



# Office of Temporary and Disability Assistance

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## General Information System (GIS) Message

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### Section 1

<b>Transmittal:</b>	20 TA/DC049 Upstate and New York City
<b>Date:</b>	May 20, 2020
<b>To:</b>	Subscribers
<b>Suggested Distribution:</b>	Commissioners, Temporary Assistance (TA) Directors, and Supplemental Nutrition Assistance Program (SNAP) Directors
<b>From:</b>	Jeffrey Gaskell, Deputy Commissioner Employment and Income Support Programs
<b>Subject:</b>	COVID-19 Telephone Signature Waiver Option
<b>Effective Date:</b>	Immediately
<b>Contact Information:</b>	Temporary Assistance (TA) Questions – TA Bureau 518-474-9344 or <a href="mailto:otda.sm.cees.tabureau@otda.ny.gov">otda.sm.cees.tabureau@otda.ny.gov</a> Supplemental Nutrition Assistance Program (SNAP) Questions – SNAP Bureau 518-473-1469 or <a href="mailto:otda.sm.cees.snap@otda.ny.gov">otda.sm.cees.snap@otda.ny.gov</a>
<b>Attachments:</b>	<a href="#">Attachment 1: SNAP-only Application Telephonic Signature Script</a> <a href="#">Attachment 2: PA, SNAP or MA on a PA Case Application Telephonic Signature Script</a>

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### Section 2

The purpose of this GIS is to provide guidance about an option available to social services districts (districts) to telephonically meet the needs of individuals and families who are applying for or receiving assistance through Supplemental Nutrition Assistance Program (SNAP)-only, Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP) or Medicaid (MA) on a TA case. In response to the COVID-19 public health emergency, the United States Department of Agriculture, Food and Nutrition Services (FNS) has approved a temporary adjustment to the requirements for recording telephonic signatures for SNAP applications filed over the telephone or submitted without a signature. During the time that this SNAP adjustment is in effect, TA, or MA on a TA case applications may also be accepted over the telephone, pursuant to the process set forth below. Districts that wish to implement this option must notify OTDA of that determination.

**This adjustment will be in effect from the date of issuance of this GIS through May 31, 2020. OTDA will inform districts of any extension of this authorization.**

#### Waiver of SNAP regulatory requirements for telephonic signatures:

Currently, federal regulations at 7 CFR 273.2(c)(viii)(B), (C) and (D) provide as set forth below:

- 7 CFR 273.2(c)(7)(viii)(B) requires that, to constitute a valid telephonic signature for SNAP, the district's telephonic signature system must make an audio recording of the household's verbal

assent and a summary of the information to which the household assents. An example of a telephonic signature is a recording of “Yes” or “No”, “I agree” or “I do not agree,” or otherwise clearly indicating agreement or disagreement during an interview over the telephone.

- 7 CFR 273.2(c)(7)(viii)(C) requires that a telephonic signature system must provide for linkage from the audio file of the recorded verbal assent to the SNAP application so that the district has ready access to the household's entire case file.
- 7 CFR 273.2(c)(7) (viii)(D) requires that, for applications obtained using a telephonic signature, “[the district] shall promptly provide to the household member a written copy of the completed application, with instructions for a simple procedure for correcting any errors or omissions.”

Districts are hereby advised that USDA has waived, through May 31, 2020, the requirements of 7 CFR 273.2(c)(viii)(B) and (C) but not (D).

*Telephone Applications and Signatures for SNAP-only or TA, SNAP or MA on a TA case:*

During the aforementioned USDA waiver period, given the circumstances created by the COVID-19 crisis, districts will also be permitted to accept TA, SNAP or MA on a TA case applications and signatures over the telephone.

Districts that choose to offer the option of telephone applications must:

- Read the entire application to the telephone applicant. Additionally, the district must read the program-specific OTDA script (attached to this GIS, one for TA, SNAP or MA on a TA case applications and one for SNAP-only applications) and obtain a verbal consent from the applicant, which shall be documented by the district as set forth below.
- Document, in the case record, the following: (1) that the applicant was read the entire application, verbally attested to the information provided on the application, and that the applicant has signed the application; (2) the applicant’s name, date and time of application; (3) a summary of the information to which the applicant verbally assents; and, (4) the applicant’s responses indicating agreement or disagreement.
- If an applicant submits an application without a signature and the district is able to connect with the applicant over the telephone, the district must also note on the application that verbal attestation of the signature was given as well as the time and date that the verbal attestation of signature was given. For TA cases, as required in the TA, SNAP, or MA on a TA case script, the verbal assent of both the applicant and the applicant’s spouse must be obtained and noted on the application.
- The application filing date is the date that the verbal signature was obtained.
- All telephone applicants must be provided with a written copy of their completed application ([LDSS-2921](#) or local equivalent) with instructions for a simple procedure for correcting any errors or omissions.
- TA, SNAP or MA on a TA case applicants in Rest of State (ROS) should be provided with a second copy of the application with instructions that the applicant and all applying adults must apply an ink signature (a “wet signature”) on all signature lines and return the signed application to the district within thirty days.
- TA, SNAP or MA on a TA case applicants in New York City should be provided with an Authorization To Repay Public Assistance Benefits From Retroactive SSI [W-148A] with instructions that the applicant and all applying adults must sign the form(s) and return the signed form(s) to the New York City Department of Social Services within thirty days.

