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**DIVISION: Employment & Transitional Supports**

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**TO:** Commissioners; TA & FS Directors; WMS Coordinators; CAP Coordinators; Medical Assistance Directors, Child Support Directors

**FROM:** Russell Sykes, Deputy Commissioner, Division of Employment & Transitional Supports

**SUBJECT:** Temporary Assistance (TA) Initial Certification Period for Hurricane Katrina Evacuees

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** FS Questions – Food Stamp Bureau (518) 473-1469  
TA Questions-Temporary Assistance Bureau (518) 474-9344  
Medicaid Questions-Local District Liaison:  
Upstate-518-474-8887; New York City-212-417-4500

GIS 05 TA/DC027 and GIS 05 TA/DC028 were issued earlier to provide initial guidance to local districts on the provision of benefits to meet the needs of evacuees from those areas affected by Hurricane Katrina. The purpose of this GIS is to provide further guidance to local districts on meeting the needs of individuals and families who applied for recurring TA (Family Assistance and Safety Net Assistance) under the special conditions outlined in those two previous messages. This GIS will provide guidance on the initial certification period and the treatment of those who apply for TA now or after October 31, 2005.

**Temporary Assistance (TA)**

Evacuees from Hurricane Katrina, who apply for TA, are exempted from certain eligibility requirements, processing standards and procedures for the month of application and three months thereafter as outlined in the previous GIS messages. Those evacuee cases that are opened as Family Assistance (FA) or Safety Net Assistance (SNA) must be given an initial TA certification period that begins the month of application and continues for the next three months. This applies to evacuees currently applying for TA and those who apply in subsequent months, including months after October 31, 2005. Furthermore this applies regardless of when the evacuee actually entered New York. This remains true until further notice is issued by this Office advising local districts to cease processing these TA applications in this manner.

For TA purposes, local districts must conduct a face-to-face determination of eligibility for recurring assistance prior to the end of the fourth month of initial certification. Even though these Katrina evacuees will have open FA or SNA cases, they must be treated as applicants for this eligibility determination. The initial four months of benefits are considered to be short term non-assistance payments. To continue to receive benefits beyond the initial four months, the recipient must comply with all TA eligibility requirements, including applicant employment requirements, unless good cause can be demonstrated. Sanction for non-cooperation and non-compliance with all other eligibility requirements must also be imposed at this time. Local districts must assist these individuals in obtaining documentation and verification when necessary and where possible. For administrative ease, local districts should use the "Recertification Application"

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(LDSS-3174) and respective call-in and action taken notices for the evacuees who choose to apply for recurring TA for the period after the initial certification.

Although the evacuee is considered an applicant for recurring TA at this re-determination point, the 45-day application period does not apply to evacuees applying for recurring Safety Net Assistance for the time after the initial certification period. A short-term TA recipient who fails to complete the application process to determine his/her eligibility for recurring TA beyond the fourth month of short-term assistance must have his/her short-term TA case closed with appropriate notice. For those evacuees who choose to apply for recurring TA, but who subsequently fail to complete an applicant requirement, the short-term benefits would continue to the end of the fourth month of the certification period. The application for recurring assistance would be subject to all rules affecting applicants for recurring TA, and the appropriate (Sanction or Denial) action must be taken.

Payments from the Federal Emergency Management Agency (FEMA) and payments made under Disaster Unemployment Insurance continue to remain exempt from consideration as income as does any payment which specifically exempts the payment from consideration in determining eligibility for needs based programs.

Temporary Assistance Employment Requirements

Temporary assistance employment requirements for individuals and families that are Hurricane Katrina evacuees are waived for the month of application and three months thereafter. However, these individuals will need to comply with employment requirements as assigned by the district in order to receive temporary assistance beyond the initial four months.

**Failure to comply with applicant assessment or applicant job search requirements:**

Refusal or failure to comply with applicant assessment or applicant job search requirements as assigned by the district consistent with the local Welfare-To-Work employment plan would result in denial of the application for recurring temporary assistance benefits for the household. Note: Separate eligibility determinations will need to be completed for food stamp and medical assistance in those instances when the household provides the necessary documentation, but the Temporary Assistance case is closed for failure to comply with applicant assessment or applicant job search requirements.

Rest of State

In instances when an applicant who is a Hurricane Katrina evacuee applies for recurring assistance, but fails to comply with applicant job search or applicant assessment, the short-term TA case will need to be closed at the end of the initial certification period. In such instances, districts (other than NYC) should use a closing transaction code of "07" and case reason code of "N19" (applicant failed to comply with applicant job search) or "N21" (applicant failed to comply with applicant assessment), as applicable to generate the appropriate CNS timely notice.

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A case status of "CL" with reason code "E65" (failure to complete employment assessment (non-durational)) should be entered on WMS to generate a notice via the Client Notices system to inform the household that the temporary assistance benefits will be discontinued at the end of the initial certification period in those instances when an applicant who is a Hurricane Katrina evacuee fails to comply with applicant assessment as assigned by the district. A case status code of "CL" and a case reason code of "Y99" which requires a manual notice should be used in those instances when an applicant who is a Hurricane Katrina evacuee fails to comply with applicant job search as assigned by the district. The manual timely notice is needed to notify the household that the temporary assistance benefits will be discontinued at the end of the initial certification period because the applicant failed to comply with applicant job search requirements.

If districts place any additional employment requirements on applicants, refusal or failure to comply is subject to conciliation and sanction for the non-complying individual. As noted in GIS 05 TA/DC032, districts will need to determine that an individual's refusal or failure to comply with employment requirements other than applicant assessment and applicant job search was willful and without good cause before imposing an employment sanction.

**Food Stamp Implications**

For Food Stamp purposes those evacuee applications filed after 10/31/05 will return to being processed under normal food stamp application processing standards (the standards pre Katrina). The certification period for those evacuees that did file applications during the months of September and October expire on December 31, 2005. Districts must contact those food stamp households prior to this date with a recertification notice to guarantee those households are continued if they can provide needed verification of the eligibility factors that they previously attested. Districts should be aware that, beginning on January 1, 2006, these cases are subject to QC review.

**Food Stamp Employment and Training (FSET) and Able-Bodied Adults without Dependents (ABAWD) Requirements**

Federal direction on the waiver of QC standards for individuals and families that are Hurricane Katrina evacuees applies through December 31, 2005. However, those individuals who are identified as food stamp work registrants or able-bodied adults without dependents (ABAWD) will need to comply with FSET/ABAWD requirements as assigned by the district in order to receive food stamps benefits beyond the initial certification period which ends December 31, 2005.

**MA Implications**

Instructions for handling Medicaid applications from persons displaced by Hurricane Katrina are contained in GIS 05 TA/DC027, GIS 05 TA/DC028 and OMM GIS 05 MA/036.

Districts are reminded that before authorizing Medicaid, it is particularly important to gather as much information and documentation as is available. Single individuals, childless couples, children age 19 or 20, and "Aliessa" aliens (PRUCOL or in the 5-year ban) must provide full documentation. Managed care is not available to eligible evacuees under the Hurricane Katrina

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procedures. Individuals whose income would only qualify them for Family Health Plus must meet all of the requirements of the program, including residency and documentation.

In the event that a Temporary Assistance case for an evacuee is to be closed for a reason that is not applicable to Medicaid, a separate Medicaid eligibility determination must be made.

The New York State Department of Health will issue instructions specific to Medicaid-only renewals under separate cover. In the meantime, any questions specific to Medicaid renewal should be directed to your Local District Liaison.