

**DATE:** October 6, 2017

**TO:** Subscribers

**SUGGESTED DISTRIBUTION:** Commissioners, TA Directors, SNAP Directors,  
WMS Coordinators, Medicaid Directors

**FROM:** Jeffrey Gaskell, Assistant Deputy Commissioner  
Employment and Income Support Programs

**SUBJECT:** Treatment of Hurricane Harvey, Hurricane Irma and Hurricane Maria Evacuees  
Applying for Temporary Assistance (TA), Supplemental Nutrition Assistance  
Program (SNAP), and Medicaid

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** SNAP Questions – SNAP Bureau (518) 473-1469  
TA Questions – Temporary Assistance Bureau (518) 474-9344  
Medicaid Questions - Local District Liaison:  
Upstate (518) 474-8887; New York City (212) 417-4500

### **Purpose**

The purpose of this GIS is to provide guidance to social services districts (districts) on meeting the needs of individuals and families who apply for emergency and recurring assistance (Family Assistance and Safety Net Assistance), SNAP, or Medicaid who identify themselves as evacuees of either Hurricane Harvey, Hurricane Irma or Hurricane Maria. Districts should also provide referrals to other community resources as helpful to support the individual or family's temporary or longer-term resettlement in New York State.

### **Temporary Assistance (TA)**

Each individual or family displaced as a result of Hurricanes Harvey, Irma or Maria will present with different needs, possibly including the need for special accommodations, and must be handled accordingly. For example, districts may need to seek the services of interpreters or interpreter services.

There are certain requirements that districts must adhere to in processing TA applications for displaced individuals and families:

- Each applicant for emergency and recurring TA must complete a "Common Application" (LDSS-2921), have a face-to-face interview, and the district must register the application.
- Many displaced individuals and families will not have documentation with them and may not be able to secure documentation for some time. At first, self-declarations and collateral sources (e.g. attestations from family and friends) may be the only verification available and must be used to satisfy documentation requirements. category of assistance, identity, income, resources, citizenship status, relationship, etc. The provision of recurring benefits must not be delayed pending actual verification/documentation of required items. At a later date, some of this documentation may become available from other states or territories or from individuals and families themselves.

- The delay or inability to meet such requirements at application must not interfere with providing displaced persons with needed ongoing assistance.
- When the application is registered, the Social Security Enumeration process may be helpful to local districts in establishing identity.
- Displaced families and individuals that are in an emergency situation may be eligible for emergency assistance including that needed to help establish a home.
- For persons with income, (e.g. SSI, SSA, UIB or child support) who may not qualify for recurring SNA, immediate needs may be met under emergency SNA in accordance with 18 NYCRR 370.3 as since the emergency is related to a catastrophe and the 125% gross income test does not apply.
- Districts must not attempt to consider, as income or resources, any TA benefits received in the home state or territory of displaced persons prior to their resettlement in New York.
- Districts must establish a standard of need for each applying individual or family based on his/her actual circumstances. For example, for those displaced individuals housed in settings where they are not able to prepare meals or where meals are not provided in their residence, the district must determine if a restaurant allowance is appropriate.
- Income that is received, such as Social Security Benefits, must be budgeted using normal budgeting procedures. Initially displaced individuals and families may not have such income but they may begin to receive it at a later date. Applicants who were receiving these benefits or who may be eligible for them should be directed to contact the local Social Security Administration for help in reinstating this source of income.
- Verification from other states as to whether or not a family has received 60 months of TANF funded benefits may also be unavailable for some time. Districts should ask families how long they have received TANF funded benefits and use this information in determining category of assistance, at least until documentation is available.

### **Supplemental Nutrition Assistance Program (SNAP)**

#### **I. Treatment of SNAP Applications of Evacuees from Gulf Coast States Affected by Hurricanes Irma and Harvey**

- Beginning 10/1/17, evacuees from Gulf Coast states affected by Hurricane Harvey or Hurricane Irma should be treated the same as any other SNAP applicant.
- Special processing rules for these evacuees expired on 9/30/17, and regular SNAP application processing rules now apply.

