



George E. Pataki
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

Brian J. Wing
Commissioner

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL: 97 ADM-21

TO: Commissioners of
Social Services

DIVISION: Temporary
Assistance

DATE: October 24, 1997

SUBJECT: Safety Net Assistance Program (Welfare Reform Act of 1997)

SUGGESTED DISTRIBUTION:	Income Maintenance Directors Food Stamps Directors Medical Assistance Directors Staff Development Coordinators CAP Coordinators Services Directors Director of Administrative Services
CONTACT PERSON:	Region I, (518) 473-0332; Region II, (518) 474-9344; Region III, (518) 474-9307; Region IV, (518) 474-9300; Region V, (518) 473-1469; Region VI, (212) 383-1658; Fiscal Contact: Region I-IV-Roland Levie, (518) 474-7549; Region V-Marvin Gold, (212) 383-1733; Medicaid Contact: Sharon Burgess, (518) 473-5536
ATTACHMENTS:	Attachment-Examples-on-line

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
96 ADM-5 93INF-48 95INF-31 95LCM-132		Parts 352, 370, 375, 381	Welfare Reform Act of 1997		

I. PURPOSE

This directive advises social services districts (SSDs) of the eligibility requirements of the Safety Net Assistance program. This new public assistance program replaces the former Home Relief program.

II. BACKGROUND

Chapter 436 of the Laws of 1997 (The Welfare Reform Act (WRA) of 1997) established the Safety Net Assistance program to provide assistance to individuals and families who are ineligible for Family Assistance or other federal public assistance programs, including Refugee Cash Assistance. This program is comprised of a cash and a non-cash component, explained in greater detail later in this directive.

III. PROGRAM IMPLICATIONS

The Safety Net Assistance program takes effect on January 1, 1998. Effective January 1, 1998 the non-cash component of Safety Net Assistance takes effect for persons determined unable to work due to the abuse of drugs/alcohol in accordance with Department regulations.

Effective December 1, 1999 the non-cash component of Safety Net Assistance becomes effective for persons who have received Safety Net Cash Assistance or Home Relief for twenty-four months in their lifetime since August 4, 1997. Persons who are exempt from work requirements or are HIV positive, and are not determined unable to work due to the abuse of drugs/alcohol, are exempt from the twenty-four month lifetime limit on Safety Net Cash Assistance.

Part 370 of Department regulations, the former Home Relief regulations, has been amended to conform to Safety Net Assistance provisions in the WRA.

The 45 day application period for the former Home Relief program now applies to the Safety Net Assistance program.

Generally, Safety Net Assistance rules apply to all Safety Net Assistance cases, regardless of whether there are children in the case. This includes the following:

- o 45 day application period.
- o 15% recoupment rate.
- o Requirement to sign repayment agreement (DSS-4529) and assignment of future earnings (DSS-4530).
- o Transfer of resources prohibition.

However, there are some instances where Family Assistance rules, and not Safety Net Assistance rules, will apply for **families whose assistance is claimed to TANF (case type 12)**. This includes the following:

- o SSI invisibility.
- o Disregard of bona fide loans.
- o Interim Assistance will not be claimed.

The minor parent living arrangement and minor parent educational requirements will apply to **all families with dependent children** who receive Safety Net Assistance. The 42% earned income disregard will apply to all Safety Net Assistance households, **which include a dependent child which is applying for or receiving Safety Net Assistance**, if otherwise eligible for this disregard. In addition, for new State residents, the TANF standard, not the GA standard, of the former state or one-half of the New York State standard will apply for **all families with dependent children** in the Safety Net Assistance program.

The information in this directive will assist local districts in implementing the Safety Net Assistance program.

Essential persons are allowed for federally funded Safety Net Assistance households. These will be families whose Case Type is 12, Safety Net Non-Cash Assistance, federal participation.

The same rules that govern essential persons in Family Assistance also govern essential persons in Safety Net Assistance.

IV. REQUIRED ACTION

A. DETERMINATION OF ELIGIBILITY

1. Persons Eligible for Safety Net Assistance:

The following persons, if otherwise eligible for public assistance, must receive assistance under the Safety Net Assistance program:

- a. Adults without dependent children.
- b. Persons under the age of 18 without a dependent child who have no adult relative with whom to live.
- c. Families who are otherwise eligible for public assistance in which the head of household, or any adult member required to be a member of the PA household, **is determined to be unable to work** due to the abuse of alcohol and/or drugs, and the adult or head of household is compliant with the alcohol and substance abuse screening, formal assessment and rehabilitation treatment requirements in accordance with Department regulations.

