

GENERAL INFORMATION SYSTEM
DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 1

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

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

SUBJECT: Assistance for Displaced Citizens from Hurricane Katrina

EFFECTIVE DATE: Immediately

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

GIS 05 TA/DC027 issued on September 2, 2005, provided guidance to local social services districts on the provision of assistance to meet immediate and emergency needs through emergency temporary assistance programs, Food Stamp benefits and Medicaid for displaced citizens from Hurricane Katrina. Many of these individuals and families may remain in New York for up to 24 months on a temporary basis and some may decide to relocate permanently to New York State. The purpose of this GIS is to provide further guidance to local social services districts on meeting the needs of these individuals and families who apply for recurring assistance (Family Assistance, Safety Net Assistance, Food Stamp Benefits and Medicaid).

As Governor Pataki announced yesterday, New York State may be receiving groups of displaced persons in the near future. If this occurs, the effort will be coordinated with the Federal Emergency Management Agency (FEMA) and the State Emergency Management Office (SEMO). Further information regarding this will be provided at a later date.

Temporary Assistance (TA)

Each individual or family displaced as a result of Hurricane Katrina will present with different needs, possibly including the need for special accommodations, and must be handled accordingly. For example, local districts may need to seek the services of interpreters or interpreter services, especially those fluent in Haitian, Vietnamese, and French-Creole.

There are certain requirements that local districts must adhere to in processing TA applications for these individuals and families:

- Each applicant for emergency and recurring TA must complete a “Common Application” (LDSS-2921), have a face-to-face interview, and the district must register the application.

GENERAL INFORMATION SYSTEM
DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 2

- Most of these individuals and families will not have documentation with them and may not be able to secure documentation for some time. At first, self-declarations and collateral sources may be the only verification available and must be used to document category of assistance, identity, income, resources, citizenship, alien status, relationship, etc. The provision of recurring benefits must not be delayed pending actual verification/documentation of these items. At a later date, some of this documentation may become available from the other states or from the individuals and families themselves. Local districts should continue to provide mandated screening for drug and alcohol issues and domestic violence when appropriate.
- The delay or inability to meet such requirements at application must not interfere with providing these persons with needed ongoing assistance.
- Verification from the states as to whether or not a family has received 60 months of TANF benefits may also be unavailable for some time. Districts should ask families how long they have received TANF benefits and use this information in determining category of assistance, at least until documentation is available. Both Alabama and Mississippi have 60 month time limits. Louisiana's time limit is less than 60 months.
- When the application is registered, the Social Security Enumeration process may be helpful to local districts in establishing identity.
- The Systematic Alien Verification of Eligibility (SAVE) process also may be helpful in establishing citizenship/alien status when the individual or family has no documentation but does have an alien registration number or his/her status may be verified using basic demographic information using the federal form G-845.
- As outlined in the Food Stamp section below, USDA has stated that displaced citizens, or food stamp eligible non-citizens, who are residing with others must have their own Food Stamp case. For consistency purposes, each individual and family residing with others must be assigned a separate TA case number. This includes situations where a child who is unaccompanied by an adult may be going to stay in a household of another non-legally responsible TA recipient. Normal cooperative budgeting rules do not apply. For example, the shelter allowance received by the displaced individual or family will be the difference between the actual rent paid by the existing TA household and the shelter allowance received by the existing TA household. The "new" TA household may receive a shelter allowance up to the agency maximum allowed for the number of displaced citizens in the "new" TA case considering the presence of children in the total household. The existing TA case may need to be re-evaluated to determine if the shelter allowance needs to reflect the presence of children in the household. Fuel allowances continue to only be provided to the TA case that includes the documented tenant and customer of record.
- Displaced citizens who do not qualify for FA are in an emergency situation and the 45 day application period does not apply.
- For persons with actual income, (e.g. SSI, SSA, UIB or child support) who may not qualify for recurring safety net assistance (SNA), immediate needs still can be met under emergency SNA in accordance with 18 NYCRR 370.3 since the emergency is related to a catastrophe and the 125 % gross income test does not apply.

GENERAL INFORMATION SYSTEM
DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 3

- Districts must not attempt to consider, as income or resources, any TA benefits received in the home state of these persons prior to their resettlement in New York.
- Districts must establish a standard of need for each applying individual or family based on his/her actual circumstances. For example, for those displaced citizens housed in settings where they are not able to prepare meals or where meals are not provided in their residence, the local social services district must determine if a restaurant allowance is appropriate.
- Income that is actually received such as Social Security Benefits must be budgeted using normal budgeting procedures. Initially these individuals and families will not have such income but they may begin to receive it at a later date. Applicants who were receiving these benefits or who may be eligible for them should be directed to contact the local Social Security Administration for help in reinstating this source of income.
- As described below, FEMA will be issuing money to displaced citizens. This money is exempt as income and resources and must not be treated as lump sum income for purposes of determining eligibility for TA or the amount of the TA grant.
- Some of these families may have a spouse or parent who has remained in the affected state to work in emergency/cleanup services. The income of the family member in the affected state is not counted. Only that portion, if any, that is actually provided to the rest of the family in New York is counted for TA purposes.

