



# Office of Temporary and Disability Assistance

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## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	18-LCM-02
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Office of Temporary and Disability Assistance
<b>Date:</b>	January 16, 2018
<b>Subject:</b>	Questions and Answers Regarding 17-ADM-08 "Background Investigations of Employees with Access to Federal Tax Information"
<b>Contact Person(s):</b>	Division of Legal Affairs (518) 474-9502
<b>Attachments:</b>	<a href="#">Attachment 1 - Division of Child Support Services Questions and Answers regarding 17-ADM-08</a> <a href="#">Attachment 2 - DCJS Request for Access to Criminal History Record Information</a> <a href="#">Attachment 3 - Checklist: Review of District Policy to Implement Background Checks for Applicants for Jobs Requiring Access to FTI</a>
<b>Attachment Available Online:</b>	<input checked="" type="checkbox"/>

### Section 2

#### I. Purpose

This Local Commissioners Memorandum (LCM) provides Social Services Districts (districts) with supplemental information regarding the recently issued Administrative Directive, 17-ADM-08, pertaining to applicant background investigations required by IRS Publication 1075 for positions requiring access to Federal Tax Information (FTI).

#### II. Background

On September 26, 2017, the Office of Temporary and Disability Assistance (OTDA) issued 17-ADM-08 to advise districts of requirements within revised IRS Publication 1075 regarding background investigations for employment in positions where the job duties require access to FTI. The ADM provided information and guidance on the development of policies and procedures to implement those requirements.

Following the issuance of 17-ADM-08, OTDA received a number of questions from local districts. In response, on October 2, 2017, a telephone conference was jointly conducted by OTDA's Division of Legal Affairs and Division of Child Support Services with district child support personnel to answer the questions received regarding the contents of the ADM. Additional questions were submitted by district staff during and after the conference call. The questions and answers have been compiled. See Attachment 1. In addition, one of the attachments to the ADM (DCJS Request for Access to Criminal History Record Information) did not include the citation of law authorizing the investigation. Attachment 2 includes this citation.

In response to Question No. 9, OTDA agreed to provide a copy of the checklist that will be used to evaluate district policies submitted for OTDA review. See attachment 3.

### **III. Program Implications**

This LCM imposes no new requirements. Districts are subject to the requirements of Publication 1075 regarding FTI and must develop policies and procedures for the implementation of background investigation requirements by February 28, 2018. See 17-ADM-08. Submit policies and procedures to the Division of Legal Affairs at [brian.wootan@otda.ny.gov](mailto:brian.wootan@otda.ny.gov) for review.

#### **Issued By**

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