the worker may close the case with adequate notice. If the recipient does reply, but is no longer eligible for NYSNIP, a separate determination must be done for the regular FS program. If the applicant replies, and is still eligible for NYSNIP, the worker is to recertify for 48 more months.

31. Q: What does an LDSS worker do if the Fraud unit comes across discrepant information?

A: Nothing. There are no requirements for recipients to report changes. Do not act on any other information other than what SSA and/or the actual client tells you.

32. Q: If a client is still coded as active SSI recipient on SDX, but no longer gets an actual benefit due to overpayment to SSA, are they still eligible for NYSNIP program? Or do we then determine them for regular FS program?

A: If the recipient is a current participant, they would remain a NYSNIP participant until SSA notifies LDSS that this individual is no longer eligible.

33. Q: What is the district responsibility when a client moves from one county to another?

A: Address change will be automatic on SDX similar to what we now do with MA/SSI cases. The new district must notify the old county of the change, so that the old county can close its case, and the new county can open a case to assure there is no lapse in benefits.

TOP/CAMS

CAMS Processing

34. Q: How is EBT expungement handled in CAMS? How is it shown to be different from intercepts or other payments?

A: Expungements and TOP intercepts are only posted to assistance group 1 (Food Stamp) claims. Expungements have an issuance posting type of 34, while TOP intercepts are issuance posting type 32. Expungement and TOP intercept postings are reported on line 3b, balance adjustment, of the DSS-3214 (Status of Claims Against Household) report.

35. Q: Where do we find the new CAMS codes related to TOP? Will there be a Quick Reference for them?

A: The new codes are in Appendix A of the CAMS Manual and on a new CAMS quick reference coding card. These were issued in the 6/10/05 update to the manual.

36. Q: When there are multiple (stacked) claims including an IPV and a payment is being made, which claim will CAMS credit?

A: CAMS will post to the active claim first. If the payment causes the active claim to be paid in full, the recoupment process or the cash receipt processing will activate a suspended claim based on the hierarchy of claims activation already established in CAMS.

For Food Stamp claims, the hierarchy is based on claim type of Intentional Program Violation (IPV), Inadvertent Household Error (IHE), and then Agency Error (AE). If multiple claims exist in a claim type, then the earliest claim will be activated.

Districts are reminded that the hierarchy of claims activation does not apply to how claims are initially loaded onto CAMS. If an IHE claim is established for a case with an existing AE claim, CAMS will automatically suspend the IHE claim. The CAMS unit must manually suspend the AE claim and make the IHE claim active.

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37. Q: If there are four claims on a closed case and 3 of the 4 claims are over 180 days delinquent can those 3 claims be sent to the Treasury?

A: Yes. The three claims can be sent as long as they meet all other TOP criteria. Additionally, once the 4th claim is 180 days delinquent, it too can be sent to the Treasury for collection.

38. Q: If a closed case with an outstanding claim is opened under Expedited Processing is the case considered Active?

A: Yes. The case would be considered active, once *ongoing* benefits are established. The ongoing benefit would be subject to recoupment of benefits and not eligible for TOP intercept. During the initial expedited issuance period, recoupment may not start.

39. Q: Do treasury collections post monthly?

A: TOP collections will be posted to CAMS on a weekly basis. Recoupments will continue to be posted once a month.

40. Q: Why can only the individual in the payer 01 record be offset, but not the other adults on the case?

A: Currently the Treasury can only accept one SSN per debt. Once the Treasury is able to accept more than one payer for a debt the State will provide all eligible payers to the Treasury for TOP offset. However, the LDSS can pursue collection of the debt from other adults on the case by other available means.

41. Q: How does an LDSS find out about claims in other districts?

A: The WMS Clearance Report should be reviewed for other case/claim involvement. After the review, look in WMS through Selection 12 of the WMS Menu for other case information.

Cross district claim inquiry is available in CAMS through the CAMS Claims Inquiry Menu (LIARMN).

42. Q: Will there be a report of TOP collections?

A: CAMS will produce the TOP Collection Reports (CAMS51, CAMS52, CAMS53, and CAMS54), which will be available in your BICS queue.

Revisions to these reports are being made to include TOP collection fees and to reflect TOP collection of Agency Error (AE) claims. The CAMS55 report will not be produced, because TOP collections are no longer posted to the penalties/interest portion of a claim.

The September 2005 CAMS Manual update will include the revised reports.

LIAR33, TOP collection inquiry (by SSN), is available through the Treasury Offset Menu.

43. Q: Is there an inquiry of claims by SSN in CAMS?

A: The LIAR30, Responsible Individual Inquiry, is an inquiry by SSN that only shows claims that have started the TOP process. This inquiry is accessed through selection 26, Treasury Offset Menu, of the LDMIP menu. There is no SSN inquiry of claims which are not TOP eligible.

