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 | ADMINISTRATIVE DIRECTIVE |
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TRANSMITTAL: 95 ADM-10

TO: Commissioners of
 Social Services

DIVISION: Economic
 Security

DATE: May 19, 1995

SUBJECT: The Automated Finger Imaging System (AFIS) for Home Relief

 SUGGESTED

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

CONTACT
 PERSON:

Call 1-800-343-8859
 Public Assistance: Mark Schaffer, extension 4-9348
 (userid AV1160)
 Case Integrity Unit: Joe Hazard 1-518-432-8216
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 Legal Affairs: Steve Rahmas, extension 4-9778
 (userid AY6390)
 Office of Program Evaluation: Lisa Trudeau, ext. 3-7730
 (userid AV8690)
 Health and Long Term Care: Sharon Burgess, ext. 3-5531
 (userid DMA026)
 Local Financial Operations:
 Region 1-4: Roland Levie, extension 4-7549
 (userid FMS001)
 Region 5: Marvin Gold (212) 383-1733 (userid OFM270)

ATTACHMENTS:

Attachment I: Listing of Attachments - available
 on-line

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
93 ADM-8		351.2(a)	134-a		Dear
82 ADM-5		357	139-a(3)		Commissioner
		358	145-c		Letter of
		359			April 11,
		384			1995

I. PURPOSE

The purpose of this directive is to inform social services districts (local districts) of the requirements of the automated finger imaging system (AFIS) in the Home Relief (HR) program. AFIS enrollment is a condition of eligibility for all HR applicants and recipients in those districts which implement such a system. This directive will address the operational requirements of finger imaging, the restrictions to which districts must adhere, and the impact on eligibility in those districts which will use finger imaging as a means of client identification. This ADM will also outline how a district is to develop and submit its plan for finger imaging to this Department.

Districts must be aware that there currently are bills pending before the State legislature in conjunction with the State budget which would change the AFIS procedures outlined in this ADM and allow the process to be applied to ADC cases also.

II. BACKGROUND

Chapter 41 of the Laws of 1992 established a fingerprint matching identification system as demonstration projects in two social services districts, Onondaga and Rockland. Chapter 170 of the Laws of 1994 revised the 1992 law by increasing the number of demonstration project social services districts from two to twelve (this law is herein and after known as the finger imaging law). Commissioner Dowling's letter of July 8, 1994 (Attachment II) to district commissioners authorized non-designated districts the opportunity to participate in the automated finger imaging project. Finally, Department regulations added as 18 NYCRR Part 384 set forth the requirements for local districts that would be participating in AFIS.

III. PROGRAM IMPLICATIONS

18 NYCRR Part 351.2(a) authorizes districts that participate in an automated finger imaging system to require that HR applicants and recipients establish their identity by means of finger images as a condition of eligibility. All adults and heads of households must be enrolled in AFIS. PG-ADC (HR-PG in NYC) cases are not subject to finger imaging.

Participating districts will finger image applicants as part of the application process. Current HR recipients can either be sent call-in letters (Attachment III) requesting that they come to the local district at an appointed time to be finger imaged or this can occur as part of the regular recertification process. Since finger imaging will be used to verify identity as a condition of eligibility, applicants who decline to be finger imaged will not have their cases opened and recipients who fail to be finger imaged will lose their eligibility for assistance.

Finger imaging will prevent HR recipients from establishing more than one case in either their home district or in any other local district in New York State participating in AFIS.

IV. REQUIRED ACTION

A. District AFIS Plans of Operation

To insure that AFIS requirements and resultant computer generated matches are handled in a consistent manner, each participating local district must submit a plan to the Department describing the policies and procedures it will use for AFIS. The plan will be reviewed by the Department and approved only if it satisfactorily fulfills the requirements prescribed by law and the Department regulations. The plan must be completed utilizing the AFIS Plan of Operation (Attachment IV) format and sent to:

New York State Department of Social Services
Quality Assurance and Audit
Case Integrity Unit
40 North Pearl Street
Albany, NY 12243

Districts were informed of the requirement to submit an AFIS operational plan in an April 11, 1995 "Dear Commissioner" letter. Instructions on developing an operational plan were also included in that letter.

B. AFIS Loading of Initial Client Records

1. Applicants

The Welfare Management System (WMS) application registry number will be required to be entered into the AFIS demographics screen. Therefore, the finger imaging of applicants is recommended on the date of WMS application registration. If local district procedures prohibit this scenario, the county must either enter the registry number at a later time or finger image at a different stage in the application process.

In order to maintain statistical data on the finger imaging of HR applications, a control log will be required for all HR applications. Retaining a copy of each HR Application Turnaround Document (APP TAD) would satisfy the control log requirement if the disposition of the application is noted on the APP TAD. Otherwise, the HR applicant's name, social security number, date of birth, application registry number or CIN and an application disposition comment section will be required in a control log.

