

**GENERAL INFORMATION SYSTEM****DIVISION: Temporary Assistance****June 29, 2006**

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**TO:** Commissioners; TA & FS Directors; WMS Coordinators; CAP Coordinators**FROM:** Russell Sykes, Deputy Commissioner, Division of Employment and Transitional Supports**SUBJECT:** Emergency Food Replacement**EFFECTIVE DATE:** Immediately**CONTACT PERSON:** FS Questions – Food Stamp Policy Bureau (518) 473-1469  
TA Immediate Need Questions – TA Policy Bureau (518) 474-9344

In anticipation of possible food loss due to the effects of regional flooding and resulting power outages experienced during the past week in several areas of New York State, this GIS message is being issued to:

- Reinforce and clarify the temporary assistance and food stamp policies that local districts must have in place to deal with loss of food in emergencies, and
- Provide local districts with the intranet link to the updated 8/03 version of the LDSS-2291: "Request for Replacement of Food Purchased with Food Stamp Benefits". This form must be used when there is a request for replacement of food purchased with food stamp benefits.

**Special circumstances:** Some counties are in a state of declared emergency in which food stamp recipients have been instructed not to travel. Counties may show reasonable judgment in allowing eligibility staff to take telephone reports of food loss due to the emergency. This practice would be used instead of getting the signed Request for Replacement before issuing a replacement. If the county chooses this option, they must record the time, date, and the name of the person who is reporting the food loss misfortune/emergency. This information should be placed in the case record pending the return of a signed LDSS-2291 from the household.

**Food Stamp Recipients:** Food Stamp Source Book section 10 provides direction on replacement of food purchased with food stamp (FS) benefits (also see 91 ADM-41). An issuance of FS benefits to replace food which was purchased with FS benefits but subsequently destroyed in a household misfortune must be made, provided that:

- a. The household reports the loss within 10 days of the date of the misfortune; and
- b. The household returns a signed and completed form LDSS-2291 "Request for Replacement of Food Purchased with Food Stamp Benefits" (Rev 8/03) within 10 days of the date of the report of loss. If the 10<sup>th</sup> day falls on a weekend or holiday, a statement received the day after the weekend or holiday is acceptable.

Examples of household misfortunes resulting in food loss include a flood, an extended power outage or an equipment (refrigerator or freezer) failure. Such situations may affect large areas or be specific to a household. No limit is placed on the frequency of replacement issuances for food destroyed in a household misfortune. To download the updated LDSS-2291 "Request for Replacement of Food Purchased with Food Stamp Benefits (Rev 8/03)" click on the following intranet link.

[http://otda.state.nyenet/ldss\\_eforms/eforms/2291.pdf](http://otda.state.nyenet/ldss_eforms/eforms/2291.pdf)

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In line with this policy, please note that the loss of power may be due to failure to pay a utility bill. We offer this because of the misinterpretation that a household misfortune must be the result of an "unanticipated circumstance." In fact, high utility costs may result in shut offs despite the efforts of the affected household and the consequences on the household are equivalent to a natural catastrophe.

Districts are advised not to require households to bring in spoiled food as verification of their need. This is inappropriate for reasons of both health and administrative impracticality.

When the loss of food is due to a power outage or cutoff (the stated household misfortune), the district must provide a replacement issuance of the food up to the amount of the most recent food stamp benefit issuance if the household has lost power for a minimum of **four hours**.

**Temporary Assistance:** Local districts can provide Emergency Temporary Assistance to those individuals and families whose food has spoiled due to the power outage, who are not eligible for Food Stamps and who are in an immediate need situation. The amount is normally a prorated portion (for the number of days of need) of the non-shelter portion of the household's standard of need. The household must meet all other eligibility factors as specified in the Temporary Assistance Source Book (chapter 10, section F for ESNA or chapter 11, section C for EAF.) Local districts that anticipate mass requests for such assistance may use the DSS-880 "Register of Application and Authorization for Emergency Assistance."