



**NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY
ASSISTANCE**
40 NORTH PEARL STREET
ALBANY, NY 12243-0001

David A. Paterson
Governor

Informational Letter

Section 1

Transmittal:	09-INF-17
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	October 6, 2009
Subject:	Addendum to the Client Information Books – LDSS-4148D: “New Information About Temporary Assistance and Food Stamps”
Suggested Distribution:	Temporary Assistance Staff Food Stamp Benefits Staff Medical Assistance Directors CAP Coordinators Employment Coordinators WMS Coordinators EBT Coordinators Staff Development Coordinators Directors of Services Child Support Enforcement Coordinators Forms Coordinators
Contact Person(s):	TA Questions: 1-800-343-8859, ext. 4-9344 FS Questions: 1-800-343-8859, ext. 3-1469 Forms Questions: Kelly Whitney @ 1-800-343-8859, ext. 3-7991
Attachments:	LDSS-4148D: “New Information About Temporary Assistance and Food Stamps”
Attachment Available On – Line:	<input checked="" type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
06 ADM-05 06 ADM-02 06 ADM-01 05 ADM-03 04 ADM-05 03 ADM-11 03 ADM-10 03 ADM-07 02 ADM-02 01 ADM-04 01 ADM-03 99 ADM-07 97 ADM-24 97 ADM-23 97 ADM-21 97 ADM-20 93 ADM-89 92 ADM-26 91 ADM-44 91 ADM-40 91 ADM-37 91 ADM-29 91 ADM-22 90 ADM-42 90 ADM-41 90 ADM-27 90 ADM-09 09 INF-06 07 INF-06 06 INF-32 05 INF-20 04 INF-24 04 INF-20 03 INF-09 01 INF-16 97 INF-17 93 INF-26 92 INF-12 91 INF-60 91 INF-12		18 NYCRR §387.2	CFR 273.2 (b) & (c)	PASB	95 LCM-87 95 LCM-68 90 LCM-45 90 LCM-30 GIS 94-MA/004

Section 2

I. Purpose

The purpose of this Informational Letter (INF) is to inform local districts that the following publication has been added to the LDSS-4148 series as a handout to the clients:

LDSS-4148D (10/09): “New Information About Temporary Assistance and Food Stamps”.

II. Background

The LDSS-4148D is being introduced to reflect federally mandated changes that will be effective on or after October 1, 2009.

III. Program Implications

Effective October 1, 2009, local districts must provide the LDSS-4148D at application (LDSS-2921) and recertification (LDSS-3174) of Temporary Assistance/ Food Stamp benefits, along with the LDSS-4148A, B, and C. For Non-Temporary Assistance Food Stamp households receiving the LDSS 4826A (“[How to Complete the Food Stamp Benefits Application/Recertification and Applicant/Recipient Rights and Responsibilities for the Food Stamp Program](#)”) at application and recertification, the LDSS-4148D must be provided as well.

IV. Forms Ordering Information

- The English version of the LDSS-4148D: “*New Information About Temporary Assistance and Food Stamps*” and LDSS-4148D-SP (Spanish) are State printed forms. Initial supplies of the English forms have been drop-shipped to local districts. Please see ordering instructions, below, for obtaining a supply of the LDSS-4148D-SP (Spanish) forms.
- The “other than English/Spanish” versions of the LDSS-4148D: “*New Information About Temporary Assistance and Food Stamps*” [LDSS-4148D-AR (Arabic), LDSS-4148D-CH (Chinese), LDSS-4148D-FR (French), LDSS-4148D-HA (Haitian-Creole), LDSS-4148D-KO (Korean), LDSS-4148D-RU (Russian), LDSS-4148D-VI (Vietnamese) and LDSS-4148D-YI (Yiddish)] are **not** State printed but are available to local districts in PDF format or as master camera ready copies. The procedures for ordering PDFs or master camera ready copies are listed below.
- The above referenced documents have also been posted on the OTDA Intranet website at http://otda.state.nyenet/ldss_eforms/default.htm and are available for downloading by local districts for reproduction locally.
- Requests for printed English or Spanish copies, or for master camera ready copies of the “other than English/Spanish” versions of the documents, should be submitted on OTDA-876: “*Request for Forms or Publications*”, and should be sent to:

Office of Temporary and Disability Assistance
BMS Document Services and Operational Support
PO Box 1990
Albany, NY 12201

- Questions concerning ordering forms should be directed to BMS Document Services at 1-800-343-8859, ext. 4-9522.
- Printed English or Spanish copies, or master camera ready copies of the “other than English/Spanish” documents may also be ordered through Outlook. To order printed English or Spanish copies, or a master camera ready copy, you may obtain an OTDA-876 electronically by going to the OTDA Intranet Website at <http://otda.state.nyenet/> then to Division of Operations and Program Support page, then to PSQI E-forms page (this page contains the electronic OTDA-876).
- For those who do not have Outlook but who have Internet access for sending and receiving e-mail, the Internet e-mail address is: gg7359@dfa.state.ny.us . For a complete list of available forms, please refer to the OTDA Intranet site at http://otda.state.nyenet/ldss_eforms/default.htm .