44. Q: How do districts get the Missing Payer Report?

A: The Missing Payer Report will be in a district's BICS queue weekly. This report shows claims that would be TOP eligible, but lack valid information in the payer 01 record. There may be no payer 01 record, or the SSN is missing from the payer 01 record, or the lower portion of the payer 01 screen was used to identify claims to include or exclude for the payer. To ensure maximum participation in TOP, payer 01 should be established or modified as needed.

45. Q: Can the claim amount be split in half in cases of divorce, etc.?

A: The claim cannot be split in half, but the total claim amount can be pursued against all adult household members until the claim is paid in full because all adult household members are jointly and separately liable for the overpayment.

46. Q: Is there a report of all claims for a payer by SSN?

A: No. A report by SSN has not been developed.

47. Q: How do weekly matches occur in the CAMS system?

A: The CAMS system looks at every debt in each district to determine if the debt is eligible for TOP. Then CAMS looks at the TOP database to see if the debt is included on the database. If there are any changes to existing claims or newly eligible claims, these changes will be added to the TOP database.

48. Q: Will CAMS know if a person is receiving food stamps in another state?

A: No. The Welfare Reporting Tracking System (WRTS) which interfaces with CAMS only contains "active on assistance information" for the State of New York.

49. Q: Does a Fair Hearing or Administrative Review automatically show up in the CAMS/WMS systems for workers to see?

A: No. There is no interface between the Fair Hearing system and CAMS. However, districts can enter the Fair Hearing Date and the Fair Hearing Decision Date in the claim record on CAMS.

50. Q: Is there a difference between delinquency and default in regard to CAMS?

A: Currently CAMS does not distinguish between delinquency and default. If there is no payment in the last 60 days on any statewide food stamp claim for which payer 01 is responsible, the TOP process starts.

51. Q: Does CAMS list the delinquency date of the claim?

A.: The TOP delinquency start date is found on the LIAR31, TOP Claim Inquiry screen.

52. Q: Where are the CAMS compromise instructions located?

A: The CAMS compromise instructions are found on page III.43 of the CAMS Manual.

Collection Fee

53. Q: Do collection fees get deducted from the debt (claim)?

A: No. Collection fees are in addition to the debt. Clients pay the TOP collection fee. For example, there is a \$110 debt. If Treasury does a \$125 intercept which includes a collection fee of \$15, Treasury keeps the collection fee. The \$110 is posted to the claim on CAMS to reduce the debt. Although the \$15.00 collection fee is kept by the feds, CAMS will include the amount of the collection fee, for informational purposes only, on the LIAR06 screen.

54. Q: Can the collection fee field be used to list fees paid to a collection agency?

A: No. The collection fee field on the manual posting screen is an information only field to reflect TOP collection fees only. Other types of collection fees can be acknowledged on the CAMS cash receipt or use manual posting type of "01" for the collection fee paid to the collection agency. Additionally, locally imposed collection fees will not be certifiable for TOPS intercept.

Other

55. Q: The CAMS manual is now on a TA site. When will it be on a Finance site?

A: We expect the CAMS, EBT, BICS and Fiscal Reference Manuals (volumes 1-4) to be available on the OBF & DM web site within the next few months.

56. Q: Is there training on Repayment Agreements?

A: Repayment Agreement training was conducted during November 2004 using LearnLinc. You may access this training through the following link:

<http://ocfs.state.nyenet/ohrd/distancelearning/presentations/presentations/127.lrc>

56. Q: Is there a report of Repayment Agreements?

A: There is not a report of Repayment Agreements at this time.

57. Q: Do Districts have to use the CAMS system?

A: Yes. To participate in TOP, districts must use CAMS. The use of CAMS is mandated. OTDA's 05 ADM-05 explains the regulatory amendment. This regulation requires social services districts to use CAMS. The regulation also requires NYC to use WMS as the primary system of maintaining records concerning information on Temporary Assistance, Medical Assistance, and Food Stamp overpayments, refunds and recoveries in conjunction with CAMS.

58. Q: Will there be training on CAMS for districts?

A: The Finance field staff will give CAMS training on a district by district basis. To schedule training, contact your fiscal field representative.

TOP Processing

59. Q: Can TOP be used to pay TA claims?

A: No. TOP is only for collection of Food Stamp claims.

60. Q: The husband is payer 01 and leaves the household. Can the claim be collected through TOP if the case with the claim is active?

