



**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**

<b>Transmittal:</b>	10-INF-20
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Operations and Program Support
<b>Date:</b>	September 1, 2010
<b>Subject:</b>	Obsolete LDSS- 4148D New Information About Temporary Assistance and Food Stamps
<b>Suggested Distribution:</b>	Temporary Assistance Directors Food Stamp Directors Forms Coordinators
<b>Contact Person(s):</b>	Forms Questions: Jacqueline Brace, Document Services and Operational Support: (518) 474-9489 Program Questions: Temporary Assistance: 1 (800) 343-8895 ext. 4-9344
<b>Attachments:</b>	<a href="#">Attachment 1: LDSS-4148D</a>
<b>Attachment Available On – Line:</b>	<input checked="" type="checkbox"/>

**Filing References**

<b>Previous ADMs/INFs</b>	<b>Releases Cancelled</b>	<b>Dept. Regs.</b>	<b>Soc. Serv. Law &amp; Other Legal Ref.</b>	<b>Manual Ref.</b>	<b>Misc. Ref.</b>
03 ADM-11 93-ADM-39 90-ADM-45 90-ADM-41 90-ADM-08 86-ADM-07 85-ADM-08 76-ADM-09 10-INF-01 09-INF-17 07-INF-06 03-INF-37 03-INF-09 97-INF-17 95-INF-45 93-INF-29 91-INF-60		18 NYCRR.355, 370.3,372,397	SSL 131, 300, 350-j	TA-SB	GIS 09/DCO33 GIS 09/DC003 90-LCM-45 90-LCM-30

## Section 2

### I. Purpose

The purpose of this release is to inform local districts that the following publication is obsolete:

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

### II. Background

Local districts were informed by 09-INF-17 Addendum to the Client Information Books – LDSS-4148D: “New Information About Temporary Assistance and Food Stamps”, that effective October 1, 2009, they were to provide the LDSS-4148D when an application (LDSS- 2921) or recertification (LDSS-3174) of Temporary Assistance/Food Stamp benefits is submitted, with the LDSS-4148A, B, and C.

The information in the LDSS 4148D has now been incorporated into the revised versions of the LDSS 4148A - “New York State What You Should Know about your Rights and Responsibilities (When Applying For or Receiving Benefits)” (02/10) and the LDSS [4148B – “What You Should Know about Social Services Programs”](#) (02/10). Local districts must ensure that they are distributing the most recent (02/10) versions of the LDSS 4148A and B. Those districts that are distributing the most recent versions of the LDSS 4148A and B may cease distribution of the LDSS 4148D. Those districts that have not yet begun distribution of the revised LDSS 4148A and B must continue to distribute the LDSS 4148D until the time they begin distribution of the revised (02/10) versions of the LDSS 4148A and B.

The 4148D does not need to be provided as part of application packets for households applying or recertifying just for food stamp benefits using the LDSS-4826 “Food Stamp Benefits Application/Recertification” and LDSS-4826A “How to Complete The Food Stamp Benefit Application/Recertification” forms.

### III. Program Implications

Districts should ensure that individuals receive the 2/10 revised LDSS-4148A and B at application, recertification and upon request. Any stock of the 4148D must be destroyed.

### IV. Forms Ordering Information:

- The revised 2/10 version is available and stocked in the Albany and New York City Warehouses.
- Translated language versions are available on the OTDA Intranet Website.

- Requests for printed copies can continue to 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 through Outlook. To order the forms you must 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 OPS 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 email, the Internet email address is: [gg7359@dfa.state.ny.us](mailto:gg7359@dfa.state.ny.us). For a complete list of available forms, please refer to OTDA Intranet site: [http://otda.state.nyenet/ldss\\_eforms/default.htm](http://otda.state.nyenet/ldss_eforms/default.htm).

**Issued By**

**Name: John Paolucci**

**Title: Deputy Commissioner**

**Division/Office: Division of Operations and Program Support**

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## *New Information About Temporary Assistance and Food Stamps*

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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 1<sup>st</sup> 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](http://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.