The 1994 finger image law mandates that each applicant of HR be notified of the finger image requirement. Local districts have the discretion of how and when this notification (Attachment V) will be incorporated into their operational plan. This notice may be distributed within the application packet, at pre-screening or at the eligibility interview. However, local districts must ensure there is no misunderstanding of this notice among the general social service population. Only HR adults and heads of households are required to be finger imaged.

A refusal to be finger imaged is grounds for the denial of HR and the case must be recorded as a denial on WMS and on the control log. If an applicant refuses to be finger imaged, only eligibility for HR will be affected. The applicant may be allowed interviews for other programs of assistance.

If one member of a two person household refuses to comply with the finger imaging requirement, the entire case is to be denied, because verification of eligibility by means of finger imaging is a condition of eligibility for the household.

2. Recipients

HR recipients will be informed by a notice (Attachment V), that they will be required to fulfill their finger image obligation. Such notice must be either mailed out to all HR recipients or attached to the AFIS call-in letter described below.

At the district's option, HR recipients can be scheduled for finger imaging by using the special AFIS call-in letter (Attachment III) or during the standard recertification process. At the appointment, the client must be properly identified by means other than finger imaging before the enrollment.

A control log based upon the call-in mailing list or the recertification lists must be used to track compliance with the appointment letters. An automated control log for HR recipients is under development, but in the event that it is not working when AFIS becomes operational, a non-automated log must be used for the interim. Districts must be flexible with individuals unable to keep appointments to the same degree given in any other income maintenance process. Those individuals who fail to appear for a scheduled appointment and fail to respond to the subsequent timely and adequate notice must be closed for failure to comply with the finger image requirement. The entire case will be closed if there are other household members in the case. All notices, reasons for failure to comply, exemptions and/or finger image verification are required to be included in either a Public Assistance (PA) case record or AFIS case record.

Note: An HR applicant or recipient who declines to be finger imaged may claim "good cause" for not complying with this requirement. If a district determines that "good cause" exists, then no negative action can be taken. Good cause exists when:

- the applicant or recipient has a physical or mental condition which prevents compliance;
- the failure to comply is directly attributable to Department or local district error; or
- there are other extenuating circumstances or reasons beyond the recipient's or applicant's control whereby the applicant or recipient cannot reasonably be expected to fulfill the responsibility to comply.

When an HR applicant or recipient claims good cause, that person is responsible for furnishing evidence to support that claim. Upon a review of the evidence, the local district will determine whether to accept the claim of good cause. The final determination and the reasons for it should be detailed in the case record.

C. Identification Verification

1. Optional AFIS Identification Procedure

AFIS is capable of verifying information on an existing recipient AFIS record in approximately one minute. This inquiry is not categorized as an enrollment (add transaction). Therefore, there is not a per transaction charge associated with identification verification.

The Department recommends that local districts verify the identity of those recipients with existing AFIS records whenever possible. Recertification, lost benefit cards or any other on-site, face-to-face situation between the local district and recipient would provide the opportunity to verify currently stored AFIS demographics and the quality of the individual recipient's photograph. The system is also designed to replace poor finger images with higher quality images automatically should the client be subjected to the finger image verification process.

This optional feature of AFIS can be utilized in any capacity by the local district, but their decision must be consistent and included within their operational plan.

For recipients that move to a new local district from another jurisdiction and so advise the new district, the verification procedure must be performed. In these instances the AFIS will automatically notify the other local district of the move. However, this only applies to the local districts participating in the AFIS. This system enhancement is under development and specific procedures will follow shortly.

D. Finger Image Matches

1. Procedure for Client Matches

The finger image law prohibits the discontinuance of HR benefits due to a determination of multiple enrollment which is based solely on information obtained from an automated finger imaging matching system until the hearing decision is issued. Such hearing must be conducted within forty-five days of the notification of the recipient of the alleged fraudulent enrollment by the department's Office of Administrative Hearings (OAH). (See Section D.2. below for more details).

The finger image law specifies that a sanction may not be imposed unless the local district has verified the results of the automated finger image match by means of a manual match conducted by a person who is qualified to perform such identification. In order to support this process, a number of units staffed by the contractor will be strategically located throughout the State to provide expert analysis on computer generated matches. These units will be known as Minutia Analysis Units (MAU). When potential matches occur, the finger images will be automatically electronically transferred to one of these units for manual examination by an expert. Local districts will receive same day feedback from the MAU. Any required testimony for administrative hearings will be provided by the MAU expert.

When a match occurs at application, an investigation should be started immediately to establish the facts and whether the match is potentially fraudulent. However, in match situations where the applicant has not made an attempt to change or obscure other identifying information, such as name, date of birth or social security number, there is a strong possibility that the individual simply moved from one district to another. For matches that are not as readily explained, investigations must be coordinated with any other district which may be involved before an application is denied or a case is closed.

