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Local Commissioners Memorandum

Section 1

Transmittal:	20-LCM-14
To:	Social Services District Commissioners
Issuing Division/Office:	OTDA Strategic Operations Unit, Commissioner's Office DOH Office of Health Insurance Programs OCFS Division of Child Welfare and Community Services
Date:	December 4, 2020
Subject:	Revisions to the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313
Contact Person(s):	OTDA Strategic Operations Unit: (518) 474-9516 DOH Local District Liaison: Upstate – 518-474-8887; New York City – 212-417-4500 OCFS Division of Child Welfare and Community Services: 518-474-3377
Attachments:	Attachment 1 - LDSS-2921: "New York State Application for Certain Benefits and Services" Attachment 2 - LDSS-3174: "New York State Recertification Form for Certain Benefits and Services" Attachment 3 - PUB-1301: "Instructions for Completing the New York State Application for Certain Benefits and Services" Attachment 4 - PUB-1313: "Instructions for Completing the New York State Recertification Form for Certain Benefits and Services"

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
20-ADM-01 06-ADM-05 17-INF-14			Section 516-a of the Family Court Act Section 111-k of the New York State Social Services Law Article 15 of the Executive Law		

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts (“districts”) of recent revisions to the following documents:

- LDSS-2921: “New York State Application for Certain Benefits and Services”
- LDSS-3174: “New York State Recertification Form for Certain Benefits and Services”
- PUB-1301: “Instructions for Completing the New York State Application for Certain Benefits and Services”
- PUB-1313: “Instructions for Completing the New York State Recertification Form for Certain Benefits and Services”

This LCM is intended to convey changes made to the documents listed above, and to provide information to districts regarding the distribution and use of these revised documents.

II. Background

New York State provides access to benefits and services regardless of sex, gender identity, or gender expression. An individual must not be denied benefits or services, or be discriminated against, because of their sex, gender identity, or gender expression, including reproductive anatomy or gender designation. Administrative Directive 20-ADM-01 provides guidance to districts on how to process transactions for individuals with gender designations other than “male” or “female.”

The following changes have been made to the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313, consistent with 20-ADM-01 and legislative changes:

- Section 6 on page 2 of the LDSS-2921 and Section 6 on page 2 of the LDSS-3174 include a new, optional Gender Identity field. Here an applicant may enter any of the following gender identities for the applicant and/or members of the household: “Male,” “Female,” “Non-Binary,” “X,” Transgender,” or “Different Identity.” This new field includes space for the applicant to describe another identity. The Sex field remains on both forms, consistent with 20-ADM-01.
- The LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 now contain gender-neutral pronouns and other gender-neutral language throughout in place of gendered pronouns and language. References to “he/she” have been replaced with “they” and references to “his/him/her” have been replaced with “their/them.” References to “mother/father” have been replaced with “parent” and references to “brothers/sisters” have been replaced with “siblings.”
- Sections 10 and 13 on pages 5 and 6 of the LDSS-2921, and Sections 11 and 14 on pages 5 and 6 of the LDSS-3174, include gender-neutral changes specific to the Child Support Program, consistent with Section 516-a of the Family Court Act and Section 111-k of the New York State Social Services Law. References to “paternity” and “fatherhood” have been replaced with “parentage,” and references to “putative father(s)” have been replaced with “alleged parent(s).” References to form LDSS-4882, “Information About Child Support Services and Application/Referral for Child Support Services,” have been replaced with references to form LDSS-5145, “Referral for Child Support Services.”

- “Under certain circumstances” has been removed from the following language in the Nondiscrimination Notice on page 18 of the LDSS-2921 and on page 18 of the LDSS-3174: “New York State additionally prohibits discrimination based on gender identity, transgender status, gender dysphoria, sexual orientation, marital status, military status, domestic violence victim status, pregnancy-related conditions, predisposing genetic characteristics, prior arrest or conviction record, familial status, and retaliation for opposing unlawful discriminatory practices.”
- Page 5 of PUB-1301 and page 5 of PUB-1313 contain instructions on how to complete the Sex and new Gender Identity fields on the LDSS-2921 and LDSS-3174. The instructions explain how to access New York State benefits and/or services regardless of sex, gender identity, or gender expression. They clarify that a designation of “M” for “male” or “F” for “female” in the Sex field is required for processing an application and that this designation must be consistent with the designation currently on file with the United States Social Security Administration, but that this designation will not appear on any benefit card or other public-facing document. Additionally, page 5 of both documents provides information about gender identity and identifies the options available for specifying a gender identity on the LDSS-2921 and LDSS-3174, if the applicant chooses to provide this information. PUB-1301 and PUB-1313 clarify that the Gender Identity field is optional and will not affect either eligibility or benefits.

III. Program Implications

Effective December 14, 2020, all previous versions of the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 must be recycled and replaced with the most recent versions. Districts may distribute only the most recent versions of these documents after December 14, 2020, but must accept and process any applications or recertification forms submitted by applicants or recipients using the previous versions of these forms.

Prior to December 8, 2020, districts will receive initial shipments of the English and Spanish versions of the revised LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 in non-alternative format. Each district will receive an initial shipment based on past order and usage data. Districts that have not received an initial shipment by December 8, 2020, should contact OTDA’s Bureau of Management Services at forms.order@otda.ny.gov.

Starting December 14, 2020, English and Spanish versions of these forms in both alternative and non-alternative formats can be ordered through the online Forms Inventory Database at <http://formorders/> or by submitting a completed OTDA-876 form, available at http://otda.state.nyenet/ldss_eforms/, via email to forms.orders@otda.ny.gov.

The above-mentioned forms and publications, along with alternative formats and translated versions, will be available December 14, 2020, at: www.otda.ny.gov/programs/applications.

Translated Versions

Currently, the six most common non-English languages spoken by individuals with limited English proficiency in New York State, based on census data, are Spanish, Bengali, Chinese (traditional), Haitian-Creole, Korean, and Russian. Translated versions of the documents in these six languages and Arabic can be downloaded from the OTDA intranet site at http://otda.state.nyenet/ldss_eforms/ and from the OTDA public-facing website at <http://otda.ny.gov/programs/applications/>. Paper copies of the Spanish versions of the documents can also be ordered from OTDA, per the instructions above.

For further information regarding the provision of services to individuals with limited English proficiency, districts should refer to Administrative Directive 06-ADM-05, "Providing Access to Temporary Assistance Programs for Persons with Disabilities and/or Limited English Proficiency (LEP)," and Informational Letter 17-INF-14, "Language Access for Individuals with Limited English Proficiency (LEP)."

Alternative Formats

Audio, data, and large print versions of the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 can be downloaded from the OTDA intranet site at http://otda.state.nyenet/ldss_eforms/. Districts can also order audio disk, data disk, and Braille versions of the documents from OTDA, per the instructions above. Alternative formats are available in both English and Spanish.

For more information on alternative formats, please see 16-ADM-08: "Alternative Format and Disability Accommodation Indicator Use."

Other Information

Any questions concerning revisions to the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 can be directed to OTDA's Strategic Operations Unit at (518) 474-9516. Contact OTDA's Bureau of Management Services at (518) 474-9522 with any questions regarding the ordering of documents described herein.

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