



ANDREW M. CUOMO
Governor

MICHAEL P. HEIN
Commissioner

SHEILA J. POOLE
Commissioner

HOWARD A. ZUCKER
Commissioner

Administrative Directive Memorandum

Section 1

Transmittal:	20-ADM-12
To:	Social Services District Commissioners
Issuing Division/Office:	OTDA Employment and Income Support Programs
Date:	October 6, 2020
Subject:	Implementation of the Electronic LDSS-2921 (E-2921), <i>Application for Certain Benefits and Services</i>
Suggested Distribution:	Supplemental Nutrition Assistance Program (SNAP) Directors Temporary Assistance (TA) Directors Home Energy Assistance Program (HEAP) Coordinators Fraud Coordinators Employment Coordinators Medicaid Directors Staff Development Coordinators
Contact Person(s):	TA Policy Questions: TA Bureau: (518) 474-9344 or otda.sm.cees.tabureau@otda.ny.gov SNAP Policy Questions: SNAP Bureau: (518) 473-1469 or otda.sm.cees.snap@otda.ny.gov HEAP Policy Questions: HEAP Bureau: (518) 473-0332 or nysheap@otda.ny.gov Medicaid Policy Questions: Upstate (518) 474-8887; NYC (212) 417-4500; myBenefits Questions: myBenefitmyWorkspace@otda.ny.gov

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
20-ADM-04 19-ADM-07 13-LCM-15 10-INF-14 02-ADM-02		9 NYCRR Part 540; 18 NYCRR 350.4 387.6(a) 393.3(a) 397.2	SSL § 95 131 131-a 132 158 304 348 350-j	myBenefits Manual; TA Source Book, Chapter 3	

Section 2

I. Summary

This Administrative Directive Memorandum (ADM) informs social services districts (districts) of the implementation of the Electronic [LDSS-2921](#) (E-2921), *Application for Certain Benefits and Services*, through www.mybenefits.ny.gov. Effective July 17, 2020, applicants may use the E-2921 to apply for the following programs: Public Assistance (PA); Child Care in lieu of PA; Supplemental Nutrition Assistance Program (SNAP); Medicaid (MA) and SNAP; MA and PA; Services, including Foster Care (FC) and Child Care Assistance (CC); and emergency assistance only. This ADM only applies to districts outside of New York City, also known as Rest of State (ROS) districts. There is no change to existing electronic applications for Home Energy Assistance Program (HEAP) or SNAP-only cases. These existing electronic applications are preferred for applicants who are applying for HEAP or SNAP only.

Districts are reminded that those seeking to apply only for Medicaid and no other benefits cannot use the E-2921 (or the LDSS-2921). Most applicants for Medicaid only must apply first through NY State of Health. If determined not eligible through the NY State of Health, then they will be referred to their local department of social services and will complete the Access NY Health Care application (DOH-4220). Individuals who are 65 years old or older, certified blind, certified disabled or Institutionalized, and/or applying for nursing home care must apply through their local department of social services.

II. Purpose

The purpose of this ADM is to provide information and instructions to ROS districts on the implementation of the E-2921 through www.mybenefits.ny.gov to apply for PA; Child Care in lieu of PA; SNAP; MA and SNAP; MA and PA; Services, including FC and CC; and emergency assistance only. Although the E-2921 allows applicants to apply for all the benefits and services outlined above, this ADM focuses on PA. Additionally, this ADM is informational only for New York City.

III. Background

The availability of electronic applications increases household access to programs and assists district workers with data entry of application registrations and eligibility determinations. In May 2008, the Office of Temporary and Disability Assistance (OTDA) launched the myBenefits website at: www.mybenefits.ny.gov. The myBenefits site offers internet users the ability to self-screen potential eligibility for a wide variety of nutrition benefits, health insurance programs, tax credits, work supports, and other programs. In addition, myBenefits currently allows households in all ROS districts to submit electronic applications for SNAP either through the public internet site or, under agreements established with districts, with the assistance of community-based organizations (CBOs). In addition, OTDA currently allows households in participating districts to submit electronic applications for HEAP and SNAP, electronic recertifications for SNAP and PA, and electronic change reporting in accordance with SNAP regulations.

New York State's Electronic Signatures and Records Act (ESRA) permits and promotes the acceptance of electronic signatures and records by both the public and private sectors in New York State, by providing that electronic signatures bearing certain attributes are the legal equivalent of signatures affixed by hand. In addition, the ESRA authorizes the use of electronic means to create and manage records and establishes that electronic records have the same legal force and effect as non-electronic records.

IV. Program Implications

Effective July 17, 2020, all ROS districts must accept and process the E-2921 as they would a hard-copy LDSS-2921. The E-2921 must be accepted for PA; Child Care in lieu of PA; SNAP; MA and SNAP; MA and PA; Services, including FC and CC; and emergency assistance only.

V. Required Action

The myBenefits electronic application for PA benefits is a state-prescribed application form that meets the application/recertification filing requirements in 18 NYCRR 350.4. All ROS districts must begin accepting electronic PA applications that contain a completed and signed application. The federal and state statutes and regulations governing PA application filing are applicable to electronic applications, as well as paper applications that are filed in person, by mail, or fax.

