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Administrative Directive

Section 1

Transmittal:	14-ADM-07
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	November 28, 2014
Subject:	State Administration of SSI State Supplement Program (SSP)
Suggested Distribution:	Temporary Assistance Directors, SNAP Directors, Employment Coordinators, Services Directors, Accounting Supervisors, Staff Development Coordinators, Medicaid Directors
Contact Person(s):	CEES SSP Bureau (518) 408-4757 SSP Customer Support Center 1-855-488-0541
Attachments:	Attachment 1 - SSI Benefit Levels Chart Attachment 2 - State Living Arrangement Definitions Attachment 3 - Medicaid Enrollment and Exchange Form – Information Concerning Medical Assistance for SSI/SSP Beneficiaries – English Attachment 4 - Medicaid Enrollment and Exchange Form – Information Concerning Medical Assistance for SSI/SSP Beneficiaries – Spanish
Attachment Available On – Line:	<input checked="" type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
07-LCM-04		Part 398 of Title 18 NYCRR	SSL §§ 20[3][d], 22, 207, 208, 209, 211, and 212		13 TA/DC054 14 TA/DC029 14 TA/DC025 14 TA/DC036

Section 2

I. Summary

The Social Security Administration (SSA) administers the Supplemental Security Income (SSI) program and, under contract with New York State (NYS), the State Supplement Program (SSP). Prior to October 1, 2014, the single monthly benefit received by most SSI recipients included both the federal SSI benefit and the State funded SSP benefit. On October 1, 2014, responsibility for the administration of SSP transferred from SSA to NYS. NYS, rather than SSA, now issues the SSP benefit. Recipients will separately receive the SSP benefit from NYS and the federal SSI benefit from SSA. This Administrative Directive (ADM) implements the provisions of Part 398 of Title 18 NYCRR and describes the changes that have occurred as a result of NYS administration of the SSP (takeover), including how the Office of Temporary and Disability Assistance (OTDA) is managing SSP eligibility and the delivery of monthly benefits.

These changes do not affect SSA's federal administration of Social Security Title II benefits including Retirement, Survivors, and Disability Insurance benefits.

II. Purpose

The purpose of this directive is to provide local social services districts (SSDs) with an overview of the SSI State Supplement Program (SSP) as outlined in Part 398 of Title 18 NYCRR, to highlight changes resulting from the State's takeover, and to identify areas which may impact current SSD practices.

While the program rules related to SSI and SSP eligibility and benefit levels remain the same, certain changes related to payment delivery, information access and reporting procedures have resulted from the transfer from federal to State administration of SSP. These include:

- Most SSI recipients now receive 2 payments each month – the federal SSI benefit from SSA and the SSP from NYS.
- OTDA, rather than SSA, now determines SSP eligibility, State living arrangements and benefit amounts.
- SSA no longer collects certain SSP related information that has historically been included on the State Data Exchange (SDX) file passed to NYS. OTDA is now updating the SDX file with the SSP information before sending it to the downstream users.
- Individuals who receive SSP only benefits report changes to OTDA rather than SSA.
- The State On Line Query (SOLQ) system no longer includes information on SSP benefits. Users may obtain SSP information from the SDX or from the Welfare Management System (WMS).
- The definition of State Living Arrangement (SLA) A - Living Alone, has been modified to align with the Supplemental Nutrition Assistance Program (SNAP) policy.
- The Interim Assistance Reimbursement (IAR) process with SSA remains the same as before the State takeover. A separate process has been established for the Recovery of Equivalent Benefits (REB) under SSP which is limited to any deficiencies after IAR and further constrained to State payments of retroactive SSP.
- Personal Needs Allowance amounts for residents of congregate care facilities remain the same but are paid from the SSP benefit (as opposed to the prior combined SSI/SSP payment).
- SSI payees are also the payee for the SSP benefit. SSP-only recipients may also designate a payee.

III. Background

The SSI program, implemented in 1974 under Title XVI of the federal Social Security Act, provides benefits to low income aged, blind and disabled individuals and couples based upon uniform federal eligibility standards and a national base payment level. The SSI program is federally funded and administered by the Social Security Administration (SSA).

Title XVI of the federal Social Security Act also requires States to provide supplementary payments to maintain the levels of payments for individuals and couples who were recipients of the predecessor programs to SSI, including Old Age Assistance, Assistance to the Blind, Aid to the Disabled or the combined program of Aid to the Aged, Blind and Disabled persons as of December 31, 1973. In addition, States were offered the option to include an optional State funded payment to supplement the basic federal SSI payment.

