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DIVISION: Employment and Transitional Supports

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TO: Commissioners; TA & FS Directors; WMS Coordinators; CAP Coordinators; Medical Assistance Directors

FROM: Robert Doar, Commissioner, Office of Temporary & Disability Assistance Kathryn Kuhmerker, Deputy Commissioner, DOH Office of Medicaid Management

SUBJECT: Refugees from Hurricane Katrina

EFFECTIVE DATE: September 2, 2005

CONTACT PERSON: FS Questions – Food Stamp Bureau (518) 473-1469
TA Questions-Temporary Assistance Bureau (518) 474-9344
Medicaid Questions-Local District Liaison:
Upstate-518-474-8887; New York City-212-417-4500

This GIS is intended to provide guidance to local social services districts on the provision of immediate and emergency needs for refugees from Hurricane Katrina. Further guidance will be provided regarding meeting more long term needs for these individuals and families.

Refugees from Hurricane Katrina are coming into local social services districts in New York State to apply for Temporary Assistance, Food Stamp Benefits and Medical Assistance. Most of these individuals and families will have emergency and immediate needs. Many will have no income, resources or material possessions with them. They will have little or no documentation with them and may be unable to provide such documentation for quite some time, depending upon the destruction in the area from which they came. Many have come to New York State because they have family or friends in the community and have no where else to turn. They may not know how long they will remain in New York State. Some will eventually return to their former state of residence and some will decide to relocate to New York State on a permanent basis. At this time, most probably do not know what they will do.

Temporary Assistance

SSL 62.1 and 18 NYCRR 311.1 (a) provides that local social services districts are responsible to provide assistance, care and service for persons residing in or found in their districts and must extend to recipients of grants from other states any essential care and service which the state continuing the grant is unable to provide. Refugees from Hurricane Katrina who apply for assistance in a local social services district must be provided assistance in accordance with this law and regulation and their application should be treated as a priority.

Emergency Temporary Assistance programs available to meet emergency needs:

Emergency Assistance to Families with Children (EAF) must be provided immediately by a social services district to or on behalf of a needy child under the age of 18 or under the age of 19 who is a full-time student regularly attending a secondary school or the equivalent level of vocational or technical training and any other member of the household in which he or she is living if otherwise eligible. EAF covers all of the items, conditions and amounts specified in Part 352 of 18 NYCRR, as well as services necessary to cope with emergency situations.

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Emergency Safety Net Assistance (SNA) must be provided for the effective and prompt relief of identified needs which cannot be provided for under Family Assistance (FA) or EAF. Emergency Safety Net Assistance is limited to the items, conditions and amounts specified in Part 352 of 18 NYCRR 352.

Emergency Assistance to Adults (EAA) is a program intended to meet the emergency needs of SSI recipients. Part 397 of 18 NYCRR specifies the emergency needs which can be met under EAA.

Items Covered

In addition to other items of need specified in each program, all of emergency programs listed above will cover food, shelter and clothing lost as a result of a natural disaster. The amounts that can be provided for these items are outlined in Part 352 of Office regulations.

Documentation

Normally persons claiming an immediate need must provide, at a minimum, verification of identity, household composition and citizenship status. However, refugees from Hurricane Katrina may not have even this minimal documentation. Local districts should verify that the refugee was living in an area affected by Hurricane Katrina when the hurricane struck. When documentation is not available a written declaration from the applicant or the statement of the household with whom they now reside or from other friends or family will suffice.

Food Stamps

When a person is evacuated, or self-evacuates, to New York State the local district shall certify the person under expedited service rules. The eligibility worker in this case must:

- Treat the application as a priority;
- Verify that the refugee was living in an area affected by Hurricane Katrina when the hurricane struck [many such households will not possess documentation. In such instances a written declaration from the applicant or the statement of the household (if any) with whom they now reside will suffice]; and
- Check with the refugee that he/she is not currently certified to receive food stamp benefits in that area, or any other area.

FNS will hold local districts harmless from QC errors for such certifications.

Refugees Who Are Currently Certified: When a person who is currently certified in an area affected by Hurricane Katrina visits a certification office to ask about food stamp benefits, the eligibility worker should take the following actions:

- Assure the person that he/she can use his/her current EBT card in local stores, and that he/she may continue to use food stamp benefits during his/her certification period; and
- Assist the refugee in getting a new EBT card, if his/her current card has been lost or left behind in the area affected by Hurricane Katrina

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If the refugee believes he/she will be residing the local area permanently, or for the foreseeable future, the eligibility worker should offer to close the refugee's current case in the disaster area, and take an application for a new certification in the local project area. However, considering the current state of communications, this process should not prohibit the establishment of a new Food Stamp case, where indicated.

List of Affected Areas:

Alabama

Baldwin, Clarke, Choctaw, Mobile, Sumter and Washington Counties

Louisiana

The parishes of Acadia, Ascension, Assumption, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Pointe Coupee, Plaquemines, St. Bernard, St. Charles, St. Helena, St. James, St. John, St. Mary, St. Martin, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge and West Feliciana.

Mississippi

Amite, Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Pearl River, Perry, Pike, Stone, Walthall and Wilkinson Counties.

We will provide EBT contact numbers for the affected areas at a later date.

Medicaid Implications

In the event a refugee resident of an area devastated by Hurricane Katrina requests Medicaid coverage, districts must have the individual fill out the application (LDSS 2921 or DOH 4220) as completely as possible.

Districts must tell the applicant to enter his/her last residence in the state from which s/he fled the hurricane on the "home address" section of the application. In the mailing address section, the refugee must enter his/her current address in New York State. Be sure to request a Social Security Number, but do not hold up the application if the applicant cannot provide it. If a Hurricane Katrina refugee cannot provide a SSN, s/he should be referred to the local Social Security Administration office in accordance with current procedure. Districts must collect such information from the applicant as third party coverage, disability status, most recent employer's name and location, and any other data the applicant can remember and/or verify.

Ask hurricane refugees to provide all necessary documentation that they have; however, districts must process applications expeditiously if documentation is not available. They should provide a verifiable form of identification, and information about current residence at minimum.

Hurricane refugees who are determined to be eligible for New York State Medicaid shall be authorized for Medicaid for a four-month period. No authorization shall begin before September 1, 2005. Eligible Hurricane Katrina refugees are excluded from managed care enrollment.

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The Department of Health will update this information to local social services districts and others as further information and instructions become available from the federal Centers for Medicare and Medicaid Services.

Upstate WMS

All Temporary Assistance and Food Stamp payments made to these refugees should be made using special claiming code "J"-Disaster-Related Emergency (PA, FS)".

For Medicaid reimbursement purposes, Hurricane Katrina refugees must be tracked. Upstate local districts must enter the Anticipated Future Action Code 509 in WMS.

Downstate WMS

All Temporary Assistance and Food Stamp cases should be opened with a unique Authorization Number when the case is activated in eligibility. An authorization number is an eight (8) character field. We require that the first four (4) digits always be the same, e.g., 4444, followed by any four digits. The same number should not be used for ALL eight digits because that would limit data entry batches to only one case.

Specific coding instructions for Medicaid for New York City will follow.