- d. Members of a household in which the head of the household or any adult required to be a member of the PA household fails to comply with required screening, formal assessment or rehabilitation treatment for drug/alcohol abuse in accordance with Department regulations. The non-complying head of household or adult is ineligible for public assistance.
- e. Aliens who are eligible for public assistance, but who are not eligible for federal reimbursement.
- f. Families who have received Family Assistance or other cash assistance, whether or not funded under the Temporary Assistance for Needy Families (TANF) block grant, for periods of time equal to the 60 month maximum durational limits for receiving TANF funded assistance.

2. Persons Not Eligible for Safety Net Assistance:

The following persons are not eligible for Safety Net Assistance:

- a. Persons who are not legally residing in the U.S. or who are unable to document that they are legally residing in the U.S.
- b. Aliens who are not eligible for public assistance.
- c. Persons who are sanctioned from Family Assistance or Safety Net Assistance.
- d. Persons and families who fail to comply with the eligibility requirements for Family Assistance or Safety Net Assistance.
- e. Except as set forth in paragraph IV.A.1., persons residing with a minor child.
- f. Persons eligible for the eight months of Refugee Cash Assistance that they can receive in New York State (these persons will be case type 16 with the appropriate Federal Charge Codes).

3. Requirements

a. General

Applicants/recipients of Safety Net Assistance must meet all applicable requirements generally governing public assistance programs, including, but not limited to, application, determination of initial and continuing eligibility, standards of assistance, budgeting,

provision of services, cooperation with the requirements for screening, formal assessment and rehabilitation treatment for alcohol and/or substance abuse, cooperation with child support enforcement, notification of decision, authorization and payment of grants, handling of inquiries, complaints, appeals and requests for fair hearings and investigations. The requirements on families of the Family Assistance program, such as the minor parent and the absence of a minor provisions, also apply to families in the Safety Net Assistance program.

b. Employment Requirements

Applicants/recipients of Safety Net Assistance must meet the employment requirements found in regulations of the New York State Department of Labor.

c. Repayment of Overpayments Requirements

As a condition of eligibility for Safety Net Assistance, each adult applicant/recipient and adults transferred from Family Assistance into the Safety Net Assistance program must:

- a. Sign an agreement (DSS-4529), which provides that, if it is determined that money is owed to the SSD because of overpayments of Safety Net Assistance, the applicant/recipient agrees to repay any such money that remains due after the applicant ceases to receive Safety Net Assistance; and
- b. Sign an assignment of the individual's future earnings (DSS-4530), to secure the repayment of any money that is determined, after providing the opportunity for a fair hearing, to be owed to the SSD because of overpayments of Safety Net Assistance to the recipient of Safety Net Assistance.

This requirement applies whether or not there are children in the case. The conditions, procedures and forms are the same as those detailed in 96 ADM-5 and 95 LCM-132 for former Home Relief recipients.

B. METHOD OF PAYMENT

Safety Net Assistance must be provided in cash (**except to those persons listed below who are prohibited from receiving assistance under the Safety Net Cash Assistance program**), except when the granting of cash is deemed by the SSD to be inappropriate because of an inability to manage funds, or because less expensive or more easily controlled alternative methods of payment are available, or when vendor payments are

made to landlords on behalf of individuals residing in public housing, or for similar reasons found in Part 381 of Department regulations.

Cash Safety Net Assistance is further limited as follows:

1. **Cash Assistance**

Cash assistance can be provided to Safety Net Assistance applicants/recipients, **except** to the following groups of persons, who **must** receive Safety Net Non-Cash Assistance only:

- a. individuals who are, or families where the head of household or any adult member required to be a member of the PA household is, determined to be unable to work due to the abuse of drugs/alcohol and the head of household or adult member is compliant with the screening, formal assessment and treatment requirements for drug/alcohol abuse.
- b. families where the head of household or any adult member required to be a member of the PA household fails to comply with the requirements for screening, formal assessment or rehabilitation treatment for alcohol and/or substance abuse. The head of household or the adult member is a sanctioned member of the household.
- c. families that include an adult or minor head of household who have received sixty months of cash assistance, **unless the head of household is exempt from employment requirements or is HIV positive, and not required to participate in drug/alcohol rehabilitation.**
- d. individuals who have received Safety Net Cash Assistance or Home Relief for a cumulative period of twenty-four months, after August 4, 1997, in a lifetime, including the receipt of recurring cash emergency Safety Net Assistance, **unless an adult head of household is exempt from employment requirements or is HIV positive, and is not required to participate in drug/alcohol rehabilitation.**

The twenty-four month Safety Net Cash Assistance clock started on August 4, 1997 (this affects persons who were receiving Home Relief on this date).