#### **II. Treatment of SNAP Applications of Evacuees from Puerto Rico**

- On 9/29/17 and 10/4/17, USDA issued instructions regarding the treatment of SNAP applications submitted by evacuees from Puerto Rico due to the devastation caused by Hurricanes Irma and Maria. The territory of Puerto Rico does **not** participate in SNAP. Puerto Rico has its own federal food assistance program, known as Nutrition Assistance Program (NAP), that is not interoperable with SNAP. **The USDA instructions permit states to serve evacuees from Puerto Rico, including households receiving NAP, through regular SNAP program rules.**

- While regular SNAP eligibility and application processing rules apply to Puerto Rican evacuee households, districts are reminded that evacuee households residing with another household can be treated as separate households even though the households may currently be purchasing and preparing food together.
- USDA advises that evacuees **identified as NAP households** must attest, either orally or in writing, that the applicant understands that no member of the household may receive both NAP and SNAP benefits at the same time, and that the household will close its NAP case as soon as possible. Due to the hurricanes, Puerto Rico does not have the capability to close or process changes to NAP cases. OTDA will inform districts once USDA advises our Office that the current connectivity and other emergency issues facing Puerto Rico have been resolved along with appropriate contact information that can be used to help households close their NAP cases.
- English and Spanish samples of an affidavit, provided by USDA, are attached. If a household prefers not to submit a written attestation, they should be read the affidavit and asked to attest to it orally. USDA instructions advise that the household's response should be captured in case notes by the eligibility worker.
- USDA also advises and encourages the assignment of certification periods commensurate with the evacuee household's intentions to return or not to return to Puerto Rico. In other words, longer certification periods commensurate with regular SNAP certification period assignment rules may be given to evacuee households that do not intend to return to Puerto Rico or do not know when or if they will return. Shorter certification periods (two or three months, for example) should be given to evacuee households who intend to return to Puerto Rico as soon as possible.
- Many displaced individuals and families will not have documentation with them and may not be able to secure documentation for some time. Self-declarations and collateral sources (e.g. attestations from family and friends) may be the only verification available and may be used to satisfy documentation requirements. The provision of recurring benefits must not be delayed pending actual verification/documentation of required items. Some documentation may become available to the household at a later date. Households should be encouraged to provide documentary verification as it becomes available.
- Districts are reminded that, for SNAP, identity may be established through the SSN validation process in accordance with Section 2.III.E.1 of 12 INF-06.

If USDA provides further instructions on the handling of SNAP applications for evacuees from Puerto Rico, a separate GIS will be issued. In the meantime, if a district has any questions pertaining to the handling of the SNAP applications of evacuees from Puerto Rico, please submit your questions in writing to your SNAP Bureau district liaison.

### **Medicaid**

Individuals displaced because of Hurricanes Harvey, Irma or Maria may have relocated to New York State because they have family or friends in the State. These individuals may not know how long they will remain. Districts are reminded that like TA and SNAP, there is no durational requirement for an individual to establish residency in the State. If an individual applying for Medicaid expresses an intent to stay in New York for an unknown period of time, the individual is considered to be a New York State resident. Although applicants are required to provide proof of residence, hurricane evacuees may not have documentation with their name and a New York State address. As a reminder, other documentation, such as a statement from the person they are living with, can be used to verify residency.

Hurricane evacuees may also no longer have income because of their displacement. An individual from one of the affected areas may attest to no longer having income, even if there is a wage match on the Resource File Integration (RFI). In such cases the individual should provide a statement attesting to no income due to his or her displacement. The statement must be kept in the case record. Districts are reminded that disaster relief payments, such as those from FEMA, are not considered in determining Medicaid eligibility.

Until federal guidance is available, districts must continue to obtain as much information as possible from Hurricane Harvey, Irma and Maria evacuees who are applying for Medicaid. As with any Medicaid application, if an applicant advises the district that she/he is having difficulty in obtaining any necessary documentation, the district must assist the applicant.

Please direct any questions to your district Medicaid liaison.

### **Systems Implications**

#### **Upstate WMS**

For TA cases (case types 11, 12, 16, 17, 18 and 19) each individual evacuee must be identified by entering Code "J" in the current field labeled "FAP CD" on WMS Screen 3. The field on screen 3 of the LDSS-3209 is currently unlabeled and is located between the fields labeled "CAT CD" and "EMP CD".

