



# Office of Temporary and Disability Assistance

ANDREW M. CUOMO  
Governor

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Commissioner

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Executive Deputy Commissioner

## Local Commissioners Memorandum

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### Section 1

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<b>Transmittal:</b>	21-LCM-10
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Child Support Services
<b>Date:</b>	June 4, 2021
<b>Subject:</b>	Revisions to LDSS-2859, Information Transmittal
<b>Contact Person(s):</b>	Child Support Services – County Representative: Albany (518-473-0574) or New York City (212-961-8269)
<b>Attachments:</b>	<a href="#">Attachment 1 – LDSS-2859, Information Transmittal</a>

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### Section 2

#### I. Purpose

The purpose of this Local Commissioners Memorandum is to inform social services districts (districts) of recent changes to the LDSS-2859, *Information Transmittal (Attachment 1)*, which is used by programs within the districts to transmit information pertaining to cases served by the Child Support Program. This LCM is intended to convey changes made to the LDSS-2859 and to provide information to districts regarding the availability and use of the revised document.

#### II. Background

Since its original release in Administrative Directive 99 ADM-5, the LDSS-2859 has been designated the primary vehicle for transmitting information between the Child Support Program and other district programs including the Temporary Assistance and Foster Care programs. While the LDSS-2859 is to be used for communications to and from the Child Support Program, note that in the context of the Medicaid (MA) Program it is used only to *send* child support information to MA. MA communicates information and updates to the Child Support Program through use of the OHIP-0030, *Medicaid Medical Support Transmittal*, which contains a certification block to permit the document to be offered as evidence during a court proceeding.

An essential communication tool, the LDSS-2859 has been revised in response to the recent implementation of the Child-Parent Security Act (CPSA), which legalized gestational surrogacy and extended the voluntary acknowledgment process for establishing parental rights to individuals who rely on assisted reproduction to have children. Because the CPSA is gender-neutral, references to “paternity” and “father” have been eliminated from the LDSS-2859.

The revised LDSS-2859 is now a fillable LDSS E-Form, which eliminates the need to have hard copies available at remote work locations and facilitates electronic transmission of the form.

### III. Program Implications

The revised LDSS-2859 utilizes gender-neutral language to align with the implementation of the CPSA:

- The reference to “paternity testing” has been deleted and replaced with a reference to “genetic marker or DNA testing”;
- The reference to “putative father” has been deleted and replaced with references to an “alleged parent” and “intended parent”; and
- The reference to “father” has been deleted and replaced with a reference to “parent.”

The revised LDSS-2859 is available to workers across all district programs through the Office of Temporary and Disability Assistance (OTDA) Centraport. In addition, the revised LDSS-2859 is available to child support workers on the Forms page of the Electronic Resource System (ERS).

Effective upon issuance of this memorandum, all previous versions of the LDSS-2859 must be recycled and replaced with the new version.

Districts that wish to propose a local-equivalent version of the revised LDSS-2859 (or any State-mandated form), must submit a request for approval to the Office of Temporary and Disability Assistance, Bureau of Management Services, pursuant to the instructions in Administrative Directive 16-ADM-03. Districts using a previously approved LDSS-2859 local equivalent form must resubmit the document for approval, incorporating the gender-neutral language noted above.

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### Issued By:

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**Title:** Deputy Commissioner  
**Division/Office:** Division of Child Support Services