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## Local Commissioners Memorandum

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### Section 1

<b>Transmittal:</b>	23-LCM-20, 23-OCFS-LCM-26
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	OTDA Strategic Operations Unit DOH Office of Health Insurance Programs OCFS Division of Child Care Services OCFS Division of Child Welfare and Community Services
<b>Date:</b>	December 19, 2023
<b>Subject:</b>	Revisions to the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 Documents
<b>Contact Person(s):</b>	OTDA Strategic Operations Unit: (518) 474-9516 DOH Local District Support Unit: Upstate – (518) 474-8887; New York City – (212) 417-4500 OCFS Division of Child Care Services: (518) 486-7488 OCFS Division of Child Welfare and Community Services: (518) 474-3377
<b>Attachments:</b>	<a href="#">Attachment 1 – LDSS-2921: "New York State Application for Certain Benefits and Services"</a> <a href="#">Attachment 2 – LDSS-3174: "New York State Recertification Form for Certain Benefits and Services"</a> <a href="#">Attachment 3 – PUB-1301: "Instructions for Completing the New York State Application for Certain Benefits and Services"</a> <a href="#">Attachment 4 – PUB-1313: "Instructions for Completing the New York State Recertification Form for Certain Benefits and Services"</a> <a href="#">Attachment 5 – OTDA-876, "Request for Documents or Publications"</a>  Attachments 1 through 4, along with alternative formats and non-English translations, will be available on December 20, 2023, at: <a href="http://www.otda.ny.gov/programs/applications">www.otda.ny.gov/programs/applications</a>

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### 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

The following changes have been made to the 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,” and PUB-1313: “Instructions for Completing the New York State Recertification Form for Certain Benefits and Services,” consistent with Administrative Directive 22-ADM-11, legislative changes, and programmatic updates:

- The statement immediately below the section on alternative formats on the cover pages of the LDSS-2921 and LDSS-3174 has been modified to read as follows: “We are committed to assisting and supporting you in a professional and respectful manner. Whenever you see ‘Public Assistance’ or ‘PA’ on the application, it means ‘Family Assistance’ and/or ‘Safety Net Assistance.’ We call both programs ‘Public Assistance.’ Please refer to the instruction book (PUB-1301 Statewide/PUB-1313 Statewide) and ‘What You Should Know’ Books 1, 2, and 3 (LDSS-4148A, LDSS-4148B, and LDSS-4148C) when completing this application, and contact your social services district with any questions.” This modified statement removes material regarding program participation requirements that is more fully explained in Books 1, 2, and 3.
- Section 3 on page 1 of the LDSS-2921 and Section 3 on page 1 of the LDSS-3174 now include a new field to allow applicants and recertifiers to indicate whether their primary phone number is a mobile number. This change was made at the request of district commissioners, and facilitates the use of modern strategies for communicating with applicants and recertifiers. In addition, the “Name” field in the secondary phone number field has been removed. The instructions on page 4 of PUB-1301 and page 4 of PUB-1313 have been modified accordingly.
- Section 3 on page 1 of the LDSS-2921 and Section 3 on page 1 of the LDSS-3174 now include a new field for email address, which is marked as optional. This change was made at the request of district commissioners, and facilitates the use of modern strategies for communicating with applicants and recertifiers. Instructions for completing this new field have been added to page 4 of PUB-1301 and page 4 of PUB-1313. These instructions explain that providing an email address gives the district permission to contact the applicant or recertifier by email and make clear that providing an email address is not required to apply.
- Section 6 on page 2 of the LDSS-2921 and Section 6 on page 2 of the LDSS-3174 now include an additional option for Sex. Applicants and recertifiers may enter “M” for male, “F” for female, or “X” for non-binary or another identity, consistent with Civil Rights Law Section 79-q, which was added by Part R of Chapter 58 of the Laws of 2022. Sex remains a required field on these forms; Gender Identity remains an optional field. The instructions on page 5 of PUB-1301 and page 5 of PUB-1313 have been modified accordingly. For more information, please refer to Administrative Directive 20-ADM-01, “Gender Designation ‘X.’”