- It is recommended that any mailing to the client that requires the return of information should include a self-addressed, stamped envelope so that the client can easily return the information to the district.
- If more than thirty days passes and the district has not received the required signed application or the New York City W-148A (as applicable), the district must determine, on a case-by-case basis whether good cause exists for the client's failure to return the signed document. If it does, the application may be approved if otherwise eligible and the district must obtain (for example, by home visit) a signature on the applications as soon as it is safe and practicable. If good cause for failure to return the signed document does not exist, the application must be denied.
- This new telephone signature process will be limited to those households who submit an application over the telephone or who have submitted a paper application without a signature.
- For SNAP only, households will still be permitted to submit an application over the telephone with only name, address and signature to establish a filing date. If the applicant signature is not set forth on the consent and authorization page the district would need to get a second verbal signature prior to the issuance of benefits.
- Districts must continue to accept paper applications with signatures and online applications with electronic signatures.
- Districts must ensure that sufficient controls are in place for policies and automated processes to implement the terms of the telephone signature waiver correctly, including maintaining a sufficient number of telephone lines to accept calls and a sufficient number of staff to accept applications by telephone.
- Districts must continue to comply with all other applicable interview and signature requirements such as, but not limited to, drug and alcohol screenings and domestic violence screenings.
- Districts will comply with the provision of any data required for evaluation of telephone applications. The script is based on the expectation that the applicant will complete the application, that the worker will be reading and reviewing all the information required on the [LDSS-2921](#) with the applicant and reading to the applicant all of the notices, assignments, authorizations, consents and penalty warnings in such application and reviewing the Rights and Responsibilities as contained in the Rights and Responsibilities booklet [LDSS 4148B](#).

## Temporary Assistance

### *Upstate*

Districts choosing to implement telephone applications must use the OTDA TA, SNAP or MA on a TA case script and must update the case record indicating that the applicant assents to and allows a verbal signature.

Upon completion of a telephone application, districts must send a completed LDSS-2921 application (or approved local equivalent), to the applicant with instructions that the applicant and all applying adults sign the application on all signature lines and return the signed application to the district within thirty days of the telephone application date. The application date must be the date the telephone application took place.

Districts must track telephone applications for TA, SNAP or MA on a TA case by entering TEL in either the Office (Ofc), Unit or Worker field on Screen 1 in WMS.

## *New York City*

New York City must use the OTDA TA, SNAP or MA on a TA case script and must update the case record indicating that the applicant assents to and allows a verbal signature.

Upon completion of a telephone application, New York City must send a completed LDSS 2921 application (or such approved local equivalent) to all applicants. TA applicants must also be sent the IAR authorization form [Form W-148A] with instructions that the applicant and all applying adults sign the form(s) and return the form(s) to the district within thirty days. The application date must be the date the telephone application took place.

Additionally, New York City must systemically track all telephone applications using a method communicated to OTDA prior to implementation of the process.

## **Supplemental Nutrition Assistance Program**

### *Upstate*

Districts that opt to implement the Telephone Signature waiver must ensure that each applicant interviewed is read the SNAP telephone signature script if applying for SNAP-only or the TA, SNAP or MA on a TA case telephone script if applying for those programs.

The district will then document this method of signature was used by inserting the SNAP Interview code "H" in Screen 1. This will allow for tracking of the total number of cases authorized for reporting purposes.

Please note that, for households that have filed a paper application for SNAP and may have signed the front page of the application (page 2 of the [LDSS-4826](#)) but have not provided the certification signature (page 8 of the [LDSS-4826](#)), the certification signature may be captured telephonically using the procedures described above.

Once the application has been accepted, the telephone signature authorized and the required notes are entered into the case file, the district must ensure the applicant is sent a copy of the completed application and authorization of signature with instructions for a simple procedure for correcting any errors or omissions in accordance with 7 CFR 273.2(c)(viii)(D); an alternative method of notification would be the use of a manual notice summarizing the application submission and the agreement of the applicant to the telephone signature.

### *New York City*

New York City must ensure that each applicant interviewed using the Telephone Signature Waiver option is read the SNAP telephone signature script if applying for SNAP-only or the TA SNAP or MA on a TA case telephone signature script if applying for those programs.

New York City must then systemically track the telephone signatures using a method communicated to OTDA prior to implementation of the process, for reporting purposes.

Once the application has been accepted, the telephone signature authorized and noted in the case file, the district must ensure the applicant is sent a written copy of their completed application (which includes their authorization of signature) with instructions for a simple procedure for correcting any errors or omissions in accordance with 7 CFR 273.2(c)(viii)(D).

## **Medicaid with TA**

Districts choosing to implement telephone applications for MA on a TA case must note in the case record that the applicant assents to and allows a verbal signature for Medicaid.