



# Office of Temporary and Disability Assistance

KATHY HOCHUL  
Governor

MICHAEL P. HEIN  
Commissioner

BARBARA C. GUINN  
Executive Deputy Commissioner

## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	21-LCM-01-T
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Division of Child Support Services
<b>Date:</b>	September 13, 2021
<b>Subject:</b>	Revisions to the Child Support Application and Referral Forms
<b>Contact Person(s):</b>	Child Support Services – County Representative: <a href="mailto:otda.sm.dcse.bpo@otda.ny.gov">otda.sm.dcse.bpo@otda.ny.gov</a>
<b>Attachments:</b>	<a href="#">Attachment 1 - LDSS-5143, Application for Child Support Services</a> <a href="#">Attachment 2 - LDSS-5143A, Important Information about Child Support Services</a> <a href="#">Attachment 3 - LDSS-5143B, Additional Child Information (Application)</a> <a href="#">Attachment 4 - LDSS-5145, Referral for Child Support Services</a> <a href="#">Attachment 5 - LDSS-5145A, Additional Child Information (Referral)</a>

### Section 2

#### I. Purpose

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

- LDSS-5143, *Application for Child Support Services*;
- LDSS-5143A, *Important Information about Child Support Services*;
- LDSS-5143B, *Additional Child Information (Application)*;
- LDSS-5145, *Referral for Child Support Services*; and
- LDSS-5145A, *Additional Child Information (Referral)*.

This LCM is intended to convey changes made to the documents listed above, and to provide information to districts regarding the ordering, distribution, and use of these revised documents, as well as instructions regarding disposal of stock of previous versions. **It is being reissued to replace Attachments 3 and 5 (LDSS-5143B and LDSS-5145A, respectively) to address a typographical error wherein the “Date of Birth” field label was missing. Printed versions of these two forms bearing the 02/21 revision date should be destroyed and replaced with the attached corrected versions.**

#### II. Background

On April 3, 2020 Governor Cuomo signed into law the Child-Parent Security Act, which legalized gestational surrogacy and extended to individuals who use assisted reproductive technology the simple, existing administrative mechanism for establishing parental rights for their children.

Consistent with these changes, the following updates have been made to the LDSS-5143, LDSS-5143A, LDSS-5143B, LDSS-5145, and LDSS-5145A:

- References to “father” have been updated to “parent;”
- References to “paternity” have been updated to “parentage,” and additional information about establishing legal parentage has been added;
- Surrogacy agreements and assisted reproduction agreements have been added as documentation to establish parentage; and
- “Intended parent” has been added as an option to identify the Other Party, and a definition of this term was added.

In addition, the LDSS-5143, LDSS-5143A, and LDSS-5145 have been updated to include notice of the Office of Temporary and Disability Assistance’s nondiscrimination policy, consistent with New York State law.

Finally, the language regarding electronic program communications has been revised from an “opt-in” to an “opt-out” selection. The notice language remains in the LDSS-5143 and LDSS-5145 advising individuals that the Child Support Program may send correspondence electronically, including, by email, text messages or other available methods; however, instead of opting into receiving electronic communications, applicants/recipients are now asked to opt **out** if they do not wish to receive electronic communications. This change is intended to facilitate communication with program applicants/recipients as electronic communication becomes more common practice.

### III. Program Implications

All previous versions of the LDSS-5143, LDSS-5143A, LDSS-5143B, LDSS-5145, and LDSS-5145A must be recycled and replaced with the attached revised versions when the revised forms are received. Alternatively, districts may choose to use the electronic versions of the forms when they become available on [otda.ny.gov](http://otda.ny.gov). Districts may distribute only the revised versions of these documents when the forms are received, but must still accept and process any application or referral forms submitted using the previous versions of these forms.

Districts must place orders for the revised LDSS-5143, LDSS-5143A, LDSS-5143B, LDSS-5145, and LDSS-5145A in English and Spanish. Districts are advised to please submit their completed order forms (OTDA-876) to [forms.orders@otda.ny.gov](mailto:forms.orders@otda.ny.gov). Districts **must** submit the OTDA-876 form to receive paper copies of the revised documents, as they will not receive shipments of these documents automatically. Note that any orders placed prior to February 15 will **not** be filled with the revised versions, so districts must plan to order their replacement stock accordingly. After February 15, 2021, districts may use either the OTDA-876 form or the Electronic Forms and Publications Online System at <http://formorders/> to order replacement stock of the revised forms.

Translated versions of the documents in Arabic, Bengali, Chinese, Haitian-Creole, Russian, Spanish, and Korean can be downloaded from the OTDA intranet site at [http://otda.state.ny.net/ldss\\_eforms/](http://otda.state.ny.net/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.

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## Issued By:

**Name:** Eileen M. Stack

**Title:** Deputy Commissioner

**Division/Office:** Child Support Services