The following requirements may be delayed for applying displaced citizens until the next recertification or until further instructions from OTDA:

- Finger imaging;
- FEDS/EVR;
- Employment requirements and assignment to work activities;
- Resource and income documentation;
- Non-Homestead property selling requirements
- Liens on property owned in the affected states;
- Compliance with paternity and child support requirements, however, referrals should still be made; and
- Compliance with IEVS.

Please note, although normal fraud prevention measures are being waived temporarily to deal with the immediate crisis situation, local districts will be expected to reexamine cases for fraudulent receipt of benefits. Additionally, after a period of short term benefit receipt has passed, any employable TA recipient who chooses to remain in the state will become subject to work participation requirements and efforts will be made, as with all other employable TA recipients, to place them into employment.

TA Specific Forms

GENERAL INFORMATION SYSTEM

DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 4

Use of the LDSS 4403 "Determination of Eligibility for Emergency Assistance to Families" or local equivalent is not appropriate when screening for EAF eligibility for these persons because it could lead to the wrong conclusion.

GENERAL INFORMATION SYSTEM
DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 5

Automated Finger Imaging System (AFIS)

Although finger imaging requirements can be delayed, the OTDA AFIS system data base should be utilized to capture the photo and signature which appear on the CBIC card. The CBIC card will serve to access benefits as well as provide a photo ID card since many of these citizens may not have any identification with them. The CBIC however does not attest to identity in the same way that a driver's license or state ID, but attests to identity only to the standards required by the program. The applicants should be enrolled into the AFIS data base with their finger images identified as "Temporarily Unavailable" and "KATRINA" written in the remarks field, which will provide OTDA with a mechanism for tracking for future follow-up. As we are delaying finger imaging for this population, normal AFIS exemptions do not apply. Additionally, as the need to identify and locate missing and separated family members is an arduous and difficult task, the OTDA AFIS photo database for the displaced citizens can assist in this effort since we can share this data with other state's department of social services. *A separate AFIS Update with more detailed instructions will be issued to Local District AFIS Liaisons.*

We expect to receive further guidance from the federal government on many of the issues related to TANF eligibility and we will issue additional guidance at that time.

Other Available Assistance

- Local districts are one part of a host of agencies, businesses and organizations working with these displaced citizens. Applicants for both emergency and on-going assistance should be strongly advised to apply for any benefit available through the Federal Emergency Management Office (FEMA). The toll-free number for information concerning FEMA benefits is **1-800-621-FEMA (1-800-621-3362)**. The number for hearing impaired individuals is **1-800-462-7585**. Applying for relief through FEMA is not a condition of eligibility. Grants provided through FEMA to displaced citizens from Hurricane Katrina are not considered as income or resources for the purpose of providing recurring TA assistance to meet an applying individual's or family's needs. Assistance from community and faith-based organizations also should be explored and encouraged. Donated services such as landlords who are willing to donate apartments for use by displaced citizens, should be directed to the SEMO or through your local disaster preparedness office. This is important to facilitate the statewide coordination of efforts and resources to help meet this disaster. SEMO is not encouraging the donation of food at this time. The NYS Department of Tax and Finance will be updating their website to give information to property owners who wish to provide housing for displaced persons. A toll free number has been established that New Yorkers can call if they are able to offer long-term vacant housing to help house evacuees. The number is **1-888-7-NYS-AID**. This Hotline is also making referrals to local social services districts if a need for assistance (TA, FS or MA) is identified.
- Non-traditional resources also may be a source of relief for these displaced citizens. For example, an estimated 15,000 Wal-Mart associates are still displaced from their workplaces due to Hurricane Katrina (more than 34,000 impacted in some way). The company has made contact with more than 65% of its associates affected by the storm,

GENERAL INFORMATION SYSTEM
DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 6

including some who have been found in the various evacuee shelters, to provide work for them in open Wal-Mart stores. Income administrative processing guidelines for TA recipients with new or increased earnings are found in 01 ADM-13.

- Displaced individuals can apply for UIB via the internet by accessing the New York State Department of Labor website which is www.labor.state.ny.us and clicking on Unemployment Insurance or via telephone using the following numbers (**1-888-209-8124** (if individual is calling within NYS) or **1-877-358-5306** (if calling from outside of NYS)). Local districts are encourage to provide access to the internet to enable individuals who were employed and displaced by Hurricane Katrina to apply for UIB on-line, if possible.

Food Stamps

This GIS provides expanded criteria to enable local districts to better serve people who have evacuated Hurricane Katrina disaster areas and are applying for food stamp benefits. Applications may be accepted under these policies through October 15, 2005.

Local districts are to certify evacuees from areas affected by the disaster under expedited service rules. Use of the Expedited Screening Checklist for this population is not appropriate because it would lead to the wrong eligibility determination. The 5-day timeframe and limited verification/documentation requirements however, are to be followed.

The applicant and his/her family may be certified as a household separate from anyone with whom they are living and purchasing and preparing food with. If the household has split up, the separate parts of the original household may be certified as separate households. This would include for example, situations such as returning spouses, and even, unrelated children.

