



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL P. HEIN
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

General Information System (GIS) Message

Section 1

Transmittal:	20 TA/DC037 Statewide – Upstate and New York City
Date:	May 4, 2020
To:	Subscribers
Suggested Distribution:	Commissioners, HRA Center Directors, TA Directors, SNAP Directors, Employment Coordinators, Staff Development Coordinators, WMS Coordinators, Fair Hearing Officers
From:	Jeffrey Gaskell, Deputy Commissioner Employment and Income Support Programs
Subject:	Informing Social Services Districts of the Issuance of a One-Time Restored Temporary Assistance Benefit Payment to Eligible Class Members
Effective Date:	May 6, 2020
Contact Information:	Temporary Assistance (TA) Questions – TA Bureau (518) 474-9344 or otda.sm.cees.tabureau@otda.ny.gov
Attachments:	Attachment 1: Karamalla Payment Notice

Section 2

The purpose of this GIS message is to inform social services districts (districts) that as a result of the settlement agreement in the class action lawsuit, *Karamalla et. al. v. Devine* (Index No. 2015-000107, Erie County), the Office of Temporary and Disability Assistance (OTDA) will issue a one-time restored Temporary Assistance (TA) benefit payment (“payment”) to each eligible class member. Districts were notified of the settlement agreement on November 15, 2019 in [GIS 19 TA/DC053](#).

Under the settlement agreement, class members who applied for Safety Net Assistance (SNA) in New York State between June 17, 2012 and October 14, 2016 and were denied assistance solely because of their Temporary Protected Status (TPS) may receive a one-time payment as described below.

Beginning May 6, 2020, OTDA will issue a one-time payment to eligible class members currently in receipt of TA that equals sixty dollars per month for each month from the date of the original denied application between June 17, 2012 and October 14, 2016, until the date the class member became a TA recipient, or through August 18, 2018, whichever is earlier.

For eligible class members who cannot receive a one-time payment on May 6, 2020 because they are not in receipt of TA, OTDA will issue one-time payments on a quarterly basis over the course of the next two years to those class members if they become eligible and are in receipt of TA, consistent with the terms of the settlement agreement. The one-time payment to each eligible class member will be made

to the Electronic Benefit Transfer (EBT) account of the payee of the individual's TA case. Payments will be issued to TA only or TA/SNAP case types 11, 12, 16 and 17 using the G5 payment type (Karamalla Lawsuit – Retroactive Benefit). When a class member is issued their one-time payment, a Karamalla Payment Notice, a copy of which is attached, will be mailed to notify them of the payment.

No action is required by districts to issue the payments. However, these one-time payments must be exempted and disregarded as income in the month received and as a resource in the month received and in the following month in determining TA eligibility for the class member or their household. These one-time payments must not be applied against any existing, outstanding or future TA overpayment. Additionally, these payments are considered a one-time lump sum payment for the Supplemental Nutrition Assistance Program (SNAP) and are to be excluded as income in the month received and considered a resource thereafter for households not considered categorically eligible and subject to a resource eligibility test.

Districts are not expected to answer any questions regarding the settlement or the one-time restored TA benefit payment. Districts should direct individuals to the Plaintiffs' attorney identified on their Karamalla Payment Notice to answer any questions.

Districts may refer to [GIS 16 TA/DC053](#) and [GIS 18 TA/DC042](#) for guidance on determining SNA eligibility for non-citizens with TPS. For any TA related questions, please contact the OTDA TA Bureau: (518) 474-9344 or by email: otda.sm.cees.tabureau@otda.ny.gov.