



George E. Pataki
Governor

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

Brian J. Wing
Commissioner

Informational Letter

Section 1

Transmittal:	02 INF 39
To:	Local District Commissioners
Issuing Division/Office:	Division of Temporary Assistance
Date:	Revision: December 10, 2002 Original Release: November 22, 2002
Subject:	Conditions and Costs Associated with Removals - Revised
Suggested Distribution:	Temporary Assistance Directors TOP Coordinators Medical Assistance Directors Staff Development Coordinators Child Assistance Program Coordinators Food Stamp Directors Employment Coordinators Fair Hearing Officers
Contact Person(s):	Contact the Central Team at 1-800-343-8859, ext. 49344; Fiscal Questions Regions I-IV: Roland Levie: e-mail Roland.Levie@dfa.state.ny.us or by calling 1-800-343-8859, ext. 47549 or (518) 474-7549 or Regions V-VI: Marvin Gold: e-mail Marvin.Gold@dfa.state.ny.us or by calling (212) 383-1733.
Attachments:	None
Attachment Available On – Line:	<input type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
96 ADM-5 95 LCM-92 02 INF-39		352.7 (o)	SSL 121	PASB XXII-D	

Section 2

I. Purpose

The purpose of this release is to clarify 02 INF-39 concerning the conditions that must be met when removing applicants or recipients of temporary assistance (TA) benefits from the State to another state or country. This release will also identify the costs related to the removal of individuals or families from New York State to another state or country, that are reimbursable by New York State.

The previous release, 02 INF-39, did not accurately reflect that New York State's reimbursement to local districts is based on the net amount after any federal reimbursement. This clarification has been added to Section III.B. of this release.

II. Background

The New York State 1995-96 State Budget Law eliminated most State Charges, effective April 1, 1995. One of the categories for which State Charges were eliminated was removals to other states or countries. In May 2000, the entire Part 310 of 18 NYCRR was repealed including section 310.1(h), which identified the conditions for removals to other states or countries. Social Services Law section 121 still provides for removals to other states and countries and sets forth criteria for these removals. To correct this error, section 352.7(o) has been amended to set forth the conditions under which SSDs can pay for the removal of TA applicants or recipients to another state or country.

III. Program Implications

A. Conditions for Removal From the State

A SSD may authorize the removal of an individual or family to another state or country when the SSD has determined that:

- The person has residence in any other state or country, or otherwise belongs in another state or country, or has legally responsible relatives able, or friends willing, to support the person or aid in supporting the person in the other state or country; and
- In the judgment of the SSD, the welfare of the person to be removed and the interest of the State will be promoted by the removal.

SSDs are reminded that they must document in the case record the reason for the removal and how the removal will benefit the applicant or recipient and State.

B. Costs of Removal From the State

New York State will reimburse local districts for the reasonable and necessary expenses of removing a person to another state or country at the rate of fifty percent after any federal reimbursement.

The costs of the following items are reimbursable at the appropriate percentage when removing a person to another state or country:

- Transportation
- Meals en route to destination
- Transfer of baggage costs; and
- Other reasonable and necessary expenses including meals, lodging and transportation costs of an attendant, but excludes charges for the attendant's time and services.

There is no standard allowance for the above items; therefore, SSDs must determine what is reasonable on a case-by-case basis. SSDs are reminded that they must utilize the least costly, but practical, approach when approving the payment of expenses related to the cost of removals.

The cost of shipping furniture to the new state or country is not an allowable expense and will not be reimbursed.

C. WMS Payment Types

When issuing a payment related to the cost of removing an individual or family from the State, the worker must be sure to use the correct payment type on screen six of the Application Turn Around Document (APTAD) or Authorization Change Form (DSS-3209). For example, WMS payment type code "86 Transportation Expenses-Removal From State" would be used to issue a payment for transportation by any means the circumstances warrant, such as, bus fare, cab fare or airfare.

D. Fiscal

Costs related to removals should be claimed for fifty percent state reimbursement. These costs would be claimed in the RF-2 claim package through the appropriate claim schedule depending upon the case type of the household. Family Assistance expenditures would be reported on the Schedule A (LDSS-187 Expenditures for Family Assistance). Removals for Safety Net cases would be reported on the Schedule C (LDSS-1040 Expenditures for Safety Net Assistance). If the household were an EAF case, such related expenditures would be claimed on the Schedule F (LDSS-1285 Schedule of Costs for Emergency Assistance to Needy Families with Children). Please refer to Chapter 3 of the Fiscal Reference Manual Vol. 2 for more detailed claiming instructions.

Fiscal contacts are:

Regions I-IV: Roland Levie: e-mail Roland.Levie@dfa.state.ny.us or by calling 1-800-343-8859, extension 47549 or (518) 474-7549.

Regions V-VI: Marvin Gold: e-mail Marvin.Gold@dfa.state.ny.us or by calling (212) 383-1733.

E. Effective

Effective July 3, 2002.

Issued By

Name: Patricia A. Stevens

Title: Deputy Commissioner

Division/Office: Temporary Assistance