Similarly, Section 20 on page 14 of the LDSS-2921 and Section 21 on page 14 of the LDSS-3174 now include the option to select “X” for non-binary or another identity, in addition to “M” for male and “F” for female, for Sex under Health Plan Selection.

- Section 7 on page 3 of the LDSS-2921 and Section 8 on page 3 of the LDSS-3174 contain revised instructions for indicating race and ethnicity. The revised instructions ask applicants/recertifiers to enter a “Y” for “yes” in the applicable race and ethnicity categories, and make clear that more than one selection is permissible. The instruction to enter an “N” for “no” in any non-applicable categories has been removed to simplify completing this section of the forms. The instructions on page 6 of PUB-1301 and page 6 of PUB-1313 have been modified accordingly.
- Section 9 on page 4 of the LDSS-2921 and Section 10 on page 4 of the LDSS-3174 no longer include “(where there are children in the household or a member of the household is pregnant)” after “PA” or “(except if the applicant is pregnant)” after “Medicaid” in the list of programs to which the immigrant status certification applies to more accurately characterize when an applicant or recertifier must sign the certification. The instructions on page 7 of PUB-1301 and page 6 of PUB-1313 have been modified accordingly.
- The language for legal parentage in Section 10 on page 5 of the LDSS-2921 and Section 11 on page 5 of the LDSS-3174 has been modified to reference being born to “unmarried parents,” as opposed to “out of wedlock.” In addition, a new reference to “intended parent” has been added wherever this section references “noncustodial parent” or “alleged parent” to recognize a person who intends to be legally bound as the parent of a child resulting from assisted reproduction, consistent with the Child Parent Security Act. The instructions on page 8 of PUB-1301 and pages 7 to 8 of PUB-1313 have been updated to reflect these changes in terminology, and to provide definitions for “noncustodial parent” and “intended parent.”

Section 10 on page 5 of the LDSS-2921 and Section 11 on page 5 of the LDSS-3174 have also been modified to remove the notice regarding assignment of child support rights and the requirement to cooperate with the Child Support Enforcement Unit. This language now appears under “Assignment of Support Rights” in the Notices, Assignments, Authorizations, and Consents section on page 23 of the LDSS-2921 and page 22 of the LDSS-3174.

- Section 15 on page 7 of the LDSS-2921 and Section 16 on page 7 of the LDSS-3174 renames line 17 from “Foster Care Payments (Received)” to “Foster Care Maintenance Payments (Received),” in accordance with the updated name for this category of income. The instructions on page 10 of PUB-1301 and page 9 of PUB-1313 have been updated accordingly.
- Section 15 on page 8 of the LDSS-2921 and Section 16 on page 8 of the LDSS-3174 now make explicit that the Deductions section need be completed only by applicants and recertifiers for Medicaid. Page 10 of PUB-1301 and page 10 of PUB-1313 have been modified accordingly.
- The Health Plan Selection section on page 14 of the LDSS-2921 and on page 14 of the LDSS-3174 no longer include “(optional if pregnant)” after “Social Security #” to more accurately characterize when an applicant or recertifier must provide a Social Security Number for Medicaid purposes. The instructions on page 14 of PUB-1301 and page 13 of PUB-1313 have been modified accordingly.
- The Nondiscrimination Notice on page 18 of the LDSS-2921 and on page 18 of the LDSS-3174 has been updated to clarify federal policy. It also includes updated contact information for filing discrimination complaints and for receiving applications in alternative formats.

- The language for the Release of Educational Records on page 19 of the LDSS-2921 and on page 18 of the LDSS-3174 has been updated to clarify how these records may be used.
- On page 19 of the LDSS-2921 and on page 18 of the LDSS-3174, a consent for sharing information with the New York City (NYC) Housing Authority has been added for NYC applicants and recertifiers to facilitate improved service delivery.
- The language for the Public Assistance Recoveries consent on page 22 of the LDSS-2921 and on page 21 of the LDSS-3174 has been updated to remove references to property liens, consistent with Part MM of Chapter 56 of the Laws of 2022, which repealed Section 106 of the Social Services Law, and Administrative Directive 22-ADM-11, “Public Assistance Policy Changes Included in the SFY 2022-23 New York State Budget.”
- Underlining has been removed throughout the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 whenever not associated with an internet address, so as to improve the accessibility of these documents.

