



# Office of Temporary and Disability Assistance

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Governor

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Commissioner

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## Local Commissioners Memorandum

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### Section 1

<b>Transmittal:</b>	20-LCM-08
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Employment and Income Support Programs
<b>Date:</b>	August 28, 2020
<b>Subject:</b>	COVID-19 Temporary Assistance Waiver Extension
<b>Contact Person(s):</b>	Temporary Assistance (TA) Questions – TA Bureau – (518) 474-9344 or <a href="mailto:otda.sm.cees.tabureau@otda.ny.gov">otda.sm.cees.tabureau@otda.ny.gov</a>
<b>Attachments:</b>	<a href="#">Attachment 1 - When Home Isn't Safe Flyer</a>

### Section 2

#### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise social services districts (districts) that the Office of Temporary and Disability Assistance (OTDA) is extending the ability for districts to waive certain TA eligibility requirements until December 31, 2020.

#### II. Background

In response to the outbreak of COVID-19 and the declaration of a State disaster emergency (Executive Order 202, March 7, 2020), OTDA released a series of policy and operational changes intended to modify district administrative requirements and adjust program application and compliance requirements for Temporary Assistance (TA) applicants and recipients (A/R). Such changes have the goal of allowing New Yorkers to maintain access to critical benefits and services, while protecting the health and safety of A/Rs and district staff.

With respect to in-person interviews or appearances connected to the TA application and/or recertification process, returning to mandatory in-person appointments at this time could pose a risk to the health and safety of both clients and staff. This is of particular concern in those districts with heavy foot traffic and office locations that would not permit sufficient social distancing of staff and clients if all applicants for and most recipients of TA were to be interviewed in district offices. Therefore, until December 31, 2020, OTDA is waiving, in the instances delineated below, any regulation and policy that requires face to face appearances, in order to allow for the use of telephonic interviews/appearances.

#### III. Program Implications

The following items have been extended until close of business December 31, 2020:

- Allowing TA eligibility interviews to be conducted by phone;

- Allowing TA recertification interviews to be conducted by phone;
- Allowing drug/alcohol and domestic violence screenings to be conducted by phone;
- Extending domestic violence waivers;
- Enabling districts with local procedures or other processes that requires frequent contact with individuals experiencing homelessness and residing in emergency housing to conduct these contacts via phone, with reduced frequency as appropriate for the population; and,
- Allowing temporary modifications to previously approved Case Supervisor Review (CSR) plans.

District participation in the waivers listed above is not mandated. Districts can choose which, if any, waivers they want to participate in and the time period during for which they want to utilize them. Districts who choose not to participate in one or more of the above waivers through December 31, 2020 must send an email to OTDA at: [otda.sm.cees.tabureau@otda.ny.gov](mailto:otda.sm.cees.tabureau@otda.ny.gov) and indicate which waiver provisions they are opting out of and/or the shorter time period for which they will be utilizing the waivers.

Districts are reminded that A/Rs who do not comply with certain eligibility criteria due to a COVID-19 related issue may be eligible for a good cause provision outlined in 18 NYCRR 351.26. Situations must be evaluated and documented on a case by case basis. For example, if an applicant in a district that has opted out of allowing phone interviews has concerns about their ability to come in for a face to face interview, the situation must be carefully assessed to determine if a phone interview is an appropriate accommodation for that particular A/R.

Districts are reminded when conducting Domestic Violence (DV) screenings over the phone, that there may be victims of DV who are not comfortable identifying themselves as such, especially if the abuser is present during the call. Therefore, districts should implement best practices during DV screenings and reiterate to all A/Rs the availability to ask for or speak to a Domestic Violence Liaison (DVL) at any time by contacting the district. While discussing the A/Rs DV responses, the district should provide the 24-hour NYS Domestic and Sexual Violence Hotline number: 1-800-942-6906, text to 1-844-997-2121, and chat option at [opdv.ny.gov](http://opdv.ny.gov). Districts may also verbally inform the A/R about available DV services and provide the contact information to these services, which can be found in [LDSS-4905](#) (Domestic Violence Information for All Public Assistance (PA) Applicants and Recipients and the *When Home Isn't Safe flyer (attachment 1)*).

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## Issued By:

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