



**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:	10-INF-01
To:	Local District Commissioners
Issuing Division/Office:	Division of Operations and Program Support
Date:	February 3, 2010
Subject:	Revisions to the LDSS-4148C “What You Should Know If You Have An Emergency, Questions and Answers Book- 3” (Rev.10/09)
Suggested Distribution:	Temporary Assistance Directors Food Stamp Directors Directors of Services CAP Coordinators Child Support Enforcement Coordinators Forms Coordinators
Contact Person(s):	Jacqueline Brace, Bureau of Management Services: (518) 474-9489 OTDA Program Questions: Temporary Assistance Bureau – (518) 474-9344 or 1(800)343-8859 Food Stamp Bureau – (518) 473-1469 HEAP Bureau – (518) 473-1469 DOH Questions: Office of Health Insurance Programs – Medicaid Services Local District Liaison: Upstate: (518) 474-8887 New York City: (212) 714-7450 OCFS Questions concerning this release should be directed to the appropriate Regional Office: Buffalo Regional Office – Mary Miller (716) 847-3145 Mary.Miller@ocfs.state.ny.us Rochester Regional Office – Linda Kurtz (585) 238-8201 Linda.Kurtz@ocfs.state.ny.us

	Syracuse Regional Office – Jack Klump (315) 423-1200 Jack.Klump@ocfs.state.ny.us Albany Regional Office – Kerri Barber (518) 486-7078 Kerri.Barber@ocfs.state.ny.us Spring Valley Regional Office – Pat Sheehy (845) 708-2498 Patricia.Sheehy@ocfs.state.ny.us NYC Regional Office – Patricia Beresford (212) 383-4873 Patricia.Beresford@ocfs.state.ny.us Native American Services – Kim Thomas (716) 847-3123 Kim.Thomas@ocfs.state.ny.us
Attachments:	Attachment 1- LDSS 4148C
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.
03 ADM-11 93 ADM- 39 90 ADM-45 90 ADM-41 90 ADM-08 86 ADM-07 09 INF-17 03 INF-37 03 INF-09 01 INF-16 97 INF-17 91 INF-60		18 NYCRR 355,370.3, 372,397	SSL 330- 342,131,300, 350-j		GIS 09/DC033, 09/DC003

Section 2

I. Purpose

The purpose of this release is to inform local districts that the following publication has been revised (copies attached):

LDSS-4148C (Rev 10/09): What You Should Know If You Have An Emergency – Book 3

II. Background

The LDSS-4148C provides information in a Question and Answer format to aid and assist with emergency situations.

III. Program Implications

Districts should ensure that individuals receive the LDSS-4148C at application, recertification and upon request.

IV. Forms Ordering Information:

The revised 10/09 version of the LDSS-4148C will be available and stocked in the Albany and New York City warehouses. Your district will automatically receive copies in approximately 6 to 7 weeks. Any previous versions must be destroyed.

- Translated language versions of the LDSS-4148C will be available shortly.
- Any future request for printed copies of the 10/09 version of the LDSS 4148C should be submitted on an OTDA-876 “Request For Forms or Publications” and sent to:

Office of Temporary and Disability Assistance
BMS Document Services and Operational Support
P.O. Box 1990
Albany, New York 12201

Questions concerning ordering forms should be directed to BMS Document Services and Operational Support at 1-800-343-8859, ext. 4-9522.

- Documents also may be ordered via the OTDA Intranet. To order the form 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 and then to OPS E-Forms page which contains the electronic OTDA-876. For a complete listing of available forms, please refer to OTDA Intranet site: http://otda.state.nycnet/ldss_eforms/default.htm.
- For those who do not have OTDA Intranet access, the email address to request materials is gg7359@dfa.state.ny.us.