Undercare matches identified at recertification or during any call-in project will trigger an investigation on the eligibility of that case and any other matched case(s). The investigation should determine which case must be immediately terminated and whether eligibility may continue. The OAH must be notified of the match using a form specified by OAH when a local district determines to terminate a case. OAH will send a notice to the recipient of the local district's determination and the date of the scheduled fair hearing for such recipient.

All multiple cases, as well as any apparently continuing eligible case, must be evaluated for Intentional Program Violation (IPV) prosecution and resulting disqualification penalty.

The following are examples of match situations:

Example 1 Client applies in County B but has an active case in County A. County B will deny the application via regular procedures. County A will investigate the case for potential IPV or other reason for case closing.

For example, client Ellen Smith, an HR single, has been receiving benefits in County A for the past nine months. She then attempts to establish another HR case in County B, but when she is finger imaged, County B discovers that Ellen has already established a case in County A. Since she has not recently moved, County B will deny the application and Ellen can request a fair hearing. Normal notice and fair hearing procedures will apply. Alternatively, when the match occurs, Ellen can be offered the opportunity to withdraw her application.

County A, when notified of this second application by County B investigators or by the AFIS system, may investigate and initiate an IPV, but the opened case would not be closed based solely upon the match.

If the client in this example had an open case in the same county, the county would deny the application via regular procedures and would investigate whether to close the open case based upon an IPV or other issue.

Example 2 Client recertifies in County D but has an active case in County C. County D can notify the State OAH of its intent to close the case based solely upon the finger imaging match. The required form and procedure will be described in a forthcoming ADM. If there is sufficient information on the form to schedule a hearing, OAH will then notify the recipient and schedule a fair hearing. This special procedure is to be used only if the termination of benefits is based solely upon fraudulent multiple enrollments in AFIS. Otherwise, if County D has enough other information after the match to close the case following normal notice and fair hearing procedures, then it may do so. County C will investigate the case for potential IPV or other reason for case closing.

In this example, Sam Jones is an HR single who has been receiving benefits in County C for 14 months and benefits in County D for 8 months concurrently. County C calls Sam in and he is finger imaged, County D has not done finger imaging for him. A week later, County D calls Sam in to be finger imaged, and County D becomes aware that Sam also has established a case in County C. In this instance, the county (County D) which matched him with a client in another district (County C) would initiate the case closing by notifying OAH. County C, when notified of the match, can investigate and, if appropriate, close the case for having unreported income under Part 351 of Department Regulations or proceed with an IPV. Because County C may be continuing the grant, County C will also make the recoupment if and for as long as the case remains open. The overpayment amount will equal the amount of the assistance Sam received from County D. (Recoupment is done under 18 NYCRR 352.31(d)).

If the client in this example had an open case in the same county, the county would close the second open case, and the special notice provisions would be used. The county would then determine what action to take regarding the first open case.

Example 3 HR couple recertifies in County E, but one spouse is active in County F. County E can notify State OAH of its intent to close the case based solely upon the finger imaging match. The required form and procedure will be described in a forthcoming ADM. If there is sufficient information on the form to schedule a hearing, OAH will then notify the recipient and schedule a fair hearing. This special procedure is to be used only if the termination of benefits is based solely upon fraudulent multiple enrollments in AFIS. Otherwise, if County E has enough other information after the match to close the case following normal notice and fair hearing procedures, then it may do so. County F will investigate the case for potential IPV or other reason for closing.

For example, Diane and Fred, an HR married couple living in County E, are called in to be finger imaged. It is discovered that Diane is also receiving benefits in County F. The couple's case is closed in County E as in example 2. County F is notified and can investigate for possible action.

2. Fair Hearings/Notices

The normal procedure for notice and fair hearings when a local district determines to discontinue a case is that the local district sends a timely and adequate notice of intent to the client at least 10 days before the effective date of the action. If the client requests a fair hearing prior to the effective date, the OAH will order the local district to provide aid continuing and will schedule a fair hearing. The local district must provide aid-continuing until the hearing decision is issued unless the client fails to appear at the hearing and is considered to be in default.

This normal procedure is to be followed for case denial for failure to cooperate with AFIS and for denial on the basis of data from AFIS. In addition, the normal procedure is to be followed when there is a discontinuance for reasons not solely based on a finger imaging match; for example, there has been a match, but, upon further case review and investigation further grounds are found as a basis of the discontinuance.

If a case is closed solely on the basis of data from AFIS, local districts' normal notice and fair hearing procedures may not apply. Where a local district determines to close a case solely on the basis of data from AFIS, the specific form and procedures to be followed will be covered in a separate Administrative Directive. (However, districts should be aware that bills pending before the State legislature may effect the release of this ADM).

