



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

**Administrative Directive**

**Section 1**

<b>Transmittal:</b>	12-ADM-08
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	October 17, 2012
<b>Subject:</b>	Elimination of Finger Imaging Requirements for Purposes of the Supplemental Nutrition Assistance Program (SNAP)
<b>Suggested Distribution:</b>	SNAP Directors, TA Directors, Staff Development Coordinators, Employment Coordinators
<b>Contact Person(s):</b>	SNAP Bureau at 1-800-343-8859, ext. 3-1469 Temporary Assistance Bureau at 1-800-343-8859, ext 4-9344 Bureau of Audit and Quality Improvement at 1-800-343-8859, ext. 2-0132
<b>Attachments:</b>	
<b>Attachment Available On – Line:</b>	<input 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>
97 ADM-3 97 ADM-21 99 ADM-9 09 ADM-22 01 ADM-16 04 LCM 11 12 INF-13		351.2(a) 384.3(a)(3)(i) 387.9 (c)		TASB, Chapter 9, Section D; Chapter 10, Section F	SNAPSB GIS 12 TA/myB009

## **Section 2**

### **I. Summary**

- State regulations have been adopted that eliminate existing finger imaging requirements for the purposes of the Supplemental Nutrition Assistance Program (SNAP), effective November 1, 2012. (**Note:** SNAP is the new name for the Food Stamp Program in New York State, effective August 29, 2012. On the federal level, this name change went into effect in 2008.)
- As of November 1, 2012, social services districts (SSDs) are prohibited from finger imaging applicants and recipients for any purpose related to SNAP (18 NYCRR 387.9 (c)).

As such, effective November 1, 2012, all SNAP Automated Finger Imaging System (AFIS) Plans of Operation submitted by any and all SSDs are hereby null and void.

- This change in policy applies only to SNAP. It does not affect either current Temporary Assistance (TA) policy regarding finger imaging for TA or the SSD's TA AFIS Plan of Operation.
- Applicants for or recipients of TA whose eligibility for TA is either denied or terminated due to failure to comply with TA finger imaging requirements must have their SNAP eligibility separately determined according to SNAP eligibility standards.

### **II. Purpose**

The purpose of this directive is to inform SSDs about the elimination of finger imaging requirements for purposes of the SNAP program.

### **III. Background**

Since 1995, New York State has had a regulatory requirement that adult applicants and recipients of SNAP must be finger imaged. Section 387.9 (c) of 18 NYCRR requires that SSDs must, in accordance with an operational plan approved by OTDA, conduct finger imaging of all members of a household 18 years of age or older and the head of a household applying for or receiving SNAP benefits, for the purpose of preventing duplicate participation in SNAP. New York State SNAP finger imaging policy has allowed SSDs to exempt certain groups from this requirement as part of their AFIS Plan of Operation. SSDs were permitted to waive the imaging requirement for certain categories of SNAP applicants and recipients, including elderly and disabled individuals, residents of group homes or adults in other institutional care settings, young adults aged 18-21 who reside in the household of a parent, members of households for whom the in-office interview has been waived and members of households qualifying for the Working Families SNAP Initiative (see 99 ADM-9 and 2004 LCM-11). Exemptions for "good cause," in accordance with 18 NYCRR 351.26, have also been permitted.

Section 387.9 (c) of 18 NYCRR has since been amended to eliminate all finger imaging requirements for purposes of SNAP. Therefore, as of November 1, 2012, no SSD may require any applicant or recipient household member to be finger imaged for purposes of SNAP.

#### IV. Program Implications

##### A. Supplemental Nutrition Assistance Program:

As of November 1, 2012, SSDs are prohibited from finger imaging any member of a household applying for or receiving SNAP benefits for any purpose related to SNAP.

Effective November 1, 2012, all SNAP Automated Finger Imaging System (AFIS) Plans of Operation submitted by any and all SSDs are hereby null and void.

##### B. Temporary Assistance:

SSDs must continue to follow current TA policy regarding finger imaging. Members of households who are jointly applying for or jointly receiving TA benefits and SNAP benefits must continue to be finger imaged for TA purposes.

**However, if a person or case is being denied benefits for TA due to a failure or refusal to be finger imaged, a separate determination for SNAP eligibility must be done. Further, if an active TA case is being closed due to the failure or refusal of a TA case member to be finger imaged, a separate determination of SNAP eligibility must be done, including an assessment of eligibility for Transitional Benefits Alternative (TBA) SNAP benefits. If an individual is being removed from a TA case due to a failure or refusal to be finger imaged, a separate determination of SNAP eligibility must be done for the SNAP household.**

#### V. Required Action

##### A. Supplemental Nutrition Assistance Program:

Effective November 1, 2012, SSDs are prohibited from finger imaging any member of a household applying for or receiving SNAP benefits for purposes of SNAP. SSDs must adjust their procedures to ensure that SNAP applicants and recipients are not required to be finger imaged as part of the process of obtaining or retaining eligibility for SNAP.

