

DATE: November 15, 2019

TO: Subscribers

SUGGESTED DISTRIBUTION: Commissioners, HRA Center Directors, TA Directors, Employment Coordinators, Staff Development Coordinators, WMS Coordinators, Fair Hearing Officers

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

SUBJECT: Posting Requirement for Notice of Class Action Settlement for the Class Action Lawsuit, *Karamalla et. al. v. Devine* (Index No. 2015-000107, Erie County)

EFFECTIVE DATE: Immediately

CONTACT PERSON: Temporary Assistance Bureau: (518) 474-9344 or:
otda.sm.cees.tabureau@otda.ny.gov

Purpose

The purpose of this GIS is to inform social services districts (districts): (1) that the Office of Temporary and Disability Assistance (OTDA) has reached a settlement agreement in the class action lawsuit, *Karamalla et. al. v. Devine* (Index No. 2015-000107, Erie County); and, (2) of the requirement to post the attached Notice of Class Action Settlement Concerning Denials of Public Assistance (PA) to Persons in Temporary Protected Status (TPS).

Required Action

OTDA reached a settlement agreement in *Karamalla et. al. v. Devine* (Index No. 2015-000107, Erie County), which became effective on October 18, 2019. The Plaintiff's claims focused on certain individuals with TPS who were denied Safety Net Assistance (SNA) because of their non-citizen status.

As a result of the settlement agreement, districts are directed to print and post the attached notice in any and all locations in their jurisdiction where PA applications are accepted at the district. Districts are required to print the notice on 8 ½ X 14 paper and post the English and Spanish versions of the notice side-by-side with all language displayed. The notice must be posted no later than December 2, 2019 and must remain posted through January 31, 2020.

Districts are not expected to answer any questions regarding the settlement agreement. Districts should direct individuals to the plaintiff's attorney identified on the notice to answer any questions.

The above referenced form has been posted on the OTDA Intranet website at: http://otda.state.nyenet/ldss_eforms/default.htm and is available for downloading by districts for reproduction locally.

Questions concerning Web posted only forms should be directed to the Bureau of Management Services (BMS) Document Services at: (518) 474-9522.

For any Temporary Assistance (TA) related questions, please contact the OTDA TA Bureau: (518) 474-9344 or by email: otda.sm.cees.tabureau@otda.ny.gov.