New York State chose to establish such an optional program of additional State payments. There are two categories of additional State payments: the State Supplement Program (SSP) benefit and the individuals/couples living in the community or in congregate State Supplemental Personal Needs Allowance (SSPNA). SSP benefits are provided to recipients in care facilities and who are in receipt of SSI, or who are over income for SSI but are within the SSP standard of need. The SSPNA is provided to SSI recipients residing in a Title XIX Institution where Medicaid pays at least fifty percent (50%) of the cost of care.

Changes to Section 207 of Social Services Law in 2012 provided authority for NYS to assume responsibility for all administrative and programmatic aspects of SSP. NYS determined that self-administration would be effective with benefits issued October 1, 2014.

IV. Program Implications

State Administration

The SSI State Supplement Program Bureau within the Center for Employment and Economic Supports was established to manage the SSP caseload beginning on October 1, 2014. Using an SSP database developed for the SSP takeover, the SSP Bureau determines SSP eligibility, authorizes monthly SSP/SSPNA benefits to qualified individuals, and issues all required client notices. Unlike SSA, no field offices are used to interact with SSP recipients. Instead, a Customer Support Center (CSC) is available to recipients to obtain program information, inquire about the status of a payment or to report changes in household circumstances. The toll free number is: 1-855-488-0541 and calls are answered Monday through Friday from 8:30 AM to 4:45 PM, except on State holidays.

SSP Eligibility Determination Process

An application for SSI continues to serve as the application for SSP. Individuals or couples eligible for SSI are automatically eligible for SSP. Individuals or couples ineligible for SSI due to excess countable income are eligible for SSP provided that the individual/couple meet the following eligibility criteria:

- is aged, blind or disabled in accordance with Part 398 and Title XVI of the Social Security Act;
- has monthly countable income less than the SSP State standard of need; and
- lives in New York State as defined by Part 398;
- resides in an eligible federal and State living arrangement.

If the individual/couple is over income for SSI but meets all other SSI eligibility criteria, a separate financial calculation is conducted by the SSP Bureau to determine if the countable income is less than

the State standard of need. The State standard of need is the maximum benefit rate based on the individual or couple's living arrangement. Individuals/couples found financially eligible will receive SSP-only benefits.

Benefit and Payment Information

- Federal and State benefit amounts remain the same.
- NY's SLA categories remain the same. In determining if an individual/couple is considered "Living Alone" for SSP SLA purposes, the definition has been modified to require that the individual/couple prepare the majority (rather than all) of their meals separately or take the majority of meals outside the dwelling. The attached "State Living Arrangement Definitions" document provides definitions for all living arrangement categories.
- Individuals/couples in receipt of both SSI and SSP benefits will receive two separate benefit payments each month, one from SSA and one from NYS. The total amount is the same as before the State assumed administrative responsibility. SSP-only recipients receive one monthly benefit issued by NYS.
- SSP benefit amounts continue to be based on countable income, marital status, and the recipient's State living arrangement category. Some living arrangement categories have a different benefit levels based on recipient's geographic location. There are five (5) eligible SSP State living arrangement categories and there are no changes to these categories. Maximum benefit levels may be found on the OTDA website at: <http://otda.ny.gov/programs/ssp/>. The current SSI Benefit Levels Chart is also attached.
- The SSP payment is received in the same way that the SSI benefit is received, either through direct deposit or paper check.
- SSP-only benefits are issued either through direct deposit or paper check.
- SSP payments are received on or before the 1st of each month.

Personal Needs Allowance for Congregate Care Residents

- Recipients of SSI and SSP or SSP-only who reside in congregate care are entitled to a monthly personal needs allowance (PNA). The allowance amount is based on the care level of the congregate care facility. Personal needs allowance amounts are published on the SSI Benefit Level Chart that is found on the OTDA website at: <http://otda.ny.gov/programs/ssp/>.
- The personal needs allowance is paid out of the State-funded SSP benefit and not from the SSI benefit.

Payees

- Payees for the SSI benefit automatically become the payee for the SSP benefit. Changes to the payee or requests to become a payee for recipients of both SSI and SSP are made through SSA. SSA rules for Representative Payees remain the same.
- SSP-only recipients may request a payee, or make changes to a payee, by contacting the SSP Customer Support Center at 1-855-488-0541. A payee is required for minor children and for adults found to lack capacity under Article 81 of the Mental Hygiene Law.
- SSP-only recipients also have the option to request a representative to receive information only and/or to provide representation at a Fair Hearing.