Issued By

Name: Russell Sykes
Title: Deputy Commissioner
Division/Office: Center for Employment and Economic Supports

New Information About Temporary Assistance and Food Stamps

The following Client Information Books give general information about social services programs:

- **LDSS-4148A:** What You Should Know About Your Rights and Responsibilities
- **LDSS-4148B:** What You Should Know About Social Services Programs
- **LDSS-4148C:** What You Should Know If You Have an Emergency.

Recent changes have affected social services programs. This supplement tells about the Temporary Assistance and Food Stamp Benefits changes. Some of the information is new, and some replaces information contained in the Client Information Books.

New Information About Temporary Assistance and Food Stamps

The following Client Information Books give general information about the Social Services Programs:

LDSS-4148A: What You Should Know About Your Rights and Responsibilities

LDSS-4148B: What You Should Know About Social Services Programs

LDSS-4148C: What You Should Know If You Have An Emergency

Recent changes have affected social services programs. This supplement tells about the Temporary Assistance and Food Stamp Benefits changes. Some of the information is new, and some replaces information contained in the Client Information Books.

Changes to LDSS-4148A: What You Should Know About Your Rights and Responsibilities

Page 10, Section 6, Employment Rights, Under the Temporary Assistance heading, the following has been inserted as the 1st paragraph:

Temporary Assistance Employment Rights

As a Temporary Assistance recipient, you may be expected to look for work and to participate in activities that will help you get and keep a job. If you do not have a high school diploma or equivalent, such as a GED diploma, you may be eligible and may be required to participate in an education activity to improve your basic skills and/or to obtain a high school equivalency diploma. You will likely also be expected to participate in employment, work experience or other activities along with the education activity. Let your worker know if you are interested in participating in an education activity.

Page 13, Section 10, **Rights Regarding Support Pass-Through and Excess Support Payments – Temporary Assistance**, the Social Services Law has been changed to the following:

FEDERAL REGULATIONS AFFECTING THE CHILD SUPPORT PROGRAM AND THE NEW YORK STATE SOCIAL SERVICES LAW HAVE CHANGED. IT IS IMPORTANT TO READ THE INFORMATION BELOW ABOUT THESE CHANGES TO DETERMINE IF ANY OF THE CHANGES AFFECT YOUR CASE.

10. Rights Regarding Support Pass-Through and Excess Support Payments -Temporary Assistance

When you apply for Temporary Assistance, which includes Family Assistance and Safety Net Assistance, and, for as long as you receive Temporary Assistance, you assign to your local department of social services **all** of your rights to receive support payments on your own behalf and any rights to support on behalf of any family member for whom you are applying for, or receiving, Temporary Assistance.

Effective October 1, 2009, when you apply for Temporary Assistance, and, for as long as you receive Temporary Assistance, you assign to your local department of social services your rights to receive support payments on your own behalf and any rights to support on behalf of any family member for whom you are applying for or receiving assistance, but it is **limited** to the amount of support that accrues while you or the family member receive Temporary Assistance.

Support Pass-Through Payment

A portion of any assigned child support collections for the current court-ordered obligation, when paid timely, will be given to you in addition to the monthly Temporary Assistance grant. The portion of the child support payment given to you is called

a "pass-through payment." The pass-through payment is the lesser of an amount up to the first \$100 of current support collected each month or the amount collected toward the monthly court-ordered obligation. Effective January 1, 2010, the \$100 pass-through payment will continue where there is one individual under the age of 21 active in the Temporary Assistance case. Where there are two or more individuals under the age of 21 active in the same Temporary Assistance case, the pass-through payment will increase to the lesser of an amount up to the first \$200 of current support collected each month or the amount collected toward the monthly court-ordered obligation. This pass-through payment is not counted against your Temporary Assistance grant, but may reduce your Food Stamp Benefits.

Excess Support Payment

Assigned child support collections received will be paid to the State and to the local department of social services for reimbursement of up to the total amount of Temporary Assistance that has been paid to you. You are entitled to receive any support collected that **exceeds** the total amount of Temporary Assistance paid to you, in addition to any pass-through payment that you are entitled to receive.

11. RESPONSIBILITY TO ACCESS YOUR FOOD STAMP BENEFITS

If you are receiving Food Stamp Benefits with Electronic Benefit Transfer (EBT):

If you are approved to get Food Stamp Benefits, your benefits will be issued to your Electronic Benefit Transfer (EBT) Food Stamp Benefits account on the same date each month. If you do not use your EBT Food Stamp Benefits account for 365 consecutive days, it will fall into expungement status. This means that any Food Stamp Benefits that have been available in your account for at least 365 days will be expunged (removed). Expunged Food Stamp Benefits cannot be replaced.

