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TO: Local Social Services Commissioners, Food Stamp Directors, TA Directors, HEAP Coordinators, Staff Development Coordinators

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

SUBJECT: Implementation of Disaster Food Stamp Program and Clarification of Emergency Assistance Programs; Information on Temporary Assistance Programs and HEAP in Relation to Flood Relief

EFFECTIVE DATE: Immediately

CONTACT PERSON: Food Stamp Policy Questions 518-473-1469; Temporary Assistance Policy Questions 518-474-9344; HEAP Policy Questions 518-473-0332; WMS Systems Questions 518-473-7991.

The purpose of this GIS is to notify the local district social services in the twelve counties named below that OTDA has received approval from the federal government to operate a Disaster Food Stamp Benefit Program (DFSBP), and to:

- Provide instructions for implementing the Disaster Food Stamp Benefit Program in the twelve Districts that have been declared Federal Disaster Areas: Broome, Chenango, Delaware, Herkimer, Montgomery, Oneida, Orange, Otsego, Schoharie, Sullivan, Tioga, and Ulster Counties.
- Clarify existing policy regarding emergency assistance programs.
- **Notify affected districts that OTDA will be holding conference calls today, Friday, July 07, 2006, from 3:30 P.M. – 4:30 P.M. to discuss issues and concerns related to this GIS. A conference call also will be held Monday, July 10, 2006 beginning at 9:30 A.M. For both calls local district staff are instructed to call 1-866-266-3697. The conferee code is 7357368#.**

Food Stamp Program

Federal approval has been secured to operate a DFSBP **beginning immediately and for a period of seven (7) calendar days after (through Friday, July 14th)** in the 12 counties that have been declared federal disaster areas. Permission to continue accepting DFSBP applications beyond the initial seven days is contingent on federal approval and evidence of continuing need to do so. The DFSBP differs from the normal food stamp program in several ways, including permitting use of the following:

- Relaxed income, resource and documentation standards
- Maximum, un-prorated food stamp benefits based on household size

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- Relaxed household composition rules for households that resided in one of the disaster counties on June 26, 2006, whose home or livelihood was affected by the disaster, and who apply for the DFSBP.

Effective immediately, and for a period of seven (7) calendar days following implementation, in the twelve counties that have been declared disaster areas, the following provisions apply for the Food Stamp Program:

1. Current recipients of ongoing Food Stamp Benefits are not eligible for the DFSBP. Households currently in receipt of FSBs are eligible to receive replacement FSBs equal to the allotment of benefits the household received during the month of June, 2006. See the section on replacement benefits below for more information.
2. Only households affected by the disaster that were residing in one the above-named counties as of June 26, 2006 are eligible to apply for the DFSBP.
3. Districts should immediately make the new federally-approved application for the DFSBP available to all disaster victims seeking food assistance who present themselves in either the district offices or in Disaster Assistance Service Centers. [*See attached PDF file to view or print the application. **Note:** Hard copies of the applications, notices and Reference Document also have been shipped via overnight delivery to the main office in all affected districts, and supplies either are being or will be delivered to the Disaster Assistance Service Centers (DASCs). It is likely that local district offices will receive hard copies before the DASCs and should make arrangements to transport copies to the centers.*]
 - a. Also attached is the Disaster Food Stamp Program Reference Document (*See attached PDF file*). This document describes the disaster income limits for family size, relaxed verification, available resource and income standards, and provides the maximum allotments to be issued to households eligible for the DFSBP.
 - b. Disaster benefits under this program must not be pro-rated, **all new applicant households found to be eligible for the DFSBP benefits are entitled to a maximum monthly allotment of benefits, based on household size, for July, regardless of when they file an application for the DFSBP.**
 - c. A notice of acceptance or denial must be issued to disaster relief household (*see attached PDF*).
4. It is neither necessary nor possible to compute and store ABEL budgets for DFSBP cases. Eligibility determinations for this program must be calculated off-line, using the computation section on page 3 of the Disaster Food Stamp application form and the Disaster Table Income guidelines.
5. Any flood victims who have regular food stamp applications currently **pending** must be afforded the opportunity to sign the certification and signature section on Part H of the new disaster application and attest that they have been affected by the disaster. They are **not** required to repeat the information they already supplied the district on the application that already is pending. Any new applicants for disaster relief for July only need to fill out the Application for Disaster Food Stamp Benefits Assistance and, if eligible under the disaster guidelines, will receive the full maximum allotment under the disaster program.
6. The authorization period for all DFSBP cases should be from July 1, 2006 through July 31, 2006. Again, all Disaster Food Stamp benefit households should get the maximum monthly allotment based on household size.