Change Reporting

- SSI recipients continue to report changes to SSA and NYS will receive information on changes daily through the electronic State Data Exchange (SDX).
- SSP-only recipients report all changes to NYS. Most changes can be reported by calling the SSP Customer Support Center at 1-855-488-0541.

- Congregate care facility operators should report admissions and discharges to both SSA and NYS at the same time.

Awards Letters/Notices

- Recipients receive award letters and other notices from both SSA and NYS. All NYS issued SSP notices are provided in both English and Spanish and assistance in other languages is also available by calling the Customer Support Center.
- Alternate format notices for blind and visually impaired recipients are also available from NYS. SSI recipients who receive alternate format notices from SSA will automatically receive notices in the same format from NYS. Other recipients may receive alternate format notices by calling the SSP Customer Support Center or by writing to the SSP Bureau. The available alternate formats are: large print, Braille, audio or data CD, registered mail, and readers.

SSP Benefit Verification and Inquiry

If a recipient/payee requires proof of SSP benefits, a Benefit Verification letter can be requested by calling the SSP Customer Support Center (1-855-488-0541). Verification of SSP benefits issued from NYS will only be available for benefits issued on or after October 1, 2014. Benefit verification letters for SSP benefits paid prior to October 1, 2014 must be obtained from SSA.

State On-Line Query (SOLQ)

SSP benefit information for payments issued on or after October 1, 2014 are not reported on the State On-Line Query (SOLQ) system. Only the federal benefit information will continue to be reported on this system. SSDs may verify both SSI and SSP benefit information on the Welfare Management System (WMS).

Upstate Inquiries

Upstate SSD users select option 17 (Time Limit Tracking Menu) from the WMS Main Menu, then select option K (SDX-SSI Individual Status). This will display the SDX Inquiry screen. Complete instructions on the SDX - Individual Status Screen were included in 07-LCM-04 and are summarized below. The SDX Manual (May 2011) contains more detailed descriptions of the fields and data elements in the SDX-SSI Individual Status screens and the manual is accessible through the OTDA intranet, Center for Employment and Economic Supports, manuals section at <http://otda.state.nyenet/dta/Manuals/SDXManual.pdf> and <http://otda.state.nyenet/dta/Manuals/sdx.pdf> or through Centraport under Resources.

WMS Upstate
SIGNON using your userid/password
Select option 17 from the Welfare Management System Main Menu – Time Limit Tracking Menu
Select option K “SDX –SSI Individual Status.” Enter social security number and press enter.
Page 1, SDX INQUIRY is displayed
The F2 key will bring you to Page 2, MA/NYSNIP INQUIRY
The F3 key will bring you to Page 3, SDX ADDRESSES
F1 returns to Page 1
Control + F6 from any of the individual inquiry

screens returns to the Time Limit Tracking Menu
Control + F6 from the Time Limit Tracking Menu returns you to the Welfare Management System Main Menu
F6 to SIGNOFF

NYC Inquiries

SSP benefit information can be viewed by selecting option #7 (SDX Inquiry) from the NYC WMS Inquiry menu (NQR00). The SDX case name or Social Security number must be entered to access the desired information.

SSDs may also contact the SSP Customer Support Center for information (1-855-488-0541). Since the SSP benefit process will take place after SSI eligibility determinations, there may be a slight lag between SDX reporting of SSI benefit information and SSP benefit information.

Appeals

SSP recipients are afforded appeal rights under NYS regulations through the NYS Office of Temporary and Disability Assistance (OTDA) Office of Administrative Hearings. SSP recipients also have the right to aid continuing provided the request for the Fair Hearing is made prior to the effective date of the action when a timely and adequate notice is required and within ten (10) days of the notice of action when an adequate notice is required. SSP recipients have the option of telephone or in person hearings. In person hearings will be held in the social services district office in the county where the recipient resides.

Hearing rights and information are included on all SSP notices.

Hearings are requested in any of the following ways:

By mail: Office of Administrative Hearings
 New York State Office of Temporary and Disability Assistance
 P.O. Box 1930
 Albany, New York 12201

Phone: 1-(800) - 342-3334

Fax: (518) 473-6735.

Online: <http://www.otda.ny.gov/oah/forms.asp>

The SSP Bureau is responsible for the preparation and defense of all SSP actions that are appealed. Copies of materials provided to the Office of Administrative Hearings are also provided to the applicant/recipient and/or his or her authorized representative.

Applicants/recipients who disagree with an SSP action are strongly encouraged to first call the SSP Customer Support Center (1-855-488-0541) to attempt resolution of the issue before requesting a fair hearing.