E. Client Notices

Specific client notice language for denials and discontinuances has been developed for AFIS and may be found in Attachment VI of this directive.

Notices 1-4 of this attachment are used in the various circumstances when an HR applicant or recipient fails to be finger imaged. For the Client Notice System (CNS) purposes, the denial/closing code M88-Failure to Comply With Finger Imaging Requirement (CT. 16,17) is to be used.

Notices 5 and 6 are used when an HR applicant is found to be already receiving public assistance. For CNS purposes, code M99-Finger Imaging Match (CT. 16,17) is to be used when denying such an application.

The notices to be used to notify a client that his/her case will be closed solely based on data from AFIS and that a fair hearing has been scheduled will be included in a separate Administrative Directive. (However, districts should be aware that bills pending before the State legislature may effect the release of this ADM).

F. Food Stamps

Federal policy precludes finger imaging as a condition of food stamp eligibility. If an applicant or recipient misses an appointment to be finger imaged, the household cannot be discouraged from completing the food stamp application or recertification process, nor can benefits be discontinued.

Food stamp applications cannot be delayed or denied solely on the basis of a finger image match. However, if finger image information obtained during a HR investigation also indicates food stamp ineligibility, a district must take action to deny or close the case. Such action would follow normal notice and fair hearing procedures and not the special procedures set forth in section IV.D.2.

G. Security

1. Security of Records

The finger imaging law provides that the provisions of the Personal Privacy Protection Law (PPPL) apply to automated finger imaging records maintained by demonstration districts and deems these districts to be state agencies for purposes of the PPPL and automated finger imaging records. Department Regulation 18 NYCRR 384.4(c)(2) requires that all participating AFIS districts maintain finger imaging records as if such records were subject to the PPPL.

The law and regulations make automated finger imaging data in participating districts specifically subject to the confidentiality provisions of 18 NYCRR Part 357. Automated finger imaging data in these districts may not be disclosed for any purpose other than the prevention of multiple enrollments in the HR program and this data may not be used or admitted in any criminal or civil investigation, prosecution or proceeding other than a civil proceeding concerning an IPV pursuant to section 145-c of Social Services Law. However, this is not to say that individuals initially identified via a finger imaging match are immune from prosecution for public assistance fraud. Though finger images themselves may not be used as evidence in a criminal prosecution, finger image matches may be the factor which causes the district to begin to investigate the possibility of public assistance fraud. In such cases, the public assistance fraud can be prosecuted using corroborative or collateral evidence other than the finger images taken by the Department as a condition of eligibility for HR.

Finger image data may be used as evidence in Administrative Disqualification Hearings pursuant to 18 NYCRR Part 359.

2. Right of Client to Inspect Records

A recipient or applicant has the right to review his or her finger image record for the purpose of accuracy and completeness.

3. Expungement

The purging of finger image files will be the responsibility of the Department, based on information generated by WMS. Normal WMS data entry will serve to drive the AFIS purge function.

4. Confidential Nature of Finger Images

The finger imaging law prohibits disclosure in the demonstration districts in response to a subpoena or other compulsory legal process or warrant in the twelve demonstration districts set forth in the law, except when a subpoena is issued on behalf of a person who is a subject of a record maintained by the finger image system. In all other local districts, Department regulations prohibit disclosure to the extent permitted by law.

H. Cooperation With Audit and Review

The law and Department regulations require the Department to conduct audits and reviews, and to contract with an independent academic or research organization to conduct independent reviews and analysis. Local districts operating finger imaging identification systems must cooperate in all audits, reviews and evaluation activities.

I. Claiming

Complete claiming instructions for both the twelve pilot districts and the non-pilot districts, including the applicability of the administrative cap, will be addressed in a Local Commissioner's Memorandum being prepared by the Bureau of Local Financial Operations. Reimbursement will be subject to the approval of the AFIS operational plan referenced in paragraph IV.-A above and in the April 11, 1995 Dear Commissioner letter.

J. Medical Assistance Applications

There are no finger imaging requirements for MA-Only applicants/recipients. For individuals who have first applied for Public Assistance, finger imaging requirements may affect subsequent eligibility for MA-Only.

Public Assistance cases that are categorically eligible for Home Relief, i.e., childless single persons or married couples, that are denied or closed due to failure of a household member to cooperate with finger imaging requirements are ineligible for MA-Only under that application. Such individuals are not eligible for HR-related MA-Only during the application month and the following month. Following this period, HR-related individuals may apply for and be eligible for MA-Only. Retroactive MA-Only eligibility before that date is not available.

Public Assistance cases closed due a finger imaging match with another case are ineligible for MA-Only until issues surrounding the reason for the match are resolved.