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7. Households that have received DFSBP Benefits for July will have to apply using either the Food Stamp Benefits Application/Recertification form (LDSS-4826) or the Common Application (DSS-2921) to have eligibility determined for ongoing food stamp benefits for August 2006 and beyond.
8. For any disaster-related issuances already done between June 27th and the release of this (before notification to use Special Claiming Code "J") the district must send lists of case names, number and pay line details to the Food Stamp Bureau to be included in required federal reports.
9. Collections on formerly established claims are not to be applied to the single issuances associated with this disaster program. So, no recoupments are to be deducted from benefits issued under the DFSBP.
10. Automated Finger Imaging System (AFIS) requirements for all adult household members applying for DFSBP benefits are waived and cannot be required for this disaster program.
11. All new disaster program household members are to be coded as "Work Exempt – WE " during the duration of the disaster benefit period (July 2006).
12. Normal application registration clearance process is in effect for the individuals applying under this disaster program, clearance must be obtained and proper CINs assigned or re-used if they exist. While New York State IT staff is working to establish WMS connectivity at all DASC sites, capability to print from WMS screens may not be available at DASC sites. Affected districts may have to work out a procedure between the DASC and the local DSS office for reviewing clearances.
13. Ethnicity code is required on WMS. As with the regular Food Stamp Program, applicants can self declare ethnicity and workers can make a "best guess" as to ethnicity if a self-declaration is not made.
14. Districts must compile and report the total number of applications for the DFSBP received, that are **denied** on a daily basis. OTDA can track approvals via WMS. Reports should be filed to Nancy Yurschak by phone or e-mail at the following address and number: Nancy.Yurshak@OTDA.STATE.NY.US , (518) 486-7657.
15. Districts will have to store records and have them available for the federally-mandated review period the 6 years.

Replacement of Food Stamp Benefits for Current Recipients

Any current recipients of ongoing FSBs who have lost food due the floods or related misfortune must have their food replaced **by a replacement issuance of FSBs equal to the allotment received by the household during the month of June, 2006.** The period for which the food is being replaced is the month of June, 2006 since most food loss occurred in the days immediately following the onset of flooding. Additionally OTDA has been granted a waiver to the requirement that all requests for replacement benefits due to the loss of food must be filed within ten (10) days of the disaster. Households affected by the disaster will be able to report loss of food and receive replacement benefit as long as the request for replacement is filed during the month of July, 2006.

Households requesting replacement FSBs must complete and sign a Request for Food Stamp Replacement Benefits (DSS-2291) in order to receive a replacement issuance. Unless a hardship such as transportation, disability, illness, child care, etc., exists, federal rules require households affected by the disaster who are applying for replacements to file in person either at a local district office or DASC site. Where hardships are present, a form may be mailed or faxed to the

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LDSS office. For replacement benefits issued as a result of the flooding, even where food loss was due to loss of power, households applying for replacement should be instructed to cite "flooding" or "flood-related loss of power" as the reason for the loss of food.

WMS Instructions for Authorizing Replacement and Disaster Food Stamp Benefits:

Workers issuing Disaster FS Benefits to those affected by floods should authorize FS benefits as follows:

Disaster FS benefits should be authorized using Pay Type 93, issuing the maximum, un-prorated allotment, based on the household's size as of June 26, 2006, for the payment period of July 1, 2006 – July 31, 2006 with Special Claim Code "J" and authorization period of July 1, 2006 through July 31, 2006. No stored ABEL budget is necessary to write such a payment line.

