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TO: Commissioners; TA & FS Directors

FROM: Russell Sykes, Deputy Commissioner, Division of Employment & Transitional Supports

SUBJECT: NYSNIP 24 Month Interim Reporting

EFFECTIVE DATE: Immediately

CONTACT PERSON: Food Stamp Bureau at 1-800-343-8859, ext. 3-1469

NYSNIP 24 Month Interim Reporting for Upstate Districts

As a part of the demonstration project waiver agreement with USDA under which NYSNIP operates, all NYSNIP participants that have reached the midway point of their certification period are required to return or otherwise respond (see the **note** below) to a 24 Month Interim Report (LDSS-4836 or 4836 NYC). Failure to return or otherwise respond to this interim contact will result in the food stamp case being closed. In May, 2006, OTDA will begin sending a NYSNIP 24 Month Interim Contact to upstate NYSNIP households with 26 months left in their food stamp certification period. This mailing requires participants to either authenticate existing shelter and utility information or to report, and verify if necessary, changes in shelter and/or utility information.

NYSNIP 24 Month Interim Report

The New York State Office of Temporary and Disability Assistance will automatically send the LDSS-4836, "New York State Nutrition Improvement Project 24 Month Interim Report" to participants **26** months prior to the end of their NYSNIP Food Stamp authorization period. These reports will be mailed on or about the 10th day of each month. In order to ensure uninterrupted Food Stamp benefits, NYSNIP households are directed to return or otherwise respond to the report by the 10th of the month following the month the report is mailed. NYSNIP participants who fail to return the Interim Report by the stated due date may subsequently be closed effective the end of the month in which the report must be returned or otherwise responded to. Although the LDSS-4836 states that the form must be returned, **responses that are phoned in or made in person, as long as they are documented in the case record, are acceptable.**

When responding to this interim contact, **it is not necessary for a household to provide documentation of shelter and utility information.** However, as with any food stamp case, **information reported that would result in an increase in benefits must be verified.**

Upon requesting to reapply for the Food Stamp Program, households who have been closed for failure to respond to the interim contact should be provided the LDSS-4826, "The Food Stamp Benefits Application/Recertification" and may again participate in NYSNIP.

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Local districts should be aware that cases closed for not returning their Interim Contact form will not be permanently prevented from re-opening automatically. Cases closed for failure to respond to a NYSNIP Interim Contact may have a Shelter Type 98 NYSNIP case opened automatically at a minimum project benefit level the next time SSA makes a transaction on the household's SSI case. As with all Shelter Type 98 NYSNIP new case openings, these households will receive a Shelter Type 98 Information Collection Sheet and have an opportunity to verify actual shelter costs and Heating/Air Conditioning SUA eligibility in order to receive a higher project benefit amount. We understand that having a recently-closed case automatically re-open soon after closing may be a source of confusion and frustration for local district workers. It is useful to remember that NYSNIP-eligible households are **categorically** eligible for food stamps based on their SSI status, and that the purpose of the demonstration project is to maximize the participation of this elderly and disabled population. Automatic re-opening also enables the state and local districts to avoid the necessity of future periodic mass re-openings such as took place in 2004.

Local District Reports

Local districts will be provided a monthly report, **WINR 8115 '24 Month Contact Letters'** listing cases that the LDSS-4836 Interim Report will be sent to that month. The WINR-8115 will be forwarded over the BICS queue and sorted by office/unit/worker. The report also includes a space for local district workers to enter the date the household returned the mailer or otherwise responded and track households that fail to submit the mailer or otherwise respond. The report may also be used as a log to identify which cases require an adjustment to their ongoing NYSNIP benefits. Again, to be clear, this is ***not*** a list of cases to be closed, only of cases/households to which an interim report is being sent.

Additionally, it is important to note that because the LDSS-4836s that are sent to clients are not sent via CNS, records of individual letters cannot be found on the COLD system. Also, because the WINR 8115 is sent via the BICS queue it is only available for printing or retrieval for a set period of time. Undoubtedly, there will be clients who, upon having their case closed, will claim that they never received the interim report, and may request a fair hearing if they experience a lapse in benefits. Maintaining a copy of each month's WINR-8115 for a period of six months would provide evidence that a notice was produced for the household in question.

Processing NYSNIP 24 Month Interim Reports

- NYSNIP households are directed to return their Interim report by the 10th day of the month following the month the report was mailed in order to receive uninterrupted NYSNIP benefits. However, responses to interim reports received after the required time frame, but prior to the end of the 24th month before the end of the certification period, also must be processed for continuing NYSNIP benefits, without a delay in benefits if possible.
- NYSNIP cases closed for failure to return the Interim report (**CNS Code E46 should be used**) will clock down to the end of the 25th month before the end of the certification period. The worker controls the effective date of the closing by shortening the certification period AUTH TO date while doing the E46 closing transaction.

