



George E. Pataki
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NY 12243-0001

Robert Doar
Commissioner

Local Commissioners Memorandum

Section 1

Transmittal:	04-LCM-08
To:	Local District Commissioners
Issuing Division/Office:	Division of Temporary Assistance
Date:	July 8, 2004
Subject:	Food Stamp Program Access Policy
Contact Person(s):	Eastern Regional Team at 1-800-343-8859, extension 3-1469
Attachments:	"Supervisor Checklist"
Attachment Available On – Line:	Yes

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to remind local districts of the steps that local district staff must take in order to promote and maintain access to the Food Stamp (FS) program for all eligible residents of New York State.

II. Background

The OTDA places a high priority on making the Food Stamp (FS) program accessible to all households that want to apply for benefits. In addition, the OTDA continues to stress the importance of the FS program as a transitional support for food needs for households leaving cash assistance with continued FS eligibility. Program access is an essential element of the Management Evaluation (ME) Reviews conducted in each local district and has been included as part of numerous issuances to local districts by the OTDA. It is important that each district continue to place a high priority on maintaining FS program access.

The information set forth in this LCM must be disseminated to local district staff and utilized by local districts in the administration of the FS program.

III. Program Implications

This LCM is to remind local districts as to the OTDA FS program access policy and serves to assist local districts in the implementation of such policy regarding four specific areas affecting program access: application processing, screening for eligibility for expedited processing, timeliness of benefits

and notices and FS separate determinations. These four FS program access areas are summarized below.

a. FS application processing, including joint applications for Temporary Assistance (TA) and FS:

Districts must give all households an application upon request and encourage them to file the application the same day they contact the agency. Applicants must be permitted to file an application without pre-screening or an appointment.

- Provide applications upon request, accompanied by the “How To Complete” publication and the informational booklets (LDSS-4148A, LDSS-4148B and LDSS-4148C). Households who indicate or appear to have food need should be encouraged to file an application for FS benefits.
- Accept FS applications, including TA/FS applications, during all local district office business hours. Application filing cannot be restricted to certain hours of the normal business day or to certain days of the normal workweek.
- Provide FS applications prior to TA application orientations, and permit households to apply for FS benefits without a TA orientation prerequisite.
- Accept incomplete FS applications for filing as long as the form has the applicant's name, address (if the household has one) and signature.
- Enter the correct application filing date on the application and in WMS.
- Send a “Notice of Missed Interview” and pend FS applications of households that miss the eligibility interview until the 30th day after the application filing date.
- Assess adequacy of office hours and locations for individuals who work.
- Interview appointments must be for a specific date and time if households are not interviewed on the same date they apply.
- Waive the in-office interview, substituting a telephone or in-home interview, for applicants with hardship. Revise appointment letters to inform applicants of their right to request a waiver for hardship.

b. Expedited processing requirements:

Districts must comply with timeliness standards for expedited FS application processing, including joint TA/FS applications.

- Screen all FS applicant households, including those applying jointly for TA and FS, using the LDSS 3938 Food Stamps Expedited Screening Worksheet, on the day of application.
- Complete the expedited screening worksheets using the appropriate standard utility allowance (not actual expenses).

- Conduct the eligibility interview for households that qualify for expedited processing of their FS application. Applicants cannot be required to appear for more than one interview prior to determining FS eligibility.
- Authorize FS benefits to be available within 5 calendar days following the date of application for households eligible for expedited processing of their FS application who have also been determined eligible for FS benefits.
- Provide the “Notice of Action Taken” within 5 days from the day of application for households whose application is processed using expedited processing. The notice must inform the applicant of the district’s determination of their eligibility for FS and, if verification is pended, what verification the applicant must submit for continued eligibility.
- Pend verification that cannot be readily obtained, except proof of identity, for households that qualify for expedited processing.

c. Timeliness and accuracy of benefits and notices:

Districts must comply with timeliness standards for processing applications, including joint TA/FS applications.

- Determine eligibility for FS benefits within 30 days after the day of application.
- Provide benefits and notices within 30 days of the day of application.
- Issue FS benefits and notices within 5 days following the day of application for households eligible for expedited service.
- Issue FS benefits back to the application filing date for eligible households that either qualify for expedited processing or comply with the interview and verification requirements within 30 days of the application date.
- Notify FS households, including households determined eligible under expedited processing standards, as to their certification periods (which begin with the FS application filing date.)

d. FS separate determination for households applying jointly for TA/FS or closing TA:

Districts must not deny a FS application or terminate FS benefits solely because a household or any household member is ineligible for TA.

- Determine FS eligibility for TA/FS applicants who withdraw their application for TA.
- Determine FS eligibility for TA/FS applicants who are denied TA.
- Protect the application filing date for TA/FS applicants whose TA applications are withdrawn or denied.
- Monitor local procedures regarding separate FS determinations and take appropriate corrective measures if needed.

- Clearly identify in notices and requests for information or verification what information is needed for TA and what is needed for FS.
- Determine FS eligibility, including eligibility for Transitional Benefits Alternative (TBA) and New York State Nutrition Improvement Project (NYSNIP), when a TA case closes.
- Utilize the automated process in WMS to open a FS case for TBA.
- Notify households of their continued FS eligibility when TA is denied or terminated.
- Preserve or extend the FS certification period for eligible FS households leaving TA.

This is a reminder of current OTDA FS policy in the above areas. The attached checklist can be used by local district supervisors to monitor compliance with FS program access policy. OTDA technical assistance and training resources are available to assist districts in enhancing the knowledge level and performance of staff. In addition, system support to automate the provision of FS TBA has been implemented Statewide. An automated FS separate determination process for eligible households whose TA case is being closed has been implemented in New York City and is currently being developed for the Rest of State. As you also are aware, NYSNIP implementation has now been initiated. This project involves the automated provision of FS benefits to the Supplemental Security Income (SSI) single live-alone population that is categorically eligible for FS but not currently participating.

I am confident that our combined efforts will continue to encourage FS participation for all eligible households who wish to apply for benefits. If you have any questions or need additional clarification please contact Stephen Ptak, Director, Policy Implementation, Division of Temporary Assistance. [(518) 473-1469.]

Issued By

Name: Richard McElroy

Title: Acting Deputy Commissioner

Division/Office: Temporary Assistance