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## Informational Letter

### Section 1

<b>Transmittal:</b>	02 INF 34
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Temporary Assistance
<b>Date:</b>	November 4, 2002 ( <b>Correction of November 1<sup>st</sup> Release</b> )
<b>Subject:</b>	Treatment of Crime Victims Compensation Benefits for Temporary Assistance
<b>Suggested Distribution:</b>	Temporary Assistance Directors Food Stamp Directors Medicaid Directors Staff Development Coordinators
<b>Contact Person(s):</b>	Temporary Assistance Issues - Central Team at (518) 474-9344
<b>Attachments:</b>	None
<b>Attachment Available On – Line:</b>	<input type="checkbox"/>

### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
95 INF-11	95 INF -11		42 USC 10602(e); SSL 141		

### Section 2

#### I. Purpose

This is to clarify the treatment of crime victims compensation payments for Temporary Assistance (TA) applicant/recipients.

#### II. Background

The federal government has recently clarified the treatment of Crime Victims Compensation Benefits (CVCB) for TANF programs. Traditionally, crime victims compensation has been considered the payer of last resort. This Office has been discussing the treatment of crime victims compensation payments for TA applicant/recipients (a/r's) with the New York Crime Victim Board, as well as the need to communicate and coordinate the provision of TA and crime victims compensation payments.

### **III. Program Implications**

Crime Victims Compensation Benefits are not countable income or resources for any TA programs including Family Assistance (FA), Safety Net Assistance (SNA), Emergency Aid to Families (EAF), Emergency Safety Net Assistance (ESNA) and Emergency Assistance for Adults (EAA).

However, the Crime Victims Board does take into account any monies received from these programs when determining CVCB. Accordingly, when a local social services district is made aware that a TA recipient has applied for or is receiving CVCB, the district must notify the local Crime Victims Board in writing of the recipient's name and benefit amount so that any adjustment can be made to funds that the Crime Victims Board is paying for loss of earnings/support.

Temporary assistance staff must not **require** as a condition of TA eligibility that a/r's pursue CVCB since these benefits are exempt as TA income or resources. This policy also applies regarding eligibility for burial costs. Districts, however, are reminded that they may **not** pay any burial costs when the actual burial expenses exceed the maximum indigent burial rates established by the district.

It is anticipated that this policy will impact extremely few TA a/r's.

### **IV. FS Implications**

For the Food Stamp program, Crime Victims Compensation Benefits are not countable as income or as a resource.

### **V. Medicaid Implications**

For Medicaid, Crime Victims Compensation Benefits are not countable as income or resources across program lines. It is not a condition of eligibility that a Medicaid a/r apply for CVCB.

CVCB should not pay for medical bills of a Medicaid eligible crime victim. In instances when a/r's are receiving CVCB, Medicaid is the payer of first resort after any other available third party resources have been applied. To avoid any duplication of payment for medical services, the a/r should inform the Crime Victims Board of her/his Medicaid eligibility.

#### **Issued By**

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**Title: Deputy Commissioner**

**Division/Office: Division of Temporary Assistance**