Issued By

Name: John M. Paolucci
Title: Deputy Commissioner
Division/Office: Division of Operations and Program Support

New York State

**WHAT YOU SHOULD KNOW
IF YOU HAVE AN
EMERGENCY**

Questions and **A**nswers

BOOK 3
(LDSS-4148C)

Also See

BOOK 1 (LDSS-4148A)

**“WHAT YOU SHOULD KNOW ABOUT YOUR RIGHTS AND
RESPONSIBILITIES”**

(When Applying For or Receiving Benefits)

and

BOOK 2 (LDSS-4148B)

**“WHAT YOU SHOULD KNOW ABOUT SOCIAL SERVICES
PROGRAMS”**

SAVE THIS BOOK FOR FUTURE USE

EMERGENCIES

THE FIRST THING YOU SHOULD DO, IF THE EMERGENCY ALLOWS YOU THE TIME, IS TO TALK WITH A WORKER. YOU SHOULD ALSO TALK WITH A WORKER AFTER YOU HAVE TAKEN CARE OF THE EMERGENCY SITUATION AND/OR IF THE OTHER SUGGESTIONS IN THIS BOOK DO NOT TAKE CARE OF YOUR EMERGENCY SITUATION.

Q. What Is An Emergency?

A. An emergency is an urgent need or a situation that has to be taken care of right away. Some examples of an emergency are:

- You are homeless.
- You have little or no food.
- You have emergency medical needs and cannot pay for the medical care needed.
- Your landlord has given you eviction papers or told you that you must move immediately within the next few days.
- You do not have fuel for heating in the cold weather period.
- Your utilities are shut off or are about to be shut off or you have received a disconnect notice.
- You or someone in your family or household has been subjected to physical or sexual abuse, mental abuse, or threats of violence or abuse and these acts have been committed by a family or household member.
- You have little or no income, few or no resources.
- The total of your income and resources is less than the total of your rent or mortgage plus heat, utilities and phone.

If you are applying for Temporary Assistance, and you tell us today that you have an emergency, we must interview you today about your emergency, or otherwise address your emergency needs today. We must also tell you in writing today about our decision on your emergency. If you are applying for Food Stamp Benefits, and you are eligible for expedited processing, that interview and the notice of our decision will be no later than five calendar days after the day you filed your application.

If you have little or no food, or not enough money to buy food, you should apply for Food Stamp Benefits, right away.

Q. How Do I Apply For Emergency Temporary Assistance?

A. If you **are already getting** Temporary Assistance and an emergency comes up, tell a worker **right away**.

If you **are not getting** Temporary Assistance, fill out an application and tell a worker that you have an emergency. You have the right to be interviewed about your emergency on the same day.

You must cooperate with a worker to find out if you can get help right away with your emergency. The worker will need to find out the details of your emergency. A worker will tell you what information you need to get before you can get assistance to meet your emergency. For example, if you say that you received an eviction notice, the worker will ask to see this notice.

You will be asked for proof of who you are and proof of who your other family members are. You may also have to prove that you and your family have satisfactory alien status.. The worker will also want to know if you have any income or resources, such as bank accounts or other help available to you that can be used to help you with your emergency.

If you cannot get the information or proof of it, a worker must try to help you get that information or proof.

If your request for assistance to meet your emergency need is approved, you will get a notice telling you what type, how much and when you will be getting this assistance.

Q. Will Emergency Temporary Assistance Also Provide For Food?

A. TA will provide for an immediate needs for grant to meet a food need if no other “resources”, (for example food bank, expedited food stamps), is available to meet the emergency food need.

Q. How Will I Know If I Am Approved For Emergency Temporary Assistance And/Or Food Stamp Benefits?

A. We must tell you in writing about our decision on your emergency on the same day that you tell us about your emergency need or situation. If you are applying for Food Stamp Benefits, and you are eligible for expedited processing, that interview and the notice of our decision will occur no later than five calendar days after the day you filed your application.

Q. Can I Get Food Stamp Benefits Right Away?

A. Yes, you may be able to get Food Stamp Benefits within five calendar days **after submitting** your application. This is called **Expedited Processing for Food Stamp Benefits**.

You may be able to get **Expedited Processing**, if you are eligible for Food Stamp Benefits and:

- Your household has less than \$100 in cash or other available resources **and** will have less than \$150 in gross income during the month that you apply; **or**
- Your income and available resources, e.g. cash on hand, bank accounts, savings certificates, and lump sum payments are less than your rent or mortgage plus heat, utilities and phone.; **or**
- You are a migrant or seasonal farm worker with no more than \$100 in liquid resources and the only income for the month of application was 1) terminated before application, or 2) is new, and no more than \$25 gross income will be received within ten days after your application for food stamps.

NOTE: You do not need to be out of food to get expedited processing for Food Stamp Benefits.

