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Governor

NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
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Brian J. Wing  
Commissioner

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: ADMINISTRATIVE DIRECTIVE :  
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TRANSMITTAL: 00 ADM-7

DIVISION: Temporary Assistance

TO: Commissioners of  
Social Services

DATE: September 12, 2000

SUBJECT: Non-cash Safety Net Assistance (SNA) for Other Than Grantee  
(OTG) Cases

SUGGESTED

DISTRIBUTION: Temporary Assistance Directors  
Food Stamp Directors  
WMS Coordinators  
Staff Development Coordinators

CONTACT

PERSON: Policy Issues: Central Region Team (518) 474-9344  
Systems Issues: WMS Upstate (518) 473-7991

ATTACHMENTS: None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
99 ADM-7		370.4	SSL 159	PASB IX	Dear WMS
97 ADM-21				FSSB V-A	Coordinator
91 ADM-3				(All)	Letter
					4/26/0
OTDA-296EL (Rev. 11/98)					

*"providing temporary assistance for permanent change"*

## **I. PURPOSE**

The purpose of this directive is to review time limit policy involving Safety Net Assistance (SNA) for Other Than Grantee (OTG) cases and to introduce a new upstate Welfare Management System (WMS) payment type code that may be used for these cases.

## **II. BACKGROUND**

The Welfare Reform Act of 1997 established the SNA program with incentives for adults to achieve self sufficiency, including a twenty-four month limit on cash assistance under SNA. This twenty-four month limit for cash SNA applies to all cash SNA recipients, including children being cared for by non-applying, non-relative adults. These child only cases are commonly referred to as "Other Than Grantee" cases. At the end of the twenty-four month cash SNA limit, each cash SNA case (including OTG cases) must be recategorized to non-cash SNA and is subject to the mandated non-cash SNA restriction hierarchy. A cash SNA-OTG case cannot be exempted from the twenty-four month cash SNA time limit because the exemption criteria of employment or HIV status is only applicable to adults in receipt of assistance.

Several upstate social services districts (SSDs) and some of the adult caretakers of these OTG children have expressed concerns that the mandated restricted shelter payment should not be applicable to OTG cases since the non-applying, non-relative adult is providing care for children in a nurturing family environment; not a landlord/tenant or other business relationship. Additionally, SSDs have a concern that the adult caretakers will consider the current direct payment methods (voucher and two-party check) as an unacceptable inconvenience, which could potentially lead to foster care placement.

SNA policy and procedure have been reviewed and clarified, as detailed below, to address the concerns of the SSDs and caretakers of these children.

## **III. PROGRAM IMPLICATIONS**

Upstate SSDs may authorize direct shelter/room and board payments to the adult caretaker of the children in the OTG non-cash SNA (case type 17) case. These direct shelter/R&B payments must be restricted in the Automated Budgeting Eligibility Logic (ABEL) budget and authorized to the adult caretaker separately from the recurring cash grant using a new WMS payment type. This new WMS payment type is to be used by upstate SSDs only.

#### IV. REQUIRED ACTION

##### Temporary Assistance

###### Upstate

A new payment type of "G1-Shelter/R&B to Guardian" has been created and may be used for the payment line on section six of the WMS "Authorization" (DSS-3209) to authorize direct shelter payments to the adult caretaker of an OTG non-cash SNA (case type 17) case. The method of payment for this new payment type must be "01-Unrestricted". When this payment type is used, the OTG will receive two payments from the SSD, one for shelter and another for the case recurring cash grant of the children. Current authorization procedures should be used for the case recurring cash grant. The new payment type is limited to non-cash SNA case type 17 with children under eighteen years of age or eighteen years of age attending secondary school or in the equivalent level of vocational technical training as a full-time student [Family Assistance (FA) definition of a child].

When the SNA child no longer meets the FA definition of a child, the shelter must be restricted to the shelter vendor (landlord, OTG) using an appropriate shelter payment type other than "G1-Shelter/R&B to Guardian", with method of payment "02-Vendor as Authorized". If the OTG case has remaining children who continue to meet the FA definition of a child, the case must be cooperatively budgeted with the TA case of the individual(s) who no longer meets the FA definition of a child.

An Internal Revenue Service 1099 report will not be generated when WMS payment type "G1-Shelter/R&B to Guardian" is used.

This Office will monitor the use of this new payment type to ensure the integrity of its use.

Non-cash SNA-OTG cases receiving a heating allowance (McMullen v. Perales, et al.) must have the heating allowance restricted in the ABEL budget and payment authorized to the energy vendor using current TA policy and procedures.

###### New York City (NYC)

No required action is needed for NYC cases since NYC can currently authorize and send direct shelter payments to any address as required.

##### Food Stamp

SSD staff must continue to apply Food Stamp household composition rules. In the case of a child under eighteen years of age who is under the parental control of an OTG adult, the child is not eligible for separate Food Stamp household status.

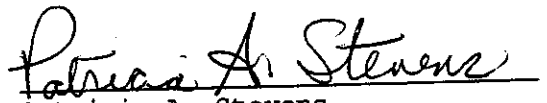
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V. EFFECTIVE DATE

This payment type was made available upstate on May 22, 2000.

  
Patricia A. Stevens  
Deputy Commissioner  
Division of Temporary Assistance