



**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

<b>Transmittal:</b>	03 INF 17
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Temporary Assistance
<b>Date:</b>	April 15, 2003
<b>Subject:</b>	Recoupment Procedures When Temporary Assistance (TA) Recipients Change Districts
<b>Suggested Distribution:</b>	Temporary Assistance Directors Food Stamps Directors Finance Directors CAMS Staff CAP Coordinators Staff Development Coordinators
<b>Contact Person(s):</b>	Temporary Assistance Issues: Contact the 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.
		352.31(d)(6)			

### Section 2

#### I. Purpose

The purpose of this release is to remind districts of the correct procedure to follow when a TA applicant that has been overpaid in a former county begins receiving assistance in a new district and the overpayment recoupment is subsequently initiated.

#### II. Background

OTDA Regulation 352.31(d)(6) originally required that when a TA client with a recoupment in effect moved from one county to another, the new district was required to refund the local share of any

recoupment back to the originating county. This procedure was time consuming and administratively complex. At the behest of a local district advisory group, the then Department of Social Services amended this regulation since it was agreed that administrative costs often exceeded any recoupments received by the original districts.

Districts were originally informed of this change in regulation in a Dear Commissioner Letter issued by the Department of Social Services' Seymour Katz on December 7, 1982.

It has recently been brought to our attention some districts are unaware of this policy. This INF is intended to remind districts of the proper policy.

### **III. Program Implications**

#### **Temporary Assistance**

This policy reminder should have very minimal program implications. When a district assumes financial responsibility for a TA recipient who has moved from another district with an outstanding overpayment, the new district must initiate recoupment after appropriate legal notice. The new district does not reimburse the former (originating) district for any of the overpayment money it recovers. This policy is also consistent with Food Stamps over-issuance claim recovery policy.

Operationally, the originating district should retain all the back up data on the overpayment (claim) establishment, notices, etc. The basic amount information then needs be transmitted to the new district (or where applicable could even be obtained via CAMS Cross District Inquiry). It is particularly important that documentation supporting the reason for the overpayment, how the amount was determined and the appropriate legal notice provided be maintained.

If the former district provided the appropriate adequate notice of the TA overpayment, the new district's timely and adequate notice should tell the person the period of the overpayment, the balance, the district in which the overpayment occurred and that the former district provided previous notice. If that is done, the individual will not have fair hearing rights a second time on the original issue.

If the former district did not sent the appropriate notice of overpayment, then the new district must provide that notice.

#### **CAMS**

The following are the CAMS Instructions for transferring claims to/from other districts:

##### **New district**

When establishing the claim, the new district enters "12 - Claim from another district" in the Claim Establishment Reason field. Entry of a Claim Establishment Reason of "12" will require entry in the Source County and Source Case Number fields. These entries are made on the LCMC07 (Establish Non-Food Stamp Case Manual Claim Entry) screen. Access to this screen is through selection A4 on the CAMS Case Accounts Receivable (LCMCCM) Menu.

##### **Originating district**

The originating district must terminate the claim they transferred to the other district. This is accomplished by entering "T - Terminated" in the Claim Status field, and "32 - Moved to another

district" in the Claim Status Reason field. These entries are made on the LCMC04 (Modify Claim Demographics) screen. LCMC04 is accessed from selection B3 (Claim status and demographics) on the LCMCCM screen.

If you have any CAMS questions regarding this process, please contact the OTDA fiscal field staff:  
Regions I-IV: Roland Levie: e-mail [Roland.Levie@dfa.state.ny.us](mailto:Roland.Levie@dfa.state.ny.us) or by calling 1-800-343-8859 ext 47549 or (518) 474-7549.

Regions V-VI: Marvin Gold: e-mail [Marvin.Gold@dfa.state.ny.us](mailto:Marvin.Gold@dfa.state.ny.us) or by calling 1-212-383-1733.

Issued By

Name: Patricia A. Stevens

Title: Deputy Commissioner

Division/Office: Division of Temporary Assistance