The cumulative total months of Safety Net Cash Assistance is applied against the cumulative sixty month TANF limit.

For example, if an individual received twenty-four months of cash in Safety Net Assistance and then becomes eligible for Family Assistance (i.e., has a child), the family can only receive Family Assistance for thirty six months. After this time, they could receive non-federally participating, non-cash Safety Net Assistance.

2. Non-Cash Assistance (in order of hierarchy)

Non-cash Safety Net Assistance benefits must be paid in the following manner. This methodology does not apply when a person is in the cash Safety Net Assistance program and the grant is restricted for mismanagement or administrative ease.

SSDs must provide the recipient with proof of the restricted payment upon request by the recipient.

a. Shelter Assistance

SSDs must make a payment for shelter by direct payment, two-party check or other form of restricted payment to a vendor, up to the maximum allowance amount. SSDs may make a payment for a recipient's shelter in excess of such maximum, up to the deficit amount, if the recipient requests that such excess amount be paid.

These shelter payments are subject to the provisions of Section 143-b of the Social Services Law, often referred to as the Spiegel Act. This law allows SSDs to withhold restricted rent when there are violations of health and safety codes.

SSDs must make payment for shelter by a two-party check upon the request of the recipient. However, SSDs are not precluded from making a direct payment to the vendor whenever it finds that the recipient has persistently failed to make payment for rent without good cause in accordance with Part 381 of Department regulations.

b. Utility Assistance (including fuel for heating)

SSDs must make a restricted payment for utilities on behalf of non-cash Safety Net Assistance recipients who pay separately for these costs.

Utilities include domestic energy costs (energy required to supply lights, cooking and hot water), fuel for heating and expenses classified as a utility (i.e. water) which the applicant/recipient is obligated to pay as a separate charge to a vendor and an allowance is made for the amount to be paid.

The amount restricted from the grant for domestic energy costs must not exceed the average monthly billing amount of the recipient's domestic energy costs. However, when a recipient's domestic energy/heating bill is required to be on restricted payment as a result of recipient mismanagement, the provisions of NYCRR 352.5(f) apply.

The amount restricted from the grant for fuel for heating must not exceed the fuel for heating allowance.

The amount restricted from the grant for expenses classified as a utility must not exceed the actual expense.

The SSD may pay the entire amount of the heating bill at the written request of the recipient, with appropriate reconciliation. This non-cash Safety Net Assistance provision of the Welfare Reform Act of 1997 differs from the current practice of automatically paying the entire heating bill when a recipient is on restricted payment and then periodically reconciling. Now, for recipients of non-cash Safety Net Assistance, the SSD must get the recipient's written permission before the entire heating bill can be paid.

However, Social Services Law 131-s mandates and procedures take precedence when the applicant/recipient is threatened with a shut-off when they present themselves to the SSD.

c. Personal Needs Allowance

SSDs must provide each household with a cash personal needs allowance, if there is sufficient money in the grant, equal to twenty percent (20%) of the sum of the basic allowance, statewide home energy allowance (HEA) and the statewide supplemental home energy allowance (SHEA) for the appropriate household size.

The amounts listed below illustrate the maximum cash personal needs allowance amounts for various household sizes:

1	2	3	4	5	6
\$27.42	\$43.70	\$58.20	\$75.14	\$92.74	\$107.04

d. Other Assistance

SSDs must provide any remaining deficit amount on a non-cash basis, provided that an electronic benefit transfer system (EBT) is operating in the district in which the recipient resides. EBT, when available, will be a system whereby a recipient can access food stamp benefits, Food Assistance Program benefits, PA and Safety Net Assistance cash benefits and Safety Net Non-Cash Assistance. Even after EBT is operating, an SSD can use another non-cash method of providing some or all of this other assistance if EBT cannot meet the need. **SSDs which do not have EBT operating, must make restricted shelter and utility/fuel payments in the prescribed hierarchy manner and provide any remaining deficit amount as an unrestricted cash benefit to the recipient.**