MA-Only is available to certain individuals closed or denied under Public Assistance for failure to cooperate with finger imaging. Applicants who are under 21 years old, over 65 years old, pregnant, or have applied for SSI must be referred to Medical Assistance for a separate determination as described in 82 ADM-5.

V. SYSTEMS IMPLICATIONS

New denial and closing codes are being requested for failure to comply with finger imaging and for situations where finger images match. Specific codes and instructions will be sent under separate cover.

VI. EFFECTIVE DATE

June 1, 1995

John C. Fredericks
Division of Economic Security

- Attachment I: Listing of Attachments - available on-line
- Attachment II: July 8, 1994 Dear Commissioner Letter - available on-line
- Attachment III: Sample Call in Letter - available on-line
- Attachment IV: AFIS Plan of Operation - available on-line
- Attachment V: Client Notice of Finger Imaging Law - available on-line
- Attachment VI: Client Notice Language - available on-line

July 8, 1994

Dear Commissioner:

As you know, recent legislation expanded the number of social services districts required to conduct finger imaging programs, and set aside \$2 million for 100 percent reimbursement for the expenses of those districts. I have received many inquiries from the commissioners of other social services districts not specifically included in that legislation, asking whether they may conduct finger imaging programs.

After consultation with counsel, I have concluded that the legislation does not preclude this department from authorizing finger imaging for Home Relief recipients in other districts.

To ensure uniformity among districts conducting finger imaging projects, and to facilitate sharing of information among districts, I plan to promulgate regulations governing finger imaging. The regulations will include provisions, consistent with the recent legislation, to ensure uniformity, protection of confidentiality, notice to applicants, periodic audits and information sharing among districts.

Therefore, I will allow proposed and pending Requests for Proposals to proceed, but they must be consistent with the legislation. Implementation of the projects must conform to the regulations I promulgate.

Neither the legislation nor the regulations will authorize finger imaging for recipients of Aid to Dependent Children.

Districts not covered by the recent legislation's \$2 million appropriation will be eligible for partial reimbursement under existing administrative procedures.

Please do not hesitate to call if you have questions.

Sincerely,

Michael J. Dowling

COUNTY DEPARTMENT OF SOCIAL SERVICES

N O T I C E

New York State Law requires that all adults or heads of households Home Relief applicants and recipients be finger imaged. You must do this to get Home Relief. If you do not, you will not be eligible for Home Relief. (In the demonstration districts only: Finger imaging can only be used for identity for Home Relief. No one else will have access to the finger images, including law enforcement).

You have an appointment on:

Date: _____

Time: _____

Place: _____

You must bring identification with you to this appointment.

If you are unable to keep the appointment, you must call your worker and tell your worker the reason before the date of the appointment. If you have a good reason, you will get another appointment. A good reason includes illness or a job appointment. If you do not contact your worker, your case will be closed. You may be asked to provide written documents to prove that you had good cause.

AFIS PLAN of OPERATION

Detach, fill in the blanks, sign and return to:

New York State Department of Social Services
Quality Assurance and Audit
Case Integrity Unit
40 N. Pearl Street
Albany, NY 12243

Each district that will participate in an automated finger imaging matching identification system (AFIS) must submit a plan describing how it will fulfill the requirements for AFIS described in Part 384 of NYCRR. Such plan will be reviewed by the Department and will be approved only if such plan satisfactorily fulfills the requirements prescribed by the Department in accordance with the provisions of Part 384 and the requirements prescribed by the Department in accordance with the provisions of subdivision three of section 139-a of the Social Services Law.

The Department will not approve a plan that would require any individuals other than recipients of home relief (HR), either currently receiving benefits or upon initially applying for eligibility for benefits, to establish their identities by means of finger images to be used in AFIS.

The Department certifies that AFIS can collect data and destroy and expunge a recipient's finger images when such recipient ceases to be a recipient of home relief benefits.

The Department certifies that AFIS facilitates finger image matching among participating local districts, including centralized sharing of data.

The local district agrees to cooperate with and assist the Department in monitoring and evaluating the operation of such system. Local district also agrees to cooperate with and assist, as directed by the Department, the evaluating contractor designated by the Department. Local district also agrees to assist the Department in the preparation of any reports that are required by the Department.

