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 | ADMINISTRATIVE DIRECTIVE |
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TRANSMITTAL: 95 ADM-24

TO: Commissioners of
 Social Services

DIVISION: Economic
 Security

DATE: December 19, 1995

SUBJECT: Home Visits for Public Assistance Eligibility
 and Continuing Eligibility

 SUGGESTED

DISTRIBUTION: | Directors of Income Maintenance
 | Investigation Staff
 | Fair Hearing Staff
 | Staff Development Coordinators

CONTACT

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ATTACHMENTS: | None

FILING REFERENCES

| Previous ADMs/INFs | Releases Cancelled | Dept. Regs. | Soc. Serv. Law & Other Legal Ref. | Manual Ref. | Misc. Ref. |
|-----------------------|-----------------------|--------------------------|---|-------------|------------|
| 92 ADM-33 | | 348.7 351.1 351.28 | 132 134 134-a | | |

I. Purpose

The purpose of this directive is to clarify for social services districts the Department's policy as to home visits conducted as part of an investigation of eligibility or continuing eligibility for public assistance or care. A home visit consists of a visit to and entry into the home of an applicant or recipient.

II. Background

The Social Services Law provides that it is the responsibility of social services districts to provide benefits only to those persons who are eligible in accordance with standards established by law. Among the factors which must be investigated and considered in making determinations of eligibility are the residence of an applicant or recipient, and the resources of all persons in the public assistance household. Investigation means the collection, verification, recording and evaluation of factual information on the basis of which a determination is made of eligibility and degree of need, or ineligibility, for any form of public assistance or care. Home visits are one method for collecting and verifying information.

III. Program Implications

Social Services Law Section 134 provides that social service officials responsible for investigating any application shall maintain close contact with persons granted assistance, who shall be visited as frequently as is provided by the regulations of the Department or required by the circumstances of the case, in order that assistance or care may be given only in such amount and as long as necessary. This authorizes social services districts to incorporate home visits as part of an initial investigation or reinvestigation of the circumstances relevant to a person's eligibility for public assistance or care.

IV. Required Action

Upon receipt of an application for assistance, social services districts are required promptly to conduct an investigation to determine eligibility or ineligibility for public assistance. Investigation is a "continuous process which is concerned with all aspects of eligibility for public assistance or care from the period of initial application to case closing." This includes home visits done in the context of determinations or redeterminations of eligibility.

Home visits may be done either with advance notice to the recipient or without advance notice. Advance notice should consist of a clear indication to the applicant or recipient that a home visit may be conducted. The

Department's regulations do not place limitations on the circumstances under which districts may conduct home visits with advance notice. Home visits without advance notice as part of the process of determining or redetermining eligibility can be done "when the district has information that is inconsistent with or fails to support pertinent information reported by the applicant or recipient during the eligibility or redetermination of eligibility process, when the applicant or recipient fails to provide information pertinent to the eligibility or redetermination of eligibility process that he or she would reasonably be expected to provide or when it appears that information provided by the applicant or recipient during the eligibility or redetermination of eligibility process is false."

Consent by a client to a home visit must not be considered permission to search the premises. However, the investigator may question the client about people or objects in plain view.

The Department regulations also describe the consequences of conducting unscheduled visits. A visit can be with advance notice but still be unscheduled in that no time or date is specified. When a visit is unscheduled, the failure of the applicant or recipient to cooperate in or to permit the visit cannot be a basis for denial or discontinuance of assistance. The official conducting the visit must not indicate or lead the applicant or recipient to believe that such a failure or refusal will be a basis for denying or discontinuing assistance. However, if an applicant or recipient refuses to cooperate in an unscheduled visit, a district may schedule a home visit and require cooperation.

V. Systems Implications

None.

VI. Effective Date

December 22, 1995

Patricia A. Stevens
Division of Economic Security