Q. What If I Am Homeless Or About To Become Homeless?

A. You may be able to get help:

- To stay in your present housing.
- To pay for you and your family to stay with someone other than a "**legally responsible relative**". A **legally responsible relative** is a husband or wife or, if you are under 21, a parent.
- To arrange for you and, your family to stay in a shelter, hotel or motel temporarily when no other suitable housing is available.
- To pay for a restaurant allowance when you and your family do not have cooking facilities and meals are not provided to you where you are staying.

- To arrange for a safe place to stay if you or someone in your family or household, regardless of whether or not you or they are lawfully present in the United States, has been subject to physical or sexual abuse, mental abuse, or threats of violence and these acts have been committed by a family member or household member, or a current or former intimate partner.
- To pay for storing your furniture and other personal things you own when you are evicted or must move.
- To pay for moving expenses, rent security deposit or agreement, or brokers or finder's fees.
- To pay for household items needed to set up a home.
- To pay for you to take your children to and from school while your family is in emergency housing.
- To pay for moving expenses when you move to emergency housing or between emergency housing placements.

Q. What If I Have Emergency Heating Or Utility Needs?

A. If you are out of heating fuel or have an amount of heating fuel that is equal to or less than one-quarter of the household's fuel tank (for oil, kerosene and propane) or have a heating fuel supply that will last less than 10 calendar days (for wood and coal) or your utilities are shut off or are about to be shut off, you may be able to get help.

- If you **are already receiving** Temporary Assistance and you have a heating or utility emergency, talk to a worker.
- If you **are not receiving** Temporary Assistance, call your local department of social services. They may send you to your local Home Energy Assistance Program (HEAP) office. If you live in New York City, call or visit your local Job Center. They may send you to the Community Development Agency's Home Energy Assistance Program (HEAP) office.
- If you are unsure of where to get help for your heating or utility emergency call, toll-free, **1-800-342-3009**.

Q. What If I Have Emergency Medical Needs?

A. New York State law requires hospitals to give you emergency care, even if you cannot pay for it. If you have a medical emergency, seek immediate medical attention by calling 911.

New York State law also requires that hospitals may have to give you non-emergency care that you may need if you have income below a certain amount. The law limits what hospitals can charge you for this care.

If you are sick and need medical care right away, and you have applied for but have not received a Common Benefit Identification Card (CBIC), you should advise your physician that you have a pending Medicaid application.

Medicaid may be able to pay medical bills for care you received up to three months before you applied for Medicaid. Remember to tell a worker if you have any paid or unpaid medical bills.

If you are an undocumented alien, or a temporary non immigrant you may be eligible for Medicaid to help with your medical care if you are pregnant or need treatment of an emergency medical condition.

Medicaid may be able to pay for medical care you get out of state if you need emergency medical care while traveling in another state, but **only** if the doctor, facility or person providing care is enrolled in the New York State Medicaid program.

Q. What If Emergency Services Are Needed To Protect Adults, Children Or Other Family Members?

A. The following are some services you can get to help you with your emergency. There is no income limit to get any of these services.

If you live **outside** of New York City, your local department of social services may be able to help you, in addition to the help that you can get by calling the phone numbers listed below.

If you live **in** New York City, call or visit your local Job Center or look for the Human Resources Administration (HRA) or Administration for Children's Services (ACS) listings in the Government pages of the New York City telephone book for your borough. Call the number listed for the type of help you need. You can **also** get help by calling the phone numbers listed below.

While there are no income limits to obtain domestic violence services, families and individuals in need of domestic violence shelter may be required to contribute to the cost of shelter depending on their personal income and available resources.

- **Child Protection** - Services given to children under the age of 18 who are abused or maltreated, and to their families.

If you have a reasonable cause to suspect that a child has been abused or maltreated, call the Statewide Central Register of Child Abuse and Maltreatment toll free at **1-800-342-3720**. If a report is registered, an investigation will be conducted and, as appropriate, services offered to the family to protect the child(ren).

It is also appropriate to call the Statewide Central Register of Child Abuse or Maltreatment if you have concerns about possible abuse or neglect that may have occurred in a residential child care setting. You may call toll free to **1-800-342-3720** to discuss your concerns. If a report is registered, an investigation will be conducted at the residential child care program.

