

GENERAL INFORMATION SYSTEM**DIVISION: Center for Employment & Economic Supports****September 2, 2011**

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TO: Commissioners; TA & FS Directors; WMS Coordinators; CAP Coordinators**FROM:** Russell Sykes, Deputy Commissioner, Center for Employment and Economic Supports**SUBJECT:** Issuing Replacement Food Stamp Benefits**EFFECTIVE DATE:** Immediately**CONTACT PERSON:** FS Questions – Food Stamp Policy Bureau (518) 473-1469**Background and Purpose**

In the wake of the flooding, power outages and dislocation caused by Hurricane Irene, there naturally has been a large increase in the number of requests for replacement of food stamp benefits due to loss of food. There also have been a lot of questions from local districts and FS recipient households regarding proper policy. This GIS message is being issued to:

- Address questions and issues that have arisen regarding proper Request for Replacement policy; and
- Provide local districts with the intranet link to the LDSS-2291: "*Request for Replacement of Food Purchased with Food Stamp Benefits.*"

Food Stamp Replacement Request Policy

- Food Stamp recipient households that have had food destroyed as a result of a household misfortune or disaster are entitled to a replacement issuance of food stamp benefits to replace food purchased with food stamp benefits. Floods, and, power outages where power has been lost or had to be shut off for a period of four hours or more all qualify as such misfortune or disaster.
- In a disaster where the power outages, floods and other disastrous effects are as pervasive as those caused by Hurricane Irene, households requesting replacement of food stamp benefits due to food loss should not be required to provide verification of misfortune or disaster, and should not be required to provide a list of food items lost. The written attestation on the LDSS- 2291 regarding the loss to the household and the volume of the items lost is sufficient to authorize the replacement of food stamp benefits for eligible households. No further burden of proof should be required of the household to verify their circumstances, unless highly questionable. If questionable, local district agencies must assist clients in obtaining the verification necessary to support the replacement request.

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- The household must report the loss, either orally or in writing, within 10 days of the date of the misfortune. **(Please note that New York State has applied for and expects to receive approval of a waiver that will give households residing in the 23 counties of the state that have received federal disaster declarations an extension to the normal 10-day reporting requirement.)**
- If the filing of a LDSS-2291 is **not** the initial report of loss (for example, if the household calls to report the loss), the household must be provided with a copy of the LDSS-2291 to complete and return.
- The household must return 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 10th day falls on a weekend or holiday, a statement received the first business day after the weekend or holiday is acceptable.
- Replacement issuances should be for the amount of the declared loss but may not exceed the amount of the food stamp benefit issuance provided to the household in August, 2011. (Please note that “issuance” means a benefit that was available to the household, not simply authorized.) If the most recent issuance was a combined expedited issuance for July and August or August and September, then the replacement issuance may not exceed the full amount of the combined expedited issuance. If the August issuances included a restored benefit issuance, then the full amount of the restored benefit issuance should be included when determining the maximum allowable replacement amount.

LDSS-2291 “Request for Replacement of Food Purchased with Food Stamp Benefits”

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.

We encourage local districts that have been affected by Hurricane Irene to make the LDSS-2291 Request for Replacement form available on the district website and wherever else possible. Easier and wider availability of the Request for Replacement form may reduce the volume of phone calls and visits to the local district office by households seeking to report loss of food and obtain the Request for Replacement form.

Payment Line Instructions:**Upstate WMS**

Workers should enter Special Claiming Category Code ‘J – Disaster-Related Assistance’ for Payment Type ‘92 – Food Stamp Replacement’ for replacement of FS benefits issued as a result of Hurricane Irene. Only FS benefits previously issued may be replaced using

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payment type “92-Food Stamp Replacement.” Pay Type “92” is limited to single issuances only. Valid method of Payment Codes are 01, 05 or 06.

NYC WMS

Food Stamp Benefits – Replacement FS benefits should be issued as PA/FS Single Issuance Code ‘10’ or as NPA FS Single Issuance Code ‘12’. Authorization Number 08282011 should be used for all FS single issues.

Other Information

President Obama has issued Major Disaster Declarations for **Public Assistance** for twenty counties in New York State due to the effects of Hurricane Irene: Clinton, Delaware, Dutchess, Essex, Greene, Kings, Montgomery, Nassau, New York, Queens, Rensselaer, Richmond, Rockland, Schoharie, Suffolk, Ulster, Warren, and Westchester Counties. “Public Assistance” declarations authorize the provision of direct federal assistance to state, county and local governments, not to individual households.

According to the most recent reports available, major Disaster Declarations for **Individual Assistance** have been issued for nineteen counties: Albany, Clinton, Delaware, Dutchess, Essex, Greene, Montgomery, Nassau, Orange, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren and Westchester Counties. Residents of these counties and any other counties that subsequently receive disaster declarations for the provision of Individual Assistance may be eligible for other forms of federal assistance and may contact the local district with questions about such assistance. Households that have suffered damage from the storm and that would like to register with FEMA can call 1-800-621-3362. A registration with FEMA will start the process for FEMA to come out and assess an individual’s situation for potential financial support.