Changes to LDSS-4148B: What You Should Know About Social Services Programs

Page 21, Section C, the Social Services Law has been changed to the following:

Q. If I receive Temporary Assistance will I also get child support?

- A. For Temporary Assistance recipients, the child support payments are kept by the agency to reimburse the benefits provided to you and your children. However, the household may receive a "pass-through payment." Effective October 1, 2008, the pass-through payment will increase to an amount up to the first \$100 of current support collected each month by the child support program or the current support obligation amount, whichever is less; and effective January 1, 2010, the \$100 pass-through payment will continue for one child but will increase to up to the first \$200 per month of current support collected by the child support program for Temporary Assistance families with two or more children or the current support obligation amount, whichever is less.

Page 36, Section H – Other Benefits, the following has been **removed** because the program is no longer available:

6. **Animal Population Control Program (APCP)** – The New York State Department of Agriculture and Markets has a program that helps pay to have your dog or cat spayed/neutered. Through the Animal Population Control Program eligible people can have their cat or dog spayed/neutered for \$20.00. You must provide proof that you are in receipt of one of the following programs: Temporary Assistance, Food Stamp Benefits, Medicaid, Low Income Housing program or SSI.

To prove that you are in receipt of Temporary Assistance or Food Stamp Benefits you can provide a copy of your notice "Action taken on your Application" or "Action Taken on your Recertification" with your application voucher. Application vouchers and additional information are available from the Department of Agriculture and Markets at 1-888-669-0870 or from their website at www.agmkt.state.ny.us. You can also mail a request to: Animal Population Control Program, NYS Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235-0001.

FEDERAL REGULATIONS AFFECTING THE CHILD SUPPORT PROGRAM AND THE NEW YORK STATE SOCIAL SERVICES LAW HAVE CHANGED. IT IS IMPORTANT TO READ THE INFORMATION BELOW ABOUT THESE CHANGES TO DETERMINE IF ANY OF THE CHANGES AFFECT YOUR CASE.

CHILD SUPPORT

SECTION C

Q. When I apply for Temporary Assistance, do I have to assign my rights to receive child support payments?

- A. Beginning October 1, 2009, new Temporary Assistance applicants/recipients are required to assign any rights to support which accrue *during* the period of assistance that the applicant/ recipient may have in his or her own right or on behalf of any other family member for whom the applicant/recipient is applying for or receiving assistance. Individuals who are Temporary Assistance applicants/recipients *prior* to October 1, 2009 continue to assign *all* rights to support held on their own behalf or on behalf of any other family member for whom the applicant/recipient is applying for or receiving assistance, whether or not those rights accrue during the period of assistance.

Support rights which were assigned to the State by former applicants/recipients prior to October 1, 2009 will continue to be assigned if such individuals re-apply for Temporary Assistance on or after October 1, 2009. However, for these applicants/recipients, only the rights to support which accrue while they are in receipt of assistance will be subject to the new assignment made on or after October 1, 2009.

Q. If I am receiving Temporary Assistance will I also get child support payments?

- A. When you assign your rights to support, the child support payments collected while you are receiving Temporary Assistance are first distributed to the agency to reimburse the benefits provided to you and other family members on your Temporary Assistance case. However, for each month in which current support is collected, you will receive on your EBT card a "pass-through payment" taken out of the funds distributed to the agency. Once all benefits paid to you have been reimbursed to the extent allowed by any existing assignment of support rights, any excess amount of support that is collected will be paid to you on your EBT card as an "excess support payment."

Q. What is a "pass-through payment"?

- A. A pass-through payment is a portion of the assigned support collections for the current court-ordered obligation amount which, when paid timely, the state passes through to families who are currently on Temporary Assistance. The pass-through payment is the lesser of an amount of up to the first \$100 of current support collected each month or the court-ordered obligation amount collected each month. Effective January 1, 2010, the \$100 pass-through payment will continue where there is one individual under the age of 21 active in the Temporary Assistance case. Where there are two or more individuals under the age of 21 active in the same Temporary Assistance case, the pass-through payment will increase to the lesser of an amount up to the first \$200 of current support collected each month or the court-ordered obligation amount collected for the month. The pass-through payment is disregarded from budgeting when determining the amount of Temporary Assistance that the family will receive but may reduce your Food Stamp Benefits.

Q. What happens to my child support arrears when support collected pays back all of my Temporary Assistance benefits?

- A. If all of the benefits provided to you that were subject to a child support assignment have been paid back, you are entitled to receive the support payments collected for any arrearage/past-due support owed to you. Beginning October 1, 2009, these arrearages will be paid directly to you by the Support Collection Unit as "family arrears." Additionally, if you are currently receiving Temporary Assistance, the household may receive a "pass-through payment" if there is a current support collection.

Q. How will the family arrears payment affect my benefits?

- A. The amount of family arrears payment will be reported to your local department of social services and reviewed to determine whether it affects your eligibility for Temporary Assistance, Food Stamp and/or Medicaid benefits.