**LDSS-4148C** (Rev. 11/02)

# New York State

# WHAT YOU SHOULD KNOW IF YOU HAVE AN EMERGENCY

## Questions and Answers

# BOOK 3

Also See

**BOOK 1 (LDSS-4148A)**
"WHAT YOU SHOULD KNOW ABOUT YOUR RIGHTS AND RESPONSIBILITIES"
(When Applying For or Receiving Benefits)

and

**BOOK 2 (LDSS-4148B)**
"WHAT YOU SHOULD KNOW ABOUT SOCIAL SERVICES PROGRAMS"

**SAVE THIS BOOK FOR FUTURE USE**

# EMERGENCIES

**Q. What is an Emergency?**

**A.** An emergency is an urgent need or a situation that has to be taken care of right away. Some examples of an emergency are:

- You are homeless.
- You have little or no food.
- Your landlord has told you that you must move or has given you eviction papers.
- You do not have fuel for heating in the cold weather period.
- Your utilities are shut off or are about to be shut off or you have a 72-hour disconnect notice.
- You or someone in your family has been beaten, abused or threatened with violence by a husband, wife, partner or other member of the household.
- You have little or no income, few or no resources.
- The total of your income and resources is less than the total of your rent or mortgage plus heat, utilities and phone.
- You are a migrant or seasonal farm worker.

**If you are applying for Temporary Assistance, and you tell us today that you have an emergency, we must interview you today about your emergency. We must also tell you in writing today about our decision on your emergency. If you are applying for Food Stamp Benefits, and you are eligible for expedited processing, that interview and the notice of our decision will be no later than five calendar days after the day you filed your application.**

**If you have little or no food, or not enough money to buy food, you should apply for Food Stamp Benefits.**

**Q. How Do I Apply For Emergency Temporary Assistance?**

**A.** If you **are already getting** Temporary Assistance and an emergency comes up, tell your worker **right away**.

If you **are not getting** Temporary Assistance, fill out an Application and tell your worker that you have an emergency. You must be interviewed the same day for your emergency.

You must cooperate with your worker to find out if you can get help right away with your emergency. The worker will need to find out the details of your emergency. Your worker will tell you what information you need to get before you can get assistance to meet your emergency. For example, if you say that you received an eviction notice, the worker will ask to see this notice.

You will be asked for proof of who you are and proof of who your other family members are. You may also have to prove that you and your family are legal and permanent residents of the United States. The worker will also want to know if you have any income or resources, such as bank accounts or other help available to you that can be used to help you with your emergency.

If you cannot get the information, your worker must try to help you get that information.

**If your request for assistance to meet your emergency need is accepted, you will get a notice telling you** what type**,** how much **and** when **you will be getting this assistance.**

**Q. What If I Am Homeless Or About To Become Homeless?**

**A.** You may be able to get help:

- To stay in your present housing.
- To pay for you and your family to stay with someone other than a **"legally responsible relative"**. A **legally responsible relative** is a husband or wife or, if you are under 21, a parent.
- To arrange for you and your family to stay in a shelter, hotel or motel temporarily when no other suitable housing is available.
- To pay for a restaurant allowance when you and your family do not have cooking facilities and meals are not provided to you where you are staying.
- To arrange and pay for a safe place to stay if you or someone in your family has been beaten, abused or threatened with violence by a husband, wife, or partner or other member of the household.
- To pay for storing your furniture and other personal things you own when you are evicted or must move.
- To pay for moving expenses, rent security deposit or agreement, or broker's or finder's fees.
- To pay for household items needed to set up a home.
- To pay for you to take your children to and from school while your family is in emergency housing.
- To pay for moving expenses when you move to emergency housing or between emergency housing placements.