3. Persons Not Residing In Their Own Homes

Persons residing in certain residential settings have living arrangements different from those of persons residing in their own apartments or homes. Persons residing in those living arrangements have a higher standard than the maximum public assistance standards for persons who maintain their own homes. Payments for persons in such residential settings does not fit in the ordinary payment methods for Safety Net Non-Cash Assistance. For persons receiving Safety Net Non-Cash Assistance who are residing in one of the following living situations, the standards of assistance and the amounts of the personal needs allowances are those detailed in section 352.8 and Parts 408, 900 and 1000 of Department regulations: room and board situations, approved residential programs for victims of domestic violence, maternity homes, family care, residential care facilities and residential substance abuse treatment facilities. The payment to the facilities or to the provider of room and board must be made by a restricted payment. The personal needs allowances must be provided in cash, except for those persons in residential substance abuse treatment facilities where it must be provided as a restricted/conditional payment.

D. **BUDGETING**

When a mandatory member of a public assistance household is non-compliant with the required screening, formal assessment or rehabilitative treatment for drug/alcohol abuse, that member's needs and income are included in determining the maximum Safety Net Non-Cash Assistance benefit for the household, but this benefit will be reduced by his or her prorata share.

For Safety Net Assistance **Case Type 12**, the Safety Net Non-Cash Assistance received during a sanction for non-compliance with the screening, formal assessment or rehabilitative treatment requirements for drug/alcohol abuse counts toward the **60 month TANF limit**.

The Safety Net Non-Cash Assistance that is received during a sanction period is **not** counted toward the twenty-four month Safety Net Cash limit.

E. **EMERGENCY SAFETY NET ASSISTANCE**

Emergency Safety Net Assistance is provided according to section 370.3 of Department regulations. The conditions and standards for emergency Safety Net Assistance are the same as those for the former emergency Home Relief program. The number of months any individual or family receives recurring emergency Safety Net Assistance must count against the twenty-four month limit for Safety Net Cash Assistance. Recurring emergency Safety Net Assistance is assistance authorized for a time period to meet the continuing needs of the applicant rather than assistance authorized on a one-time basis.

F. **FOOD STAMP PROGRAM**

The Food Stamp Act of 1977 states that public assistance provided to a third party on behalf of a household is normally to be considered money payable directly to the household. Such indirect payments, including Safety Net Assistance payments, will continue to be treated as unearned income for Food Stamp purposes.

G. **NOTICE REQUIREMENTS**

When an individual's or family's method of payment is changed from Safety Net Cash Assistance to Safety Net Non-Cash Assistance or when a family is transferred from Family Assistance into the Safety Net Assistance program, a timely and adequate notice must be provided.

H. FUNDING

Generally, Safety Net Assistance is funded fifty percent State and fifty percent local share.

However, TANF funds may follow a case into Safety Net Assistance if the case would otherwise be eligible (i.e., families where the head of household or an adult member required to be a member of the PA household is determined unable to work due to drug/alcohol abuse or where the head of household or an adult member required to be a member of the PA household fails to comply with screening, formal assessment or rehabilitative treatment for drug/alcohol abuse).

There will be three case types to accommodate this claiming as follows:

- o Case Type 16-non-federally participating Safety Net Cash Assistance.
- o Case Type 17-non-federally participating Safety Net Non-Cash Assistance.
- o Case Type 12-federally participating Safety Net Non-Cash Assistance.

I. CLAIMING

The Schedule C "All Other Assistance and Care Schedule of Costs" is being revised to report Safety Net expenditures. The revised column breakouts related to Safety Net will require reporting of:

- o Regular Safety Net
- o Transitional Services
- o Rent Supplements
- o Family Shelter
- o Domestic Violence Shelter
- o Security Deposits

The Line revisions include the reporting of Federal Non-Participating Maintenance Of Effort (MOE) and Federal Non-Participating Non MOE expenditures.

Until the revised Schedule C is issued, districts should continue to use their present Schedule C claim form.

As with the former Home Relief Program, Emergency Assistance for Families (EAF) can be claimed for recurring Safety Net Assistance if the EAF conditions, outlined in 93 INF-48 are met, keeping in mind the recent changes to EAF such as the age limit of the child and the authorization period. This would be done by using one of the non-federal Safety Net Assistance

case types, rather than HR or PG-ADC (or HRRPG in New York City), but still using the special claiming code of "f" on Section 6 of the DSS-3209 upstate and in New York City an F would still be placed in the Emergency Indicator Field (item 270) on the DSS-3517. Federal Welfare Reform made many persons, formerly ineligible for federal benefits such as pregnant women prior to the sixth month and two parent families, now eligible to receive TANF funds. Therefore, this special claiming provision will now apply primarily to persons under the age of 18, or age 18 and in school, who are not minor heads of households and who are not residing with an eligible relative. Therefore, the EAF claimed in these situations will not count toward the 60 month TANF limit because there is no adult relative in the household.