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- **Incomplete reports or reports submitted without verification should be treated as “no change” reports and accepted and processed for continuing NYSNIP eligibility at existing levels (i.e., no change in benefits). Again, households are not required to provide documentation of reported information.**
 - However, as stated above, if a change in shelter or utility costs is reported that would result in an increase in benefits, the reporting household must provide verification of the change in order to get an increased food stamp benefit. Local districts are **not** required to send a Request for Contact (RFC) to pursue verification in instances where such information is reported but not verified. Local districts also are not required to provide notice to households who have reported but not documented a change that would result in an increase in benefits. NYSNIP participants are informed of the requirement to provide verification for information that would result in increased benefits at case opening and are again instructed in the Interim Report to document new information.
 - As with any FS case, changes reported by the household that would result in a decrease in NYSNIP FS benefits must be processed even if verification of the change is not provided.
 - For any information reported, local districts are **not** required to assess whether every household would receive more food stamp benefits as a non-NYSNIP case. Local districts are only required to convert NYSNIP cases to non-NYSNIP cases if the household requests to opt out of the project to receive a higher benefit.
 - Workers should be advised that any increase or reduction in NYSNIP Food Stamp benefits should be processed utilizing CNS Code B29 “New Budget Authorized: NYSNIP Re-budgeted”
- **Districts are advised that participants that send in an unsigned or blank Interim Report should be considered to have reported no change in circumstances.** The food stamp case should remain open with no change in benefits. For audit purposes, it is advisable for the blank or unsigned LDSS-4836 to be placed in the case record with a date stamp or note identifying it as a returned form.

Example 1: OTDA sends an Interim Contact Letter to a NYSNIP participant on May 10, 2006. The client was directed to return or otherwise respond to the mailer by June 10, 2006. If the NYSNIP participant fails to return or otherwise respond to the 24-Month Interim Report, the food stamp case would be closed effective June 30, 2006 using FS Case Reason Code E46.

Example 2: In the above situation, if the participant returned the mailer in a timely manner and claimed an increase in shelter costs or a change in SUA eligibility that would result in an increase in his/her NYSNIP food stamp benefit, but did not attach documentation verifying this change, benefits would not be increased and the local district is not obligated to request the missing verification. The failure to provide verification should be noted in the case record.

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Example 3: Given the same circumstances, if the participant reported, with or without attaching supporting documentation, a decrease in shelter costs or a loss of eligibility for the full Heating/AC SUA that would result in a decrease in the NYSNIP food stamp benefit amount, the local district must process the subsequent decrease. For example, if a participant whose NYSNIP Shelter Type Code was 94 (High Shelter Cost/SUA-eligible) on the ABEL budget reported that they had moved to subsidized housing where their new rent was \$200 per month and where heat is included in the rent and where they do not use or incur any separate expenses for air conditioning, the Shelter Type would be changed to 97 (Low Shelter Cost/No SUA) and the change transaction would be processed using FS Reason Code B29.

Example 4: A NYSNIP participant who lives in subsidized housing with heat included in the rent and no air-conditioning related expenses returns or otherwise responds to an Interim Report. His/her current case has a Shelter Type 97 (Low Shelter Cost/No SUA). The participant reports no increase in shelter, but provides verification (bill from the Housing Authority) that shows that they are paying an additional charge specifically so that they run an air conditioner during the summer months. This participant would still have "low" shelter costs by the projects current standards but would now be eligible to receive the full SUA, their Shelter Type on the ABEL budget should be changed from 97 to 95 (Low Shelter Cost/SUA eligible). Again, the change transaction should be processed using FS Reason Code B29.

Continuing the NYSNIP Authorization Period

After processing the Interim Contact Reports, local districts must follow existing NYSNIP undercare change processing procedures to address changes in NYSNIP participant's household circumstances, as described in the examples above. Other than for cases being closed due to failure to respond to the interim contact, the certification period should not be adjusted. At the completion of their initial certification period, all NYSNIP recipients must undergo a full recertification for the Food Stamp Program.

New York City

The City of New York opens and maintains all NYSNIP cases out of the F-15 Center in Brooklyn. Their procedure for processing 24 Month Interim Contact Mailers mirrors the Upstate System with two exceptions.

NYC Clients who do not return their 24-month mailer by the prescribed due date (the 10th day of the month following the month of receipt) are sent a reminder letter by New York City prior to instituting a case closing in the 24th month.

NYSNIP recipients in NYC also have the option to contact the F-15 office by phone to report changes in household circumstances or to fulfill their mailer response requirement. As stated above, a phone response is acceptable, but must be documented. Clients reporting changes by phone are still required to submit documentation before those reported changes that would result in a benefit increase are included in their NYSNIP Food Stamp Budget.