Participating local districts must establish procedures to:

- (1) provide immediate notice of the provisions of AFIS to HR recipients or applicants;
- (2) ensure that data collected and maintained through the use of AFIS, to the extent permitted by law, is not used, disclosed or redisclosed for any purpose other than the prevention of multiple enrollments in the HR program, is not used or admitted in any criminal or civil investigation, prosecution or proceeding, other than a civil proceeding pursuant to section 145-c of the Social Services Law, and is not disclosed in response to a subpoena or other compulsory legal process or warrant, or upon request or order of any agency, authority, division, office or other private or public entity or person, except that such disclosure will not be prohibited in response to a subpoena issued by or on behalf of a recipient of HR, either currently receiving benefits or upon initially applying for eligibility for benefits, who is the subject of the record maintained as a part of such system;
- (3) consider the records and systems of records collected and maintained by the social services district pursuant to AFIS as if such records were subject to the personal privacy protection law described in article six-a of the Public Officers Law and as if the district were deemed an agency as defined in subdivision one of section ninety-two of such Law; and

- (4) ensure that HR benefits are not terminated, suspended or diminished on the basis of a determination of a fraudulent multiple enrollment based on the use of AFIS pending a hearing conducted within 45 days of the notification of the applicant or recipient of the alleged fraudulent multiple enrollment or pending a final determination of a request by an applicant or recipient for correction or amendment of an AFIS record and that no such sanction will be imposed unless the local district has verified the results of AFIS by means of a manual match conducted by a person who is qualified to perform such identification.

Participating local districts must permit, cooperate with and assist the Department in the conduct of periodic audits to monitor compliance with all laws, regulations and directives regarding such system to ensure that any records maintained as part of such system are accurate and complete; that no illegal or unauthorized disclosures have taken place; that effective software and hardware designs have been instituted with security features to prevent unauthorized access to such records; that access to such record information system facilities, systems operating environments, data file contents, whether while in use or when stored in a media library, is restricted to authorized personnel only; that operational programs are used that will prohibit inquiry, record updates, or destruction of records from other than designated terminals; and that operational programs are used to detect and store for the output of designated Department employees all unauthorized attempts to penetrate any AFIS program or file.

Participating local district also must agree to develop and implement, and permit the Department to monitor and review, measures to ensure that adequate and timely procedures exist to protect the applicant's or recipient's right to have access to and review the records maintained as part of AFIS for the purpose of accuracy and completeness. Such procedures must include procedures for review of information maintained about such individuals, procedures for administrative review (including procedures for administrative appeal) and procedures for necessary correction of any records found to be inaccurate or incomplete after an investigation and review of any claim by the individual to whom the information relates.

A. Application Enrollment

1. Briefly describe the application process work flow.

2. How and when will an applicant be categorically determined HR?

3. At what point in the application process will finger imaging actually be performed?

4. At what point will HR applicants be informed of the finger image requirement in writing?

5. Attach a copy of the control list or log which will identify all emergency and non-emergency HR adult applicants and describe how it will be used.

6. Explain in detail how withdrawn applications attributed to the finger imaging project will be logged, identified, documented and reported. (Minimally, the name, social security number and date of birth will be required for tracking purposes.)

B. Undercare Enrollment

1. How and when will the general notice (Attachment V) of the provisions of the Finger Imaging Law be provided to all HR recipients?

2. How will the identity of each undercare recipient be verified before enrollment?

3. Explain the procedures for enrolling (either call-in or recertification) the adult HR undercare population. Include the anticipated number of individuals that will be scheduled each day and estimate the number of work days required to enroll the entire HR undercare population.

4. Describe the undercare control log required to track enrollment, reschedules and non-compliance with the appointment letters.

5. Explain the process and steps to be taken when an individual fails to show for a scheduled finger image appointment, e.g., routing of notice from the AFIS operator and the action to be taken by the eligibility worker.

6. How will the local district reschedule and track individuals who are unable to keep their original and subsequent finger imaging appointments?

7. Describe the procedures for determining and documenting the reason(s) a case may be closed for failure to comply with finger imaging requirements.

8. How will it be confirmed that copies of the appointment letter will be in the case file to verify that each applicant received appropriate notice to comply?

C. Identification Verification

Explain when identification verification will be used.

D. Match Resolution

1. Identify unit and contact person to receive matches confirmed by minutiae analysis.

Unit _____

Name _____

Phone # _____

2. List procedures for handling confirmed matches.

E. General Administrative Considerations

1. Explain how an applicant or recipient will be allowed to review his or her record for the purpose of insuring accuracy and completeness.

2. Identify all exemptions of the finger image requirement to individuals or special populations (e.g., SSI recipients who receive HR supplements, homebound recipients). Include estimated number of clients and justification.

F. Financial

The local districts taking part in the finger imaging demonstration project are required to submit for State approval a plan describing how its automated two-digit finger imaging matching identification system will fulfill the requirements prescribed by the Department.

