



Office of Temporary and Disability Assistance

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Local Commissioners Memorandum

Section 1

Transmittal:	16-LCM-12
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	August 10, 2016
Subject:	Revised LDSS-4958 "TA Sanction & Denial Policy/Participation Rate Impact Guide"
Contact Person(s):	Temporary Assistance Bureau at (518) 474-9344 Employment and Advancement Services Bureau at (518) 486-6106 Forms Related Questions: Kelly Whitney at (518) 473-7991
Attachments:	Attachment 1: LDSS-4958 ROS (Rev. 5/16)
Attachment Available Online:	<input checked="" type="checkbox"/>

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts (districts) other than New York City of revisions to the LDSS-4958 "TA Sanction & Denial Policy/Participation Rate Impact Guide."

II. Background

The LDSS-4958 "TA Sanction & Denial Policy/Participation Rate Impact Guide," provides a comprehensive desk guide to help district workers outside of New York City identify the appropriate sanction "reason code" and "individual disposition status code" that should be used for noncompliance with Temporary Assistance (TA)¹ program requirements, including noncompliance with TA employment requirements. The desk guide also provides information on the impact that sanctions may have on TA participation rate calculations.

III. Program Implications

Districts should ensure that staff responsible for imposing TA sanctions receives an updated copy of the desk guide. The revised desk guide will assist district staff to properly impose and report sanctions consistent with federal and State regulations.

¹ Whenever 'Temporary Assistance' or 'TA' is used in this document, it means 'Family Assistance' and 'Safety Net Assistance.' Statutorily, these programs are referred to as 'Public Assistance.'

A. Revised Form

The LDSS-4958 "TA Sanction & Denial Policy/Participation Rate Impact Guide," has been revised as follows:

- The desk guide has been changed to apply to districts other than New York City. New York City has different conciliation and TA sanction procedures as enacted by Chapter 562 of the Laws of 2015.
- The phrase "determined by a medical professional" has been added to the description for reason code "W40-Failure/Refusal to Become Employable" to clarify that the requirement to participate in reasonable medical care, rehabilitation or treatment is based on a medical professional's determination that such participation is necessary to improve the individual's ability to work or participate in work related activities.
- The case action for reason code "V30-Failure to Comply with IV-D (Child Support Enforcement Requirements)" has been adjusted to clarify that the reduction is based on the household's standard of need.
- The denial/sanction results for reason codes "PX1-Failure to take part in Drug/Alcohol Rehab-Recipient (1st occurrence), PX2 (2nd occurrence) and PX3 (3rd occurrence)" and "MX1-Failure to take part in Drug/Alcohol Rehab-Applicant (1st occurrence), MX2 (2nd occurrence) and MX3 (3rd occurrence)" have been expanded to include information regarding the ability for an individual to end a sanction upon returning to required treatment and receiving care in an OASAS certified CCII or a Veterans D/A residential program prior to the end of the durational sanction period.
- The reason codes included in the description for reason code "M77-Continue Drug/Alcohol Sanction" have been updated to reflect the reason codes currently used to impose a TA sanction when a recipient fails to take part in drug/alcohol rehabilitation. Additionally, the denial/sanction results description was adjusted to: "Individual continues to refuse to participate in substance abuse treatment as required, *and/or has not completed his/her durational sanction.*"

B. Forms Ordering Information

The revised LDSS-4958 ROS "TA Sanction & Denial Policy/Participation Rate Impact Guide" is **not** State printed, but is posted on the OTDA Intranet website at http://otda.state.nyenet/ldss_eforms/default.htm and available for downloading by districts for reproduction locally.

Upon the release of this LCM, all previous versions of this form **should be recycled** and replaced with the "(Rev. 5/16)" version.

Any future requests for master camera ready copies of the revised form should be submitted to the New York State Office of Temporary and Disability Assistance (OTDA) using either the OTDA 876EL (DOC) or OTDA 876 EL (PDF) available at the link above and either mail, fax or e-mail it to:

Office of Temporary and Disability Assistance
BMS Document Services and Operational Support
PO Box 1990
Albany, NY 12201

E-mail: forms.orders@otda.ny.gov
Social Services Districts (SSD) online forms ordering system: <http://formorders/>
Fax: (518) 402-0084

Questions concerning ordering forms should be directed to BMS Document Services at (518) 474-9522.

Issued By

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Division/Office: Center for Employment and Economic Supports