**Q. What If I Have Emergency Medical Needs?**

**A.** New York State law requires hospitals to give you emergency care, even if you cannot pay for it. If you have a medical emergency, like a heart attack or other life-threatening illness, go to a hospital right away, before you find out if you are able to get Medical Assistance or before you have applied for Medical Assistance, go to a hospital **right away.**

If you are sick and need medical care right away, and you have applied for but have not gotten your Common Benefit Issuance (CBIC) card, your worker may be able to help you get a temporary card for the medical help you need. You must show the card when you get medical treatment and the doctor or other person providing medical care must agree to bill Medical Assistance.

Medical Assistance may be able to pay medical bills for care you were given up to three months before you applied for help. Remember to tell your worker if you have any paid or unpaid medical bills.

**Q. Can I Get Food Stamp Benefits Right Away?**

**A.** Yes, you may be able to get Food Stamp Benefits within five calendar days after application. This is called **Expedited Processing for Food Stamp Benefits**.

You may be able to get **Expedited Processing**, if you are eligible for Food Stamp Benefits and:

- Your household has less than $100 in cash and other available resources **and** will have less than $150 in gross income during the month that you apply. ***or***
- Your income and available resources are less than your rent or mortgage plus heat, utilities and phone. ***or***
- You are a migrant or seasonal farm worker.

**NOTE:** You do not need to be out of food to get expedited processing for Food Stamp Benefits.

**Q. What If I Need Emergency Services?**

**A**. The following are some services you can get to help you with your emergency. If you live **outside** of New York City, call or visit your local department of social services. If you live **in** New York City, call or visit your local Income Support/Job Center or look for the Human Resources Administration (HRA) or Child Welfare Administration listings in the Government pages of the New York City telephone book for the borough in which you live. Call the number listed for the type of help you need.

There is no income limit to get these services.

- **Child Protection** - Services given to abused or maltreated children under the age of 18 and to their families.
- **Adult Protection** - Services given to persons 18 years of age or older who are physically or mentally ill, or disabled, and have been harmed or may be at risk of harm, cannot protect themselves and have no one able and willing to responsibly help them.
- **Domestic Violence (Physical or Emotional Abuse or Threat of Abuse)** - Services given to wives, husbands, family members or persons living in the same household together, with or without children, to help them with problems of violence or the threat of violence.

**Q. What If I Have Emergency Heating Or Utility Needs?**

**A.** If you are out of heating fuel or have less than a seven days' supply or your utilities are shut off or are about to be shut off, you may be able to get help.

- If you **are already receiving** Temporary Assistance and you have a heating or utility emergency, talk to your worker.
- If you **are not receiving** Temporary Assistance, call your local department of social services. They may send you to your local Home Energy Assistance Program (HEAP) office. If you live in New York City, call or visit your local Income Support/Job Center. They may send you to the Community Development Agency 's, Home Energy Assistance Program (HEAP) office.
- If you are unsure of where to get help for your heating or utility emergency call, toll-free, **1-800-342-3009.**

**Q. What Happens When My Request For Emergency Temporary Assistance Is Denied?**

**A.** If your worker determines that your situation is not an emergency and that you cannot get assistance to meet your emergency, you will be given a written notice that same day that will tell you this and the reason why. This notice will mean only that your request for **assistance to meet your emergency** has been denied. If you feel your request for assistance to meet your emergency should not have been denied, you may request an Agency Conference or an Emergency Fair Hearing. **(See DSS-4148A, Book 1, Section 5, "Conferences, Support Pass-Through Payment Desk Reviews and Fair Hearings".)**

**NOTE:** If your situation is very serious, the New York State Office of Temporary and Disability Assistance (OTDA) will set up a fair hearing for you as soon as possible. When you call or write for a fair hearing, be sure to explain that your situation is very serious.

**Q. What If I Need An Emergency Fair Hearing Because I Can 't Get The Help I Need?**

**A.** If your situation is very serious, the New York State Office of Temporary and Disability Assistance (OTDA) will set up a Fair Hearing for you as soon as possible. When you call or write for a Fair Hearing, be sure to explain that your situation is very serious. **(See DSS-4148A, Book 1, Section 5, "Conferences, Support Pass-Through Payment Desk Reviews and Fair Hearings".)**