As part of that plan the local districts must include a proposed budget of expenditures in support of the finger imaging system. This proposed budget should identify the full time equivalents (FTE's) of employees who will be working on the project. The budget itself should be in the following format:

Proposed Budget for Finger Imaging Demonstration Project

Personal Services

Salaries		\$XXX
Fringe Benefits	XXX	
Total Personal Services		<u>\$XXX</u>
# of Full time equivalent		

Non-Personal Services

Travel		\$XXX
Furniture	XXX	
Equipment	XXX	
Supplies	XXX	
Contractual Services	XXX	
Other non-personal expenses (identify) XXX		
Total Non-Personal Services		<u>\$XXXXX</u>

Indirect Charges

Allocated/Overhead		\$XXX
Grand Total Expenditures		<u>\$XXXXX</u>

Expenditures claimed for reimbursement under this project will be coded to the F17 function on the Schedule D Administrative Claim (DSS-2347) and reported on the Schedule D-17 Distribution of Allocated Costs to Other Reimbursable Programs (DSS-3274) in the appropriate F17 sub-function column. The expenditures reported on the Schedule D-17 will be carried forward to a Financial Summary for Special Projects (DSS-3922) for reimbursement.

Please understand that county-wide A-87 costs will be allocated to this project, but there will be no State participation for these costs.

The total column of the DSS-3922 for administrative costs must equal the total amounts reported in the column of the schedule D-17 that relates to this project. Amounts appearing on the DSS-3922 for this project should not be claimed for normal reimbursement through another claim form.

Once local district plans are approved, the State share of approved budgeted amounts will be exempt from the State share administrative cap.

Any Changes or Amendments to this AFIS Plan must be submitted and approved by the Department through the Case Integrity Unit.

NOTICE OF AUTOMATED FINGER IMAGING PROJECT

This notice is to tell you about the new automated finger imaging project that is being started for all adults and heads of households that are receiving or applying for Home Relief.

The automated finger imaging process uses a computer system that copies a fingerprint quickly and easily. The system uses a photo image process, no ink or cards are used. The system will also take a digitized photo at the same time.

Finger images will be stored and matched against those of other Home Relief clients for Social Services use only. No one else will have access to the finger images.

Each Home Relief client will have his/her finger images taken and stored on the automated finger image system as a requirement for receiving Home Relief.

This means:

- If you are applying for Home Relief, you must agree to be finger imaged before an eligibility determination can be made.
- If you are receiving Home Relief, you will be notified when you have to appear at the agency to be finger imaged or you will be finger imaged at your next recertification.
- If you refuse to participate in this mandatory program, your Home Relief will be denied or terminated.

THERE IS NOTHING YOU NEED TO DO AT THE PRESENT TIME. YOU WILL BE NOTIFIED WHEN YOU NEED TO COME TO THE AGENCY TO BE FINGER IMAGED.

AFIS Denial Language

1. Single HR applicant - failure to be finger imaged

PUBLIC ASSISTANCE

This is to tell you that your public assistance application will be denied.

This is because you, without cause, did not comply with a requirement that finger images be provided.

Some adults must have their finger images taken as a condition of receiving public assistance. Generally, adults without children whose category of public assistance is Home Relief (HR) must comply with this requirement in social services districts that participate in the automated finger imaging system.

Your category of public assistance is Home Relief. We told you that this agency had to be allowed to take finger images. You did not comply.

A case is not eligible when any member in the case refuses to allow finger images to be taken.

This decision is based on Department Regulation 351.2.

FOOD STAMPS

We will send you a separate notice about your food stamps.

This decision is based on Department Regulation 387.20(a).

MEDICAL ASSISTANCE

We have denied your application for Medical Assistance. This is for the same reason as your public assistance was denied.

This decision is based upon Department regulation 360-2.2.

| WORKER NOTE |
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| The MA language is not applicable to HR Applicants under 21 or 65 and |
| over since for Medicaid purposes, they are FP categories and finger |
| imaging failure does not apply. A separate MA determination should |
| be done. |

AFIS Denial Language

2. Multi-person HR application - failure of one or more members to be finger imaged

PUBLIC ASSISTANCE

This is to tell you that your public assistance application will be denied.

This is because the following person(s), without cause, did not comply with a requirement that finger images be provided:

(Name(s) of Person(s) Who Did Not Comply)

Some adults must have their finger images taken as a condition of receiving public assistance. Generally, adults without children whose category of public assistance is Home Relief (HR) must comply with this requirement in social services districts that participate in the automated finger imaging system.

Your category of public assistance is Home Relief. We told the person(s) named above that this agency had to be allowed to take finger images. The person(s) did not comply.

A case is not eligible when any member in the case refuses to allow finger images to be taken.

This decision is based on Department Regulation 351.2.

FOOD STAMPS

We will send you a separate notice about your food stamps.

This decision is based on Department Regulation 387.20(a).

MEDICAL ASSISTANCE

We have denied your application for Medical Assistance. This is for the same reason as your public assistance was denied.

This decision is based upon Department regulation 360-2.2.