Districts are required to respond to an applicant's declaration of an emergency situation when the district receives a PA application and must provide appropriate notice to the applicant regarding the meeting of their immediate need(s). Districts are required to assess the emergency situation and, if an immediate need is determined to exist, meet the immediate need on the date of the application. Districts must first determine if an emergency situation exists, then if the emergency constitutes an immediate need, and finally how to resolve the emergency/immediate need.

If an applicant identifies an emergency need on the E-2921, the district must contact the applicant on the date the district receives the E-2921 to inform the applicant of the requirement to participate in an interview. E-2921s that are submitted after the close of business will be considered received by districts as of the following business day. Districts must develop and implement a process to triage and flag emergencies and immediate needs identified through submission of the E-2921.

In all instances, for both electronic and paper applications for PA benefits, the district worker is required to conduct an eligibility interview and must verify, at a minimum, the identity, family composition, and citizenship/alien status of the applicant before meeting an immediate need (see OTDA's [02-ADM-02](#)). All remaining eligibility requirements must be verified before regular/ongoing benefits can be authorized. Existing "clearance" procedures and other eligibility investigation and verification processes apply equally to applications submitted electronically and on paper.

OTDA pursued and received a modification to the "Agreement for Reimbursement to State for Interim Assistance Payments Between the Social Security Administration (SSA) and the State of New York," dated September 7, 2011, which allows the use of an electronic signature on the Interim Assistance Reimbursement authorization for both the SSI applicant or former recipient and the district representative. The SSA's approved definition of an electronic signature allows for the use of an electronic symbol or process attached to, or logically associated with, an electronic record that identifies and authenticates a particular person as being such individual intending to affix their signature to the document, and indicating their adoption or approval of the substance and contents of same.

An electronic signature has the same legal effect and can be enforced in the same way as a signature affixed by hand. The initial launch of the E-2921 will only allow for one electronic signature. If there is more than one adult applicant in a household, districts must send a printed copy of the completed E-2921 application and an [LDSS 2642](#) – Documentation Requirement form to the applicant with instructions indicating that the applicant and all applying adults sign the printed E-2921 application and return the signed E-2921 application to the district within 30 days of the E-2921 application date. The application date must be the date the district received the E-2921. If the E-2921 is submitted after close of business, the application date is the following business day. If the household fails to return the printed E-2921 with all required signatures, and does not have a good

cause reason, then the district must deny the application using Client Notices System (CNS) reason code N14-Filing Unit Member Failed to Apply.

There is no change to the MA Separate Determination process for TA application denials that include individuals that screen MAGI-like, except that the district must send the PDF with all adult applicant signatures instead of the paper [LDSS-2921](#) to NYSOH/HBE. If the application denial is for failure of all adult application to sign the E-2921 the district must also send the LDSS 2642 to NYSOH/HBE to show the district tried to obtain the signature(s).

VI. Systems Implications

The submitted E-2921 will be automatically registered in WMS and will be available in the myWorkspace Intake Inbox. It will provide the same functionality as other applications in the myWorkspace Intake Inbox, including application registration maintenance, application processing, and application withdrawal. Application transfer is not available in the initial phase. Documents that have been uploaded via myBenefits will be indexed to the Imaging and Enterprise Document Repository (I/EDR) and available to be viewed and verified in myWorkspace. Applications can be processed in myWorkspace or in WMS. Applicants who reside in a district that is participating in the NYDocSubmit mobile application, including ROS districts that do not use I/EDR to maintain their electronic case record, may also submit documents to support their application for PA, SNAP, HEAP, or MA through the NYDocSubmit app. This app is the only mechanism for applicants to upload documents in districts that do not use I/EDR. The process for reviewing, validating and indexing supporting documents submitted through the NYDocSubmit mobile application, as described in OTDA's [20-ADM-04](#) for districts that use I/EDR and [19-ADM-07](#) for districts that do not use I/EDR to maintain their electronic case record, is not changed by the implementation of the E-2921.

MyWorkspace identifies the E-2921 as the "Print Application Summary." This PDF must be printed and sent to the applicant if there is more than one applying adult. All myBenefits PA applications will initially display in myWorkspace as a Case Type (CT) 11. During the eligibility interview, applicants must be assessed for program area requirements and the correct case type determined by the worker. The case type can be changed during application registration maintenance or after the Eligibility Determination screens are accessed.

While information from the myBenefits application is automatically populated in myWorkspace, all information must be reviewed and validated. Note that not all information that is included in the E-2921 is included in myWorkspace upon registration.

The E-2921 will remain under development. Users are encouraged to use the 'Contact Us' feature, or email myBenefitmyWorkspace@otda.ny.gov, with questions and suggestions for enhancements. Questions regarding all program areas can be submitted.

VII. Additional Information (Optional)

The Learning, Engagement and Development Services (LEADS) training team was responsible for training and providing technical assistance for this project.

All training sessions were delivered via WebEx. The training team provided outreach to each district's TA unit prior to scheduling their training sessions. To accommodate district work schedules, multiple training sessions were offered. These sessions ran twice daily from July 13-17, 2020.

VIII. Effective Date

Immediately

Issued By:

Name: Jeffrey Gaskell

Title: Deputy Commissioner

Division/Office: Employment and Income Support Programs / Office of Temporary and Disability Assistance

Name: Derek J. Holtzclaw

Title: Deputy Commissioner for Administration

Division/Office: Division of Administration / Office of Children and Family Services

Name: Donna Frescatore

Title: Medicaid Director

Division/Office: Office of Health Insurance Programs / Department of Health