



# Office of Temporary and Disability Assistance

KATHY HOCHUL  
Governor

DANIEL W. TIETZ  
Commissioner

BARBARA C. GUINN  
Executive Deputy Commissioner

## Administrative Directive Memorandum

### Section 1

<b>Transmittal:</b>	22-ADM-04
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Shelter Oversight and Compliance
<b>Date:</b>	April 11, 2022
<b>Subject:</b>	Menstrual Products
<b>Suggested Distribution:</b>	Temporary Assistance Directors and Staff, Housing/Homeless Services Directors
<b>Contact Person(s):</b>	Division of Shelter Oversight and Compliance at: (518) 486-4040 or <a href="mailto:otda.sm.css.bss@otda.ny.gov">otda.sm.css.bss@otda.ny.gov</a>
<b>Attachments:</b>	None

### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
			SSL § 152-c		

### Section 2

#### I. Summary

This Administrative Directive (ADM) provides guidance on the amendments made to Social Services Law §152-c.

#### II. Purpose

To inform social services districts (districts) of legislation that was recently signed into law regarding providing menstrual products to residents of temporary shelter. Districts were previously informed of those policies through General Information System (GIS) message 22 TA/DC002.

#### III. Background

Chapter 72 of the Laws of 2022 was signed by Governor Hochul on February 24, 2022. This legislation amends Social Services Law §152-c to require providers of temporary shelter to provide menstrual products to residents who need them, at no cost to the resident.

#### **IV. Program Implications**

The amendments to Social Services Law § 152-c require providers of temporary shelter that are reimbursed from state or state-administered grants or funds to provide menstrual products to residents who need such products, at no cost to the resident. For the purposes of this ADM, menstrual products include, but are not limited to sanitary napkins, tampons, and panty liners.

Providers of temporary shelter who are subject to this requirement include, but are not limited to: family shelters, shelters for adults, emergency apartments, and safe houses for refugees. Hotels and motels reimbursed from state or state-administered grants or funds for providing temporary shelter also are subject to this requirement.

#### **V. Required Action**

Providers of temporary shelter must maintain a supply of menstrual products on site. For persons placed in hotels and motels used for temporary shelter, the district must either provide menstrual products to such persons, or work with hotel operators to ensure the availability of such products on site. Providers of temporary shelter must make residents aware that menstrual products are available and free of charge. Providers of temporary shelter may include the cost of menstrual products in their annual operating budgets and in the per diem rates they submit to the Office of Temporary and Disability Assistance (OTDA) for review and approval. Similarly, hotels and motels may include the cost of menstrual products in their nightly rate and may adjust that rate to include the cost of menstrual products that they provide to residents who need such products. Districts cannot be directly reimbursed from Public Assistance funds for the purchase of menstrual products on behalf of providers of temporary shelter, outside of normal shelter claims.

As a part of the inspection process, OTDA's Division of Shelter Oversight and Compliance will confirm that shelters for adults and shelters for families subject to 18 NYCRR §§ 491 and 900 are in compliance with the Social Services Law § 152-c.

#### **VI. Systems Implications**

None.

#### **VII. Effective Date**

Effective immediately.

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#### **Issued By:**

**Name:** Cheryl Contento

**Title:** Deputy Commissioner

**Division/Office:** Division of Shelter Oversight and Compliance