A: Although payer 01 is no longer in the case, since the case is active, a recoupment should be taken. The claim is not TOP eligible if a recoupment or any other payment is being posted to the claim. However, in this situation it is a consideration should the case become an inactive FS case and the full claim balance remains uncollected.

61. Q: Is there a minimum claim amount in order for the claim to be started in TOP?

A: Yes. The claim balance must be \$25 or greater to be eligible for participation in TOP.

62. Q: A TA recoupment is being taken from a TA benefit for a TA claim. The case has a FS overpayment. Is the food stamp claim eligible for TOP collection?

A: Yes. The FS claim is eligible for TOP collection against the Payer 01 individual as long as the individual is not receiving Food Stamp benefits, or there are no postings to other food stamp claims statewide for which the individual is Payer 01 on CAMS and the claim meets all other TOP criteria.

63. Q: Can the LDSS get a list of the clients who have been sent the 60-day letter?

A: Per OTDA's A&QC office, no listing will be issued of clients sent the 60-day letter. Upstate Districts should request the TOP Status report (CAMS740) through BPR61 which will show the current TOP Status. NYC should request the report through their Finance Field Representative.

64. Q: If the 60-day letter is returned to OTDA, does the claim get referred to TOP?

A: Claims with undeliverable 60-day letters can be referred to TOP. A good faith effort was made to contact the ex-recipient by using the most current address available from Treasury.

65. Q: Is the LDSS percentage of retention different with TOP collection vs. recoupments?

A: No. The local district retention percentage is the same for TOP collection as it is for recoupments and other collections reported on the DSS-3214 report. The local district retention rates are as follows:

Intentional Program Violation (IPV) – 8.75%

Inadvertent Household Error (IHE) – 5%
Agency Error (AE) – 0%

66. Q: Will a case activated for even a short time automatically affect the TOP procedure?

A: Yes. The TOP process will be suspended until the individual is off assistance for 30 days.

67. Q: What recourse does the debtor have if TOP mistakenly takes their money? Will there be a phone number for LDSS to give to the client to call? Who is responsible to refund the debtor?

A: Treasury and NYS will send the client a letter which includes a phone number. By calling this number the client will receive instructions regarding how to proceed. Ex-recipients can still get a review even after the intercept has taken place (provided they didn't ask for one initially). Non-obligated spouse (NOBS) forms are usually filed with the IRS to initiate reversals for cases of mistaken intercept.

However, if the intercept appears on the CAMS0052, TOP Rebate Report, the district will be responsible for issuing a rebate to the debtor. The address on the report is the most current federal address, and should be used for sending the rebate amount to the individual. Please refer to chapter 7 of the CAMS Manual for TOP Settlement Procedures.

68. Q: If a judge has ordered restitution by a debtor and the debtor then defaults on the repayment of the debt, can we collect through TOP or does the district have to refer the claim back to the court that ordered restitution before being submitted to TOP?

A: If these payments have been posted to CAMS and then stop, when the claim reaches 180 days of delinquency, it will automatically go to TOP.

69. Q: Can there be a code for a claim that has been written off in place of using "T" for termination? For example, maybe use "W" for permanently written off ~ never to be reactivated in the future?

A: Currently, prior to reactivating a claim, the district should look at the Claim Status Reason (data element 95-664) to determine the reason why the claim was terminated. These reasons are found in Appendix A of the CAMS Manual. We will look into the feasibility of creating a new claim status reason code for claims that are permanently written off.

69. Q: Where can we find the percentage of claims actually collected vs. outstanding claims?

A: Districts can look at their monthly DSS-3214, Food Stamps Status of Claims Against Households Report, to compare collections to outstanding claim amounts. This report also includes the number and amount of claims established during the report month.

70. Q: What is the hierarchy of agencies paid by TOP before Food Stamps?

A: The hierarchy of agencies paid through TOP intercept is as follows: tax payments, child support payment, education payments and then other debts including Food Stamp overpayments.

NYC Questions

71. Q: In NYC how is payer information decided?

A: In NYC, the payer is selected by the following priority:

If the claim was created with a CIN associated to it when the worker entered the claim, then the payer is the person with that CIN.

If CIN on the claim is blank, the payer is the case's EBT payee. The EBT payee is identified in WMS as the line number with relationship code 01 or 28.

If there is no EBT payee, then the names of all individuals on the case are compared with the case name and given a score based on how good the name match is. The individual with the best name match is the payer.

72. Q: Will NYC be able to utilize the CAMS system, and how do they record a compromise?

A: All NYC information is passed from NYC/WMS to CAMS via an overnight feed. All Food Stamps debts are on CAMS to produce the FNS 209.

73. Q: Does the NYC system know when a household is involved in bankruptcy?

A: The NYC/WMS system does not record bankruptcy information.