



NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY
ASSISTANCE
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Governor

Informational Letter

Section 1

Transmittal:	10-INF-22
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	December 8, 2010
Subject:	Accessing Applications for Temporary Assistance (TA), the Food Stamp Program and to the Home Energy Assistance Program (HEAP)
Suggested Distribution:	Temporary Assistance Directors Food Stamp Directors Medical Assistance Directors Staff Development Coordinators Employment Coordinators HEAP Coordinators
Contact Person(s):	For questions or assistance with the contents of this Letter, please contact: Temporary Assistance Bureau, 1-800-343-8859, extension 4-9344 Food Stamp Bureau, 1-800-343-8859, extension 3-1469 HEAP Bureau, 1-800-343-8859, extension 3-0332
Attachments:	No
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.
03 INF 27 02 ADM 02		Part 350.3 Part 351.8 Part 351.20 Part 351.21 Part 351.22		TA Source Book, Ch. 3, Section B	LDSS-4148A LDSS-4148B LDSS-4148C

Section 2

I. Purpose

The purpose of this Informational Letter (INF) is to emphasize Temporary Assistance (TA), Food Stamp Program, and Home Energy Assistance Program (HEAP) policy regarding the disbursement and acceptance of applications for TA, FS, and HEAP benefits.

II. Background

Local districts are not allowed to limit the days of the week or times of the day, during regular business hours (hours the agency is accessible to the public, sometimes referred to as “lobby hours”), that a person can apply for assistance. No limit is permitted to be established on how many applications are disbursed or accepted during regular business hours. Furthermore, the date on which the person submits a signed completed application to the local district is the “application date” and has associated processing timeframes and benefit implications, underscoring the need for applications to be disbursed and accepted at any time during business hours.

III. Program Implications

Temporary Assistance (TA)

OTDA regulations require that any person be allowed to make application for TA, FS, or HEAP and file the application with the local social services district at any time during business hours, including the same day. A household's right to apply and be interviewed for TA must not be denied or limited because of the national origin or citizenship status of a person or persons who reside in the household or for any other reason. Furthermore, when the applicant indicates an emergency situation, the interview must be held at once and the applicant informed in writing of the decision. For more information on emergency needs, please see 02 ADM-02, “Meeting the Emergency/Immediate Needs of Temporary Assistance (TA) Applicants/Recipients.”

Local districts are prohibited from establishing procedures that limit a person’s right to request or submit an application for TA during the local district’s business hours. Examples of this include, but are not limited to, establishing periodic daily quotas on application submissions, limiting application pick-up or submission times during business hours, limiting daily submissions to the number of available interview slots, or establishing program, zip code or alphabetic restrictions on when a person may request or submit an application during a local district’s business hours.

A local district may set the number of scheduled TA eligibility interviews conducted each day, keeping in mind that such interviews must ordinarily be scheduled within seven working days from the date the application is received by the local district, except in those instances when there is an indication of an emergency need as noted above. For information on establishing the date of eligibility for TA, please see 03 INF-27, “Temporary Assistance Date of Eligibility.”

Note: For active cases, local districts are required to periodically recertify TA cases through various processes. Local districts are encouraged to process such recertifications timely to avoid the unnecessary delay in TA benefits once continuing eligibility is

established. Timely processing of recertifications will reduce the amount of client calls and visits to the office and may reduce the number of emergencies. Local districts must promptly initiate and then complete, within 30 days, an investigation upon receiving indication of ineligibility or of a change in degree of need for a TA recipient.

The Commissioner's Dashboard, the Welfare Management System (WMS), and local tracking reports (check availability within your local district) can provide management with local performance information related to the processing of applications and recertifications. WMS produces the following management monthly reports to assist local districts in that effort:

- WINR 1240-Application/registry Processing Report
- WINR 3160-Cases Overdue for Recertification
- WINR 4111-Application Register-List of Overdue Applications, Applications Due for Processing, Applications to be Deleted, Applications Systemically Deleted
- WINR 4113-Application Register-Summary of Local Application Activity by Local Office, Unit, Worker and Case Type
- WINR 4131-Recertification Summary and Undercare Maintenance Statistical Report

Food Stamp Program

Likewise, federal and OTDA regulations require that any person be allowed to receive an application and apply for Food Stamp benefits at any time during regular business hours. Local districts are prohibited from establishing periodic daily quotas on application submissions, limiting application pick-up or submission times during business hours, limiting daily submissions to the number of available interview slots, or establishing program, zip code or alphabetic restrictions on when a person may request or submit an application during a local district's business hours.

A household's right to apply and be interviewed for Food Stamps must not be denied or limited because of the national origin or citizenship status of a person or persons who reside in the household, or for any other reason.

Local districts are reminded that both federal and state regulation (18 NYCRR 387.7) require that "all applicant households, including those submitting applications by mail, shall have interviews scheduled **on a specific day and at a specific time** if the household is not interviewed on the same day it applies." Households whose applications indicate likely eligibility for expedited processing must have an interview scheduled, so that if eligible for expedited processing, benefits can be issued no later than five days following the date of application.

The same Commissioners' Dashboard, WMS, and local tracking reports referenced above for TA, also can be used for Food Stamp Program management and tracking purposes.

Home Energy Assistance Program (HEAP)

HEAP policy also requires that local districts accept HEAP applications at any time during business hours, including the same day, during the time period that OTDA has designated for the receipt of applications for HEAP benefits. Additionally, regardless of contracting with an

alternate certifier, the local district must accept any HEAP application. A household's right to apply and be interviewed for HEAP must not be denied or limited because of the national origin, or citizenship status of a person or persons who reside in the household or for any other reason.

When HEAP applicants indicate that they are in an energy related emergency situation, some form of assistance to resolve the energy crisis must be provided to an eligible household no later than 18 hours after the filing of a completed application when the household is in a life threatening situation and no later than 48 hours after the filing of a completed application when the energy emergency is not life threatening. Households without heat during periods of cold weather are considered to be in a life threatening situation.

If a local district contracts with an alternate certifier, the alternate certifier must comply with these rules.

Issued By

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Division/Office: Center for Employment and Economic Supports