USDA is granting temporary exemption from the work rules at 7 CFR 273.7 (work registration and E&T rules) and the ABAWD requirements at 7 CFR 273.24 for victims of the disaster.

Unless otherwise indicated, applicants are eligible under this policy for **3 full months**, plus the month of application. Districts will be held harmless from QC errors for such certifications. Districts will, however be required to obtain missing verification at the end of the three month period. Districts may address this by establishing a four-month certification period and conducting a recertification interview. Districts authorizing longer certification periods will need to issue, prior to the expiration of the 4 month period, a Request for Contact (LDSS 2114 Continuing your Public Assistance and/or Food Stamp Benefits) to notify the client of the requirement. It is advisable to address this issue with the client at the time of the application interview.

It is anticipated that many of the evacuees will have very limited or no documentation of their evacuee status. Any reasonable documentation, or in the absence of which, a statement from

GENERAL INFORMATION SYSTEM
DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 7

the applicant, shall be acceptable for purposes of processing evacuee applications under these temporary rules.

These policies are based on authority in Section 5 (h) (1) of the Food Stamp Act. [7 U.S.C. 20149h], which gives the United States Agricultural Secretary authority to “establish temporary emergency standards of eligibility for the duration of the emergency...”.

Information Numbers

This GIS provides numbers to call for information on persons’ certification status and for obtaining replacement CBIC cards. For these evacuees only, if the household applying reports that they are not in receipt of food stamp benefits elsewhere it is not required that the district contact the other southern state agencies to confirm they are not in receipt, unless questionable information has been provided.

Mississippi:

To obtain information on a client’s FSP certification status call: **1-800-948-4060**.

For help in obtaining a replacement CBIC card call: **1-866-449-9488**.

Anyone needing to check on the FSP certification status of Mississippi clients or anyone needing help with getting a replacement CBIC card for a Mississippi client can send an email request to:

mdhsdisaster@mdhs.state.ms.us

Alabama:

To obtain information on a client’s FSP certification status or for help in obtaining a replacement CBIC card call: **1-866-465-2285**.

Anyone needing to check on the FSP certification status of Alabama clients or anyone needing help with getting a replacement CBIC card for an Alabama client can send an email request to:

fs@dhr.state.al.us

Louisiana:

Contact information will be posted at a later date.

FS Specific Forms

Local districts are not required to use the LDSS-3938, “Food Stamp Expedited Processing Summary Sheet” when determining eligibility expedited processing for these persons because all displaced evacuees are by definition eligible for expedited processing.

Medicaid

The Office of Medicaid Management is in continuing discussions with the federal Centers for Medicare and Medicaid Services (CMS) regarding the provision of medical services to evacuees from Hurricane Katrina, and is awaiting guidance from federal officials on issues of eligible individuals, eligibility procedures, service coverage and claiming/payment.

GENERAL INFORMATION SYSTEM
DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 8

Until further federal guidance is available, please follow the instructions outlined in GIS 05 TA/DC027 regarding Hurricane Katrina response. Medicaid budgeting rules, including income and resource disregards, continue to apply. These are outlined in the Medicaid Reference Guide, available on the State Department of Health website at http://www.health.state.ny.us/health_care/medicaid/reference/mrg/.

Only income actually received by the family is to be counted; therefore, if a legally responsible relative with income is currently in a different state, only the amount sent to the family in New York is countable. Disaster relief is disregarded for Medicaid purposes. Many persons displaced by Hurricane Katrina will receive payments from FEMA. These payments are to be disregarded in establishing Medicaid eligibility.

If you have any questions, please call your local district liaison.

Systems Implications

NYC WMS

NYC has created a case and line level opening code, 064, which should be used to open the cases of evacuees of hurricane Katrina. This is valid on TA and Food Stamps. This will allow us to track these cases.

Upstate WMS

In order to properly identify, track and insure proper claiming for evacuee cases, the following instructions should be followed when opening non-Services cases (Case Types 11, 12, 16, 17, 18, 19, 31 & 32) for evacuees, or when adding evacuees to existing non-Services cases (i.e., a child reuniting with a parent already receiving TA). Because of the relaxed verification requirement, codes Q21 and Q22 should not be used to issue the expedited benefits.

All evacuees should be coded with a new code value "J", entered in the current field labeled "FAP CD" on Screen 3. This field on the LDSS-3209 is currently blank and is located between the fields labeled "CAT CD" and "EMP CD".

All pay lines entered on Screen 6, (including Diversion Payments in FS, MA and PA Denial situations) should have Special Claim Code "J" entered in that field on each pay line, regardless of Payment Type Code, if all case members are coded "J".

An edit is being added to require that if a pay line has a "J" Special Claim Code present, at least one case member must have a "J" in the FAP Indicator field on Screen 3.

All payment lines on Screen 6 must have a "J" Special Claim Code. Special Claim Code "J" and the afore-mentioned edits will not currently apply to childcare pay lines entered on Screen 9.

GENERAL INFORMATION SYSTEM

DIVISION: Employment & Transitional Supports

September 8, 2005

Page: 9

Districts will be informed when the system changes needed to activate these instructions become available on Production.