Access to records

Copies of documents and information from a recipient's record will be provided at no charge within a reasonable time when requested by the recipient or their authorized representative. The request for documents must be made directly to the SSP Customer Support Center at 1-855-488-0541.

Temporary Assistance (TA) Implications

Recovery of Interim Assistance Reimbursement (IAR) from Federal SSI benefit

Districts will continue to recover interim assistance from the initial payment of retroactive federal SSI benefit as prescribed in the SSA and NYS OTDA IAR agreement "Agreement for Reimbursement to State for Interim Assistance Payments between the Social Security Administration (SSA) and the State of New York" and published policy documents.

Recovery of Equivalent Benefits (REB)

Local districts may also receive reimbursement from a recipient's retroactive SSP benefits provided that the IAR amount issued by SSA did not provide full reimbursement for the interim assistance granted. The process to be used by local districts to recover such equivalent benefits from SSP benefits will be provided in a separate administrative directive.

A. Budgeting Beneficiaries of both SSI and SSP (SSI/SSP) and SSP only Income in the TA Household.

1. Prior to the state takeover, beneficiaries in receipt of both SSI and SSP (SSI/SSP) or SSP only were considered SSI recipients. With the state takeover of SSP there will be situations where an individual will receive only SSP and not SSI.

There is no change in determining the monthly TA grant and allowances for a TA household that contains either a SSI/SSP or SSP only beneficiary. Adults and children residing with a SSI/SSP or SSP only beneficiary must be considered a separate household from the SSI/SSP or SSP only beneficiary. The SSI/SSP or SSP only beneficiary's income or resources must not be counted in determining eligibility or degree of need and their presence must not be counted in the TA household count or case count when:

- a. The household is categorically eligible for FA (case type 11) including Safety Net Assistance, Federally Participating (case type 12).
 - Example: A husband, wife, and a 6-year-old child in common reside together and the child is an SSP recipient. The family is in receipt of FA. The case does not include the SSP child's presence or income. The case is budgeted as a household (HH) of 2 and case (CA) of 2.
- b. The household is categorically eligible for Emergency Assistance to Needy Families (case type 19). Once a household is determined to meet all of the eligibility requirements of EAF any SSI/SSP or SSP only beneficiary's income that is retained is considered a resource and must be used to alleviate or end the household's immediate or emergency need.
- c. The household is categorically eligible for Safety Net Cash Assistance (case type 16) or Safety Net Non-Cash Assistance (case type 17) only when the household would be eligible for a federal category of assistance (because there is a child in the case who meets the definition of a TANF child) except that they have exhausted the State 60 month time limit for the receipt of cash assistance. These households are also known as "MOE eligible" households.

- Example Manny and Mary Moore resides with their three children Jack age 9, Raven age 15, and Sammy age 17. Raven is in receipt of both SSI and SSP. The family is in receipt of SNA Non-Cash (case type 17) because they have reached their State 60 month time limit. The household is categorically eligible for FA therefore they are MOE eligible. Raven's income or presence is not counted in the case. The case is budgeted as a household (HH) of 4 and case (CA) of 4.
 - Example: A husband, wife, and a 12-year-old child in common reside together and the wife is an SSP only recipient. The family is in receipt of SNA (case type 16) after exhausting TANF-funded benefits and transitioning to SNA. Because this is an SNA/MOE case, the wife's income or presence is not counted in the case. The case is budgeted as a household (HH) 02 and (CA) of 2
2. There is no change that Rice and Swift budgeting as prescribed in 94 ADM-10 "Budgeting of a Home Relief (HR) Case when a Legally Responsible Relative in Receipt of Supplemental Security Income (SSI) is in the Household (Rice v. Perales)" still applies for both SSI/SSP and SSP only beneficiaries.
 3. There is no change that when a family is in need of temporary or emergency housing and the TA household includes an SSI/SSP or SSP only beneficiary the method of determining the family's share of the temporary housing cost is the incremental method as prescribed in 02 INF-42 "Temporary Housing: Budgeting for Families that Include a Supplemental Security Income (SSI) Recipient and Clarification on the Claiming Hierarchy for Persons in Temporary Housing."
 4. There is no change that SSI/SSP or SSP only beneficiaries who have unmet needs and are otherwise eligible can receive Safety Net Assistance (SNA) benefits to meet or supplement their needs. If an SSI/SSP or SSP only beneficiary submits an application for Safety Net Assistance (SNA), the SSD is required to determine eligibility for SNA according to all SNA program standards.
 5. There is no ABEL unearned income code for SSP only payments. SSD may use "99-Other" in the ABEL unearned income field to represent SSP only payments until a code is established.
 6. There is no change that the SSI/SSP or SSP only beneficiaries are exempt from the filing unit requirement prescribed in 18 NYCRR 352.30 (a).