FS benefits issued to replace recipients' food destroyed due to the disaster should be authorized in the amount of the household's June allotment, using payment type 95 with Special Claim Code "J".

Temporary Assistance (TA):

Although there are no waivers of TA program eligibility requirements as a result of the recent flooding, there are existing emergency assistance programs available to meet the emergency needs that result from the flooding. In addition to items of need specified in each emergency program, all emergency programs will cover food, shelter (including emergency shelter), furniture and clothing replacement. Property and equipment repairs/replacements, including heating equipment, may also be provided as specified in 18 NYCRR Parts 352.4(d), 352.7 (b) and 397.5 (h).

Even though an individual or family may have income or resources that would ordinarily exceed the income and resource eligibility standards for recurring TA, these individuals and families may be eligible for one of the emergency programs listed below. For these programs, only actually available income and resources are counted in determining eligibility. Districts are also reminded that the income standard for Emergency Safety Net Assistance (ESNA) of 125% of the current Federal income official poverty line income limitation does **not** apply if the emergency is the result of a fire, flood or other like catastrophe. Therefore this limit is not applicable for ESNA provided as a result of this emergency.

Emergency Programs

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 that 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. EAF covers all of the items, conditions and amounts specified in Part 352 of 18NYCRR, as well as services necessary to cope with emergency situations.

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

Emergency Assistance to Adults (EAA) must be provided to meet the emergency needs of SSI recipients. Resources that are excluded by the Social Security Administration are also excluded for EAA. EAA covers the items specified in Part 397 of 18 NYCRR.

TA Application

When individuals and families come in to apply for TA emergency assistance at the district or at one of the designated Disaster Assistance Centers, the state prescribed application form (LDSS-2921) must be completed and signed by the applicant. The applicant must also have a face-to-face interview.

When the emergency is being met on a mass basis, such as in a central site where shelter, food and other items are being provided on a mass basis under EAF, the names of families requesting assistance must be recorded on form LDSS-880 "Register of Application and Authorization for Emergency Assistance". This will constitute application in such mass emergency situations.

Current TA recipients are not required to submit an application for emergency assistance and may request such assistance by telephone or mail. A face-to-face interview is not required for such assistance. However, a same day interview must be conducted upon receipt of the request. This can be conducted over the telephone.

All established processing timeframes and notice requirements remain unchanged. However, the following requirements may be delayed for affected TA applicants:

- Finger imaging;
- FEDS/EVR;
- Non-Homestead property selling requirements; and
- Liens on property owned.

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.

TA Documentation

Ordinarily, persons claiming an immediate need must provide, at a minimum, verification of identity, household composition and citizenship status. Many persons affected by the flood may have lost their documents in the flood or be unable to retrieve them from their home. Districts are reminded that collateral statements may suffice for documentation in this situation. Please see Documentation Desk Guide (LDSS-2642). The delay or inability to meet documentation requirements at application must not interfere with providing needed emergency assistance.

TA Systems Implications

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It is unknown at this time whether federal funding will be available to reimburse districts for the emergency temporary assistance they provide to victims of the flooding. However, it is important that districts track affected cases/payments in the event such funding does become available. Districts should enter on the pay lines on Screen 6 (including Diversion and one time payments in FS, MA and TA denial situations) Special Claim Code "J" regardless of Payment Type Code.

Home Energy Assistance Program (HEAP):

We have received questions from districts about whether Home Energy Assistance Program (HEAP) funding is available to cover flood-related heating equipment repair and replacements. Because the furnace component of the HEAP program is not designed or funded to meet the demands of a disaster relief program, HEAP policy specifically excludes situations where heating equipment is inoperable due to flood, fire or other natural disasters from eligibility for HEAP-funded heating equipment repairs or replacements.

Please refer to the **Temporary Assistance** section of this GIS for programs that may be available to assist households in need of a heating equipment repair or replacement due to last week's floods.

Attachments