Effective November 1, 2012, all SNAP Automated Finger Imaging System (AFIS) Plans of Operation submitted by any and all SSDs are hereby null and void.

##### B. Temporary Assistance:

As noted above in Section IV, members of TA case units who are jointly applying for or jointly receiving TA benefits and SNAP benefits continue to be subject to finger imaging requirements for TA purposes (see 99 ADM-9).

SSDs **must do a separate determination for SNAP eligibility:**

- 1. if a person or case is being denied benefits for TA due to a failure or refusal to be finger imaged; and/or**

2. **if an active TA case is being closed due to the failure or refusal of a TA case member to be finger imaged. The separate determination of SNAP eligibility must include an assessment of eligibility for TBA SNAP benefits. If an individual is being removed from a TA case due to a failure or refusal to be finger imaged, a separate determination of SNAP eligibility must be done for the SNAP household.** For households in which children reside, in most circumstances, the closure of a TA case solely for failure of a TA case member or members to be finger imaged should result in the creation of a TBA SNAP case (for more information about TBA eligibility criteria, please see 09 ADM-22, 01 ADM-16 and 03 INF-10).

## **VI. Systems Implications**

### **A. Supplemental Nutrition Assistance Program (SNAP):**

Upstate Welfare Management System (WMS) SNAP Case Level Reason Code 'M88 – Refusal to Comply with Finger Imaging Requirement' and Upstate PA Individual Reason Code 'F88 – Failure to comply with AFIS – (Non-Legally Responsible Relative) will no longer be valid for SNAP Case Denial (03), Closing (07) or Recertification Closing (08) transactions. Upstate WMS SNAP Individual Reason Code 'M99 – In Receipt of Concurrent Assistance: AFIS Match' will no longer be valid for SNAP Case Denial (03), Closing (07) or Recertification Closing (08) transactions for Non-Temporary Assistance SNAP (Case Type = 31) cases.

New York City WMS Case Closing and Case Rejection (Denial) Code 'M88 - Failed to Comply with the Automated Finger Imaging System (AFIS) Requirements, Not Homebound or Group Home Resident' will no longer be valid for SNAP case RJ or CL transactions. NYC WMS Case Closing and Case Rejection (Denial) Code 'M99 - Duplicate Assistance (AFIS) in NYS (HH=1)' will no longer be valid for SNAP case RJ or CL transactions for Non-Cash SNAP (Case Type = 31) cases.

### **B. Temporary Assistance:**

For upstate WMS, when a TA case is being closed using PA Case Reason Code 'M88 - Refusal to Comply with Finger Imaging Requirement', either SNAP Case Reason Code 'J05 - Separate SNAP Notice Will Be Sent (TA Case Types Only) (Auto TBA, if Eligible)' or 'J06 - Separate SNAP Notice Will Be Sent (TA Case Types Only) (Worker Completes TBA)' should be used in order to create a separate determination for SNAP benefits.

Upstate WMS instructions were transmitted in ABEL Transmittal 01-5 on October 31, 2001 and the October 31, 2001 "Dear WMS/CNS Coordinator" letter. To set the TBA benefit amount, the comparison of the pre-FA closing and new SNAP calculation is accomplished by entering a "T" in the "SD" (Separate Determination) input field of the new ABEL SNAP budget.

(Note: For additional information regarding WMS instructions for TBA, please review the WMS Coordinator Letters Explanation and instructions for the AutoTBA SNAP process, dated January 26, 2004, Announcement - AutoTBA SNAP process scheduled to be on the Production System, dated January 30, 2004. Also, see ADMs 01 ADM-16 and 09 ADM-22.)

NYC WMS has been programmed to automatically generate TBA when a case type 11(FA), 12 (SNFP), 16 (SNCA) or case type 17 (SNNC) case is closed using Case Closing Code 'M88 - Failed to Comply with the Automated Finger Imaging System (AFIS) Requirements, Not

Homebound or Group Home Resident' if it meets the program requirements detailed in this ADM. Cases closed using a Reason Code that provides TBA will receive their first month of TBA on the closed TA case. A NCA/SNAP case automatically will be opened for the remaining four months of the TBA period. CNS will send an automated SNAP recertification notice letter forty-five (45) days before the end of the TBA period.

## **VII. Effective Date**

**November 1, 2012**

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### **Issued By**

**Name: Phyllis Morris**

**Title: Acting Deputy Commissioner**

**Division/Office: Center for Employment and Economic Supports**