Emergency Assistance For Adults (EAA)

Recipients of SSP may be eligible for EAA payments to meet an emergency or immediate need as specified in 18 NYCRR 397.

Supplemental Nutrition Assistance Program (SNAP) Implications

The New York State Nutrition Improvement Project (NYSNIP) is a federal demonstration project which includes an automatic SNAP case enrollment process for certain single live-alone Supplemental Security Income (SSI) recipients. Information from the Social Security Administration (SSA) provided to the Office of Temporary and Disabilities Assistance (OTDA) via the State Data Exchange (SDX) is used to identify individuals categorically eligible to receive SNAP benefits under NYSNIP. Automatic enrollment in the NYSNIP will remain the same and eligible households automatically opened continue

to be SSI live-alone households designated with a federal living arrangement Code A, and a SSI State Supplement Program Code A.

The State Supplement Program (SSP) determines the State Supplement Program Code A and households meeting the NYSNIP Federal living arrangement of A and the State Supplement Program of A requirement, will continue to be automatically enrolled in the NYSNIP. The NYSNIP automatic enrollment and conversion process continues in the same manner and generates NYSNIP openings and conversions based on a modified NYS SDX. The SSP data base updates the federal SDX file to add the SSP information and then this modified SDX file, which includes both SSI and SSP information, is passed to WMS and the NYSNIP auto SDX process.

No other SSP implementation areas impact NYSNIP. NYSNIP households continue to have up to the 48 month SNAP certification period and no reporting requirements until the 24 month interim contact and recertification. Changes reported to the SSP office and relayed to the district may be reviewed for NYSNIP households who request to have a benefit comparison and receive a higher SNAP benefit outside of the NYSNIP.

Medicaid Implications

Recipients of SSI and/or State Supplement Program-only (SSP-only) are categorically eligible for Medicaid. A separate Medicaid application is not required. The "Dear SSI Beneficiary" letter and form issued by New York State have been revised to address State Supplement Program only beneficiaries.

Similar to SNAP cases, OTDA will utilize SDX to identify individuals who are categorically eligible for Medicaid. When a recipient becomes eligible for SSI and/or the SSP-only, the SDX process will continue to trigger the appropriate MA/SSI case opening on WMS. Districts may see new combinations of Medicaid Eligibility and Payment Status Codes on the SDX, e.g., C01 (Current Pay Status) and D (Disabled Adult Child) or C01 (Current Pay Status) and W (Widow/Widower). However, no action is required by the SSD. When an individual becomes ineligible for SSI and/or SSP-only, the SDX process will continue to trigger the appropriate action.

Please contact the Local District Support Unit for questions related to Medicaid eligibility: Upstate (518) 474-8887 or in NYC (212) 417-4500.

V. Systems Implications

State Data Exchange (SDX) Impacts

As a result of this change in administration, SSA no longer collects certain SSP related information (State Living Arrangement and benefit amount) for SSI applicant/recipients that has historically been included in the State Data Exchange (SDX) file passed to New York State. From the SSP database OTDA will update the SDX file with the information SSA no longer provides before sending it on to downstream users. See GIS 14 TAWMS024 for further information.

VI. Required Action

There are no required actions for SSDs. SSDs should refer SSP related calls to the SSP Customer Support Center (1-855-488-0541). Since many SSP recipients also receive other benefits and services through the SSDs, there may be instances where SSP questions are raised during the course of these contacts. SSDs are asked to direct SSP inquiries to the SSP Customer Support Center

(1-855-488-0541). SSDs may find it helpful to have a supply of SSP brochures and palm cards on hand to assist in responding to client inquiries. GIS 14 TA/DC036 provided information on ordering brochures and palm cards.

VII. Additional Information

Contact Information

Additional information is available by calling, emailing, or visiting the website.

New York State Supplement Program (SSP):

Customer Support Center: 1-855-488-0541

Web address: www.otda.ny.gov/programs/ssp

Mailing Address: NYS OTDA
State Supplement Program
PO Box 1740
Albany, NY 12201

E-mail address: otda.sm.ssp@otda.ny.gov

VII. Effective Date

October 1, 2014

Issued By

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Title: Deputy Commissioner

Division/Office: Center for Employment and Economic Supports