### III. Program Implications

#### New Email Address Field

The myBenefits application allows users to enter their email addresses on applications, which are stored in myWorkspace. The Welfare Management System (WMS) cannot be updated to store email addresses; however, the future Integrated Eligibility System will have the capability to store email addresses.

#### Entry of Race and Ethnicity Responses in the Welfare Management System

Where an applicant or recertifier leaves a blank in a race or ethnicity category in Section 7 on page 3 of the LDSS-2921 or Section 8 on page 3 of the LDSS-3174, districts should interpret the blank as an “N” for “no” and enter “N” in the applicable race or ethnicity field in WMS. If the applicant or recertifier leaves all race and ethnicity categories on the LDSS-2921 or LDSS-3174 blank, districts should enter “U” for “unknown” in the race and ethnicity fields in WMS.

#### Replacement of Stock

Effective January 1, 2024, all previous versions of the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 documents must be recycled and replaced with the most recent versions. Districts may distribute only the most recent versions of these documents after January 1, 2024, but must continue to accept and process any applications or recertification forms submitted by applicants or recertifiers using previous versions of these forms.

Prior to January 1, 2024, OTDA will ship an initial supply of LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 documents, revision date 07/23, in both English and Spanish non-alternative formats to the districts. Districts that have not received an initial supply by December 26, 2023, should contact the OTDA Document Services unit at [forms.order@otda.ny.gov](mailto:forms.order@otda.ny.gov).

Beginning January 2, 2024, additional stock of LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 documents can be ordered online through the OTDA Forms Inventory Database at <https://formorders.otda.ny.gov> or by submitting a completed [OTDA-876 form, “Request for Documents or Publications,”](#) via email to [forms.orders@otda.ny.gov](mailto:forms.orders@otda.ny.gov). Order processing and delivery can take up to three weeks. If your district does not receive an additional stock order within three

weeks of the date of the order or if you have questions regarding document orders, email OTDA's Document Services unit at [forms.orders@otda.ny.gov](mailto:forms.orders@otda.ny.gov).

### Translated Versions

Executive Law section 202-a, which was added by Part GG of Chapter 56 of the Laws of 2022, specifies that each state agency that provides direct public services in NYS shall translate vital documents relevant to services offered by the agency into the twelve most common non-English languages spoken by limited-English proficient individuals in the state. Currently, these languages are: Spanish, Bengali, Chinese (traditional), Haitian-Creole, Korean, Russian, Arabic, French, Urdu, Polish, Italian, and Yiddish. Translated versions of the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 in these twelve languages can be downloaded from the OTDA intranet site at [http://intranet.otda.ny.gov/ldss\\_eforms/](http://intranet.otda.ny.gov/ldss_eforms/) and from the OTDA public-facing website at <https://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, refer to Administrative Directive 06-ADM-05, "Providing Access to Temporary Assistance Programs for Persons with Disabilities and/or Limited English Proficiency (LEP);" Informational Letter 17-INF-14, "Language Access for Individuals with Limited English Proficiency (LEP);" Informational Letter 20-INF-04, "Language Identification Tool (LDSS 5070-A, B and C) and District Language Access Resources Page;" and Informational Letter 16-OCFS-INF-05, "Provision of Services to Persons with Limited English Proficiency."

### 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://intranet.otda.ny.gov/ldss\\_eforms/](http://intranet.otda.ny.gov/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 Administrative Directive 16-ADM-08, "Alternative Format and Disability Accommodation Indicator Use."

### Other Information

Direct any questions concerning revisions to the LDSS-2921, LDSS-3174, PUB-1301, and PUB-1313 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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