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 | INFORMATIONAL LETTER |  
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TRANSMITTAL: 90 INF-8

TO: Commissioners of  
 Social Services

DIVISION: Income  
 Maintenance

DATE: February 8, 1990

SUBJECT: "Programmatic Action Regulations Guide" DSS-4168

SUGGESTED

DISTRIBUTION: Income Maintenance Directors  
 Food Stamp Directors  
 Medical Assistance Directors  
 Corrective Action Coordinators  
 Employment Coordinators  
 Staff Development Coordinators

CONTACT PERSON: Mary Ann Vazzana, IM/WMS, at 1-800-342-3715,  
 extension 4-6501.

ATTACHMENTS: "Programmatic Action Regulations Guide" DSS-4168  
 (not available on-line).

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
89 ADM-21				PASB	
88 INF-83				Section VI-all FSSB Section VII-all	

The purpose of this release is to introduce the Department's first edition of the "Programmatic Action Regulations Guide" DSS-4168. Part 358 "Fair Hearings" of Title 18 of the Codes Rules and Regulations of the State of New York clarifies the requirement that the regulatory citation(s) supporting any action taken by a local district on an applicant's/recipient's case be included in the notice sent to the client. Each of the standardized client notices includes a section (s), which states "The law(s) and/or regulation(s) which allow us to do this is . . .". This section is to be completed by workers with the appropriate regulation(s) number(s). This Guide is intended to assist workers in complying with this requirement.

In using this Guide, local districts should be aware of the following:

1. This is only a guide. Local districts have the ultimate responsibility for being sure the reason(s) and regulation(s) are accurate for the particular case action.
2. The "reasons" listed are only clues to the proper regulation citation(s). They are not sufficient as reasons on the client notice. Such notices must give applicants/recipients enough information so they can easily determine what action is being taken and why.
3. There will be cases when an action is appropriate for one program area but another action and reason are better for a different program area on the same case. Workers must judge when it is necessary to choose another action, reason, and/or regulation for the different program areas in the same case.
4. Regulatory citations are required whenever there has been a change in one of the items used in a budget calculation even if the result is no change in benefits. The citations listed in the increase/reduction categories can also be used when there is no change in benefits. For example, a change in shelter costs may not result in a change in food stamp benefits. However, the correct citations would be Department regulations 387.12(e) and 387.15.
5. If "N/A" (not applicable) appears in a column, it means that no change will occur in that program for the listed reason, even though there may be a change in one or two of the other programs. For example, decreased medical costs may affect food stamps and/or medical assistance benefits/eligibility but they do not affect public assistance benefits/eligibility.
6. This Guide will be updated as needed. Therefore, comments and recommendations for changes to the Guide will be accepted and appreciated.
7. This Guide supersedes the food stamp citations provided in 89 LCM-100.

8. Local districts will automatically receive a supply of this Guide. Requests for additional copies of the Guide are to be submitted on Form WMS-47 (Rev. 3/81): "WMS Order Form", and should be sent to:

New York State Department of Social Services  
Welfare Management System  
P.O. Box 1990  
Albany, New York 12201  
Attention: Don Parker

9. Inquiries concerning the contents of the Guide can be directed to the Program Policy/Systems Coordination Unit at 1-800-342-3715, extension 4-6501.
10. Questions concerning ordering the Guide should be directed to Don Parker by calling 1-800-342-3715, extension 4-2702.

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Oscar R. Best, Jr.  
Deputy Commissioner  
Division of Income Maintenance