Additionally, for assistance authorized for "J" coded evacuees, each payment line written on Screen 6 (or Screen 9 for childcare payments) of the LDSS 3209 must have Special Claim Code "J" entered on the pay line in the "SPC CLM" field. This coding must also be used when authorizing Diversion Payments on MA and FS cases and on PA Denial situations.

If a pay line has a "J" Special Claim Code present, at least one case member must have a "J" in the FAP Indicator field on WMS Screen 3. Failure to meet this requirement will generate Error #1619: "SPC CLM CD J REQUIRES AT LEAST ONE FAP CODE J".

A myBenefits/myWorkspace release is tentatively scheduled for October 22, 2017 to allow this coding through myWorkspace. In the interim, all evacuee benefits must be processed in WMS directly.

**Note:** Although the "J" Special Claim Code is currently available, the FAP Indicator field on WMS is currently being reactivated, and will be available starting on October 10, 2017.

#### **NYC WMS**

NYC has created three case level and three-line level opening codes which should be used to open the cases of evacuees from hurricanes Harvey, Irma, and Maria. Codes: Y71 Eligible as a result of Hurricane Harvey, Y72 Eligible as a result of Hurricane Irma, and Y73 Eligible as a result of Hurricane Maria are valid on TA case types 11,12,16,17, 18, and 19. The aforementioned codes will allow workers to open households, as well as add individuals to existing cases.

If any systems errors are encountered or if there are questions concerning these instructions, please call the contact persons listed above.

**Affidavit for Supplemental Nutrition Assistance Program (SNAP) applicants who were receiving Nutrition Assistance Program (NAP) when they were displaced from Puerto Rico due to Hurricanes Irma and Maria**

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**Instructions:** If you would like to receive Supplemental Nutrition Assistance Program (SNAP) and were receiving Nutrition Assistance Program (NAP) benefits in Puerto Rico, you must fill out the following information and verify that you will not participate in both programs at the same time.

NAME (Head of household):

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NAME (Other members of household):

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SNAP APPLICATION/CASE NUMBER (If available):

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CURRENT ADDRESS:

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ADDRESS IN PUERTO RICO:

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NAP CASE NUMBER(If available):

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**STATEMENT AGAINST DUPLICATE PARTICIPATION:**

I understand that each member of my household may not receive benefits from the Nutrition Assistance Program (NAP) or the Supplemental Nutrition Assistance Program (SNAP) at the same time. If I am found eligible for SNAP benefits, I attest under penalty of perjury and disqualification that I will not participate in both programs simultaneously and will close my household's NAP case at the earliest possible opportunity.

**Signature:**

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**Date:**

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**Declaración Jurada para los solicitantes de Supplemental Nutrition Assistance Program (conocido como SNAP por sus siglas en inglés, antes conocido como Cupones Para Alimentos o Food Stamp Program), quienes antes recibían beneficios del Programa de Asistencia Nutricional (PAN) y fueron desplazados de Puerto Rico a causa de los Huracanes Irma y Maria**

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**Instrucciones:** Si desea recibir beneficios de SNAP en este estado y estaba recibiendo beneficios de PAN en Puerto Rico, es necesario llenar la siguiente información y declarar que no participará en ambos programas al mismo tiempo.

NOMBRE (Jefe del hogar):

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NOMBRE (Otros miembros del hogar):

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NÚMERO DE SOLICITUD O CASO DE SNAP (Si lo tiene disponible):

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DIRECCIÓN ACTUAL:

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DIRECCIÓN DEL HOGAR EN PUERTO RICO:

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NÚMERO DE CASO DE PAN (si lo tiene disponible):

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**DECLARACIÓN ENCONTRA DE DOBLE PARTICIPACIÓN:**

Yo entiendo que ningún miembro de mi hogar recibirá beneficios de SNAP y PAN al mismo tiempo. Si determinan que soy elegible para los beneficios de SNAP, declaro bajo pena de perjurio y descalificación que no participaré en ambos programas (PAN y SNAP) al mismo tiempo. También declaro que contactaré a las oficinas de PAN para cerrar mi caso de PAN lo más pronto posible.

**Firma del Solicitante:**

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**Fecha:**

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