WORKER NOTE

The MA language is not applicable to HR Applicants under 21 or 65 and over since for Medicaid purposes, they are FP categories and finger imaging failure does not apply. A separate MA determination should be done.

AFIS Discontinuance Language
for Timely and Adequate Notice

3. Single HR undercare case - failure to be finger imaged

PUBLIC ASSISTANCE

This is to tell you that your public assistance will be DISCONTINUED. You will no longer get public assistance beginning _____.

This is because you, without cause, did not comply with a requirement that finger images be provided.

Some adults must have their finger images taken as a condition of receiving public assistance. Generally, adults without children whose category of public assistance is Home Relief (HR) must comply with this requirement in social services districts that participate in the automated finger imaging system.

Your category of public assistance is Home Relief. We told you that this agency had to be allowed to take finger images. You did not comply.

A case is not eligible when any member in the case refuses to allow finger images to be taken.

This decision is based on Department Regulation 351.2.

FOOD STAMPS

We will send you a separate notice about your food stamps.

This decision is based on Department Regulation 387.20(a).

MEDICAL ASSISTANCE

We have discontinued your Medical Assistance. This is for the same reason as your public assistance was discontinued.

This decision is based upon Department regulation 360-2.2.

WORKER NOTE

A recipient who is under the age of 21 or 65 and older cannot have their Medical Assistance discontinued for this reason. If otherwise eligible, Medical Assistance must continue.

AFIS Discontinuance Language
for Timely and Adequate Notice

4. Multi-person HR undercare case - failure of one or more members to be finger imaged

PUBLIC ASSISTANCE

This is to tell you that your public assistance will be DISCONTINUED. You will no longer get public assistance beginning _____.

This is because the following person(s), without cause, did not comply with a requirement that finger images be provided:

(Name(s) of Person(s) Who Did Not Comply)

Some adults must have their finger images taken as a condition of receiving public assistance. Generally, adults without children whose category of public assistance is Home Relief (HR) must comply with this requirement in social services districts that participate in the automated finger imaging system.

Your category of public assistance is Home Relief. We told the person(s) named above that this agency had to be allowed to take finger images. The person(s) did not comply.

A case is not eligible when any member in the case refuses to allow finger images to be taken.

This decision is based on Department Regulation 351.2.

FOOD STAMPS

We will send you a separate notice about your food stamps.

This decision is based on Department Regulation 387.20(a).

MEDICAL ASSISTANCE

We have discontinued your Medical Assistance. This is for the same reason as your public assistance was discontinued.

This decision is based upon Department regulation 360-2.2.

| WORKER NOTE |
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| A recipient who is under the age of 21 or 65 and older cannot have |
| their Medical Assistance discontinued for this reason. If otherwise |
| eligible, Medical Assistance must continue. |
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AFIS Denial Language

5. Single HR applicant - already receiving public assistance in another case.

PUBLIC ASSISTANCE

This is to tell you that your public assistance application will be denied.

This is because we believe that you are already receiving public assistance.

Your finger images were matched against those of a person who is already receiving public assistance. Because the finger images match that person, we believe that you and that person are the same person.

When the finger images of a case member match those of a person who is already receiving public assistance, the case is not eligible.

This decision is based on Department Regulations 351.8(a)(2)(i), 351.1(b)(2)(ii) and 351.2.

FOOD STAMPS

We will send you a separate notice about your food stamps.

This decision is based on Department Regulation 387.20(a).

MEDICAL ASSISTANCE

We have denied your application for Medical Assistance. This is for the same reason as your public assistance was denied.

This decision is based upon Department Regulation 360-2.2.

AFIS Denial Language

6. Multi-person HR application - one or more case members already receiving public assistance in another case

PUBLIC ASSISTANCE

This is to tell you that your public assistance application will be denied.

This is because we believe that the following person(s) already receives public assistance:

(Name(s) of Person(s) Who Already Receives Public Assistance)

When the finger images of a person who is applying for, or receiving public assistance, match against those of a person who is receiving public assistance in another case, we believe that they are the same person. The finger images of the person(s) named above matched those of person(s) receiving public assistance in another case.

When the finger images of a case member match those of a person who is already receiving public assistance, the case is not eligible.

This decision is based on Department Regulations 351.8(a)(2)(i), 351.1(b)(2)(ii) and 351.2.

FOOD STAMPS

We will send you a separate notice about your food stamps.

This decision is based on Department Regulation 387.20(a).

MEDICAL ASSISTANCE

We have denied your application for Medical Assistance. This is for the same reason as your public assistance was denied.

This decision is based upon Department regulation 360-2.2.

The notice to be used by the OAH to notify a client that his/her case will be closed solely based on data from AFIS and that a fair hearing has been scheduled will be included in a separate Administrative Directive. (However, districts should be aware that bills pending before the State legislature may effect the release of this ADM).