If you are in Monroe County (Rochester and vicinity) or Onondaga County (Syracuse and vicinity) there is a local number you can call instead if you have concerns about child abuse or maltreatment in either a family or a residential child care setting. It is **461-5690** in Monroe County and **422-9701** in Onondaga County.

If you are pregnant or have a newborn who is five days old or less and you do not feel that you can care for your baby, talk to a worker right away. If for some reason you cannot talk to a worker, or if you still feel that you cannot care for your baby, to find a way that may protect both you and your baby call the Abandoned Infant Protection Act Information and referral hotline toll free at 1-866-505-SAFE (**1-866-505-7233**).

- **Preventive Services To Children and Families** – Services given to children and families to safely keep the family together and to prevent foster care placement, or to safely return the children from foster care as soon as possible. Emergency cash, goods, shelter or other essential items may be part of Preventive Services To Children and Families. Talk to a worker about this.
- **Protective Services For Adults** - Services given to persons 18 years of age or older who are physically or mentally impaired have been harmed or may be at risk of harm, cannot protect themselves, and have no one who is able and willing to help them.

To make a referral or to report suspected adult abuse, neglect or exploitation, please call your local Protective Services for Adults (PSA) unit directly at your local department of social services. You may call toll free **1-800-342-3009** (press option 6) to obtain the phone number to reach your local PSA unit.

- **Domestic Violence (Physical or Emotional Abuse or Threat of Abuse)** - Services given to family and other household members, with or without children, to help them with problems of physical or emotional abuse, or the threat of physical or emotional abuse. While there is no income limit to obtain domestic violence services, families and individuals in need of domestic violence shelter may be required to contribute to the cost of shelter depending on their personal income and available resources.

You can call 24-hour hotline for information about emergency shelter, support groups, and counseling. These services will help keep you and your children safe. To get information and referrals to your local domestic violence services provider you may call the following numbers toll-free, 24 hours a day:

In New York City call 1-800-621-HOPE (1-800-621-4673).

In any other area of New York State call the NYS Domestic Hotline 1-800-942-6906 (Spanish speaking call 1-800-942-6908).

A Services caseworker can also arrange for you to get this information.

Q. What If I Need Child Care In An Emergency Situation?

- A.** Child Care **may** be available to parent(s)/caretaker(s), if the family is either on Temporary Assistance or has income within the allowable limits, in an emergency situation of short duration such as cases where the parent(s)/caretaker(s) is absent from the home for a large part of the day because of such things as a fire, looking for housing or providing chore/housekeeping services for an elderly or disabled relative. This depends on whether the local department of social services has funds available. Ask a worker if your local department of social services pays for child care assistance in these circumstances.

If you live **outside** of New York City, call or visit your local department of social services. If you live **in** New York City, call or visit your local Job Center or look for the Human Resources Administration (HRA) or Administration for Children Services (ACS listings in the Government pages of the New York City telephone book for the borough in which you live. Call the number listed for the type of help you need.

Q. Can I Get Assistance To Communicate If I Have A Disability When I Ask For Emergency Assistance?

- A.** Yes. At all times, including but not limited to emergencies, your local department of social services must provide the necessary auxiliary aids and/or services, which may include but are not limited to interpreters, to facilitate communication with persons with disabilities that is equally effective as communication with persons who do not have a disability. When an interpreter is provided by the local department of social services, you cannot be asked or required to pay for the interpreter.

Q. Can I Bring A Relative Or Friend To Provide Interpretation Assistance?

- A.** Yes. Your local department of social services may allow persons who are deaf or have a hearing or speech impairment to use a relative or friend to provide interpretation assistance, but may not require applicants/recipients to bring their own interpreter.

Q. If I Have A Disability And My Appointment Is Rescheduled Because Reasonable Accommodations Cannot Be Made On The Date I ask For Emergency Assistance, Can I Still Get Emergency Services?

- A.** Yes, your local department of social services must also address emergency/immediate needs of persons with a disability.

Q. What Happens If My Request For Emergency Temporary Assistance Is Denied?

- A.** If a worker determines that your situation is not an emergency and that you cannot get assistance to meet your emergency, you will be given a written notice that same day that will tell you this and the reason why. This notice will mean only that your request for **assistance to meet your emergency** has been denied. If you feel your request for assistance to meet your emergency should not have been denied, you may request an Agency Conference or an Emergency Fair Hearing.