The Schedule F "Schedule of Costs For Emergency Assistance to Needy Families with Children" is being revised to report Emergency Assistance Families (EAF) expenditures. The revised column breakouts related to EAF expenditures will require the reporting of:

- o Cash Payments
- o Vendor Payments Medical
- o Family Shelter
- o Security Deposits
- o Other Payments

Until the revised Schedule F is issued, districts should continue to use their present Schedule F claim form.

V. MEDICAID IMPLICATIONS

Prior to passage of the federal PRWORA, persons in receipt of AFDC cash payments were categorically eligible for Medicaid. The same was true of the Home Relief program before enactment of the Welfare Reform Act. Medicaid implications of the Welfare Reform Act include the elimination of the automatic entitlement to Medicaid for cash assistance recipients and the redefinition of Medicaid eligibility criteria for individuals who are eligible for or receiving cash assistance. Two new Medicaid eligibility groups generally parallel the new cash assistance categories of Family Assistance and Safety Net Assistance. These new Medicaid categories will mean that the overwhelming majority of PA recipients will also qualify for Medicaid. However, there are several differences between the new cash program requirements and those of Medicaid.

The Medicaid eligibility groups are Low Income Families (LIF) and Single and Childless Couples (S/CC). LIF includes all families with children, pregnant women and individuals under age 21 who do not live with a caretaker relative. Although families can move into a Safety Net Assistance case for PA, they continue to be considered LIF for Medicaid. S/CC includes individuals who are single and childless couples who are between the ages of 21 and 65 and who are not certified blind or disabled.

The specific implications of each of these changes as they relate to Safety Net Assistance are addressed below:

A. DELINKAGE OF MEDICAID FROM CASH ASSISTANCE

Applicants must indicate on the common application DSS-2921, "Application for Public Assistance, Medicaid and Food Stamps", that they are applying for Medicaid. SSDs should not assume that an individual is not applying for Medicaid. SSDs should confirm with the applicant(s) if (s)he wishes to apply for Medicaid should such indication be absent on the application for Public Assistance. Because a recipient can receive PA and not receive Medicaid, MA coverage code 04, "no coverage", will now be allowed with active PA case types 11, 12, 13, 16 and 17. Additionally, for undercare maintenance, a PA worker must enter Medicaid coverage "From" and "To" dates on screen 5 of the DSS-3209, "WMS Authorization", when Medicaid is not requested or the A/R is not eligible for Medicaid. In most instances, individuals eligible for cash assistance will be eligible for Medicaid.

B. ALIENS

Aliens who are eligible for Safety Net Assistance are in some circumstances eligible for full Medicaid benefits and in other circumstances only eligible for Medicaid coverage for care and services necessary to treat emergency medical conditions. The alien's eligibility for Medicaid benefits is governed by the individual's alien status and date of entry into the United States. These provisions are outlined in 97 ADM-22, "Public Assistance (Family Assistance/Safety Net Assistance) Changes Resulting from the Welfare Reform Act of 1997".

C. NONLIQUID RESOURCES

Medicaid cannot be authorized in a Public Assistance case for an individual who has excess real property in excess of the allowable standard. When PA is extended for up to 6 months to allow the A/R to sell real property, MA coverage code 04 must be used. Except for single and childless couples, Medicaid eligibility must be evaluated separately.

D. SINGLE INDIVIDUALS AND CHILDLESS COUPLES

This Medicaid group includes single individuals over age 21 and childless couples who are neither certified blind or disabled. To be eligible for Medicaid, S/CC individuals must be eligible under Safety Net Assistance budget methodology. Therefore, if these individuals are eligible for Safety Net Assistance and request Medicaid they will generally be eligible for Medicaid.

E. DEPRIVATION FACTORS

Although deprivation is not a factor in determining Medicaid eligibility under Safety Net Assistance budgeting, for purposes of federal reporting, deprivation of parental support or care due to continued absence, death, incapacity or unemployment must still be recorded when families are applying for Safety Net Assistance benefits. Standard PA procedures including referral to the Child Support Enforcement Unit, medical evaluations of ability to work, and inclusion of a death certificate in the case record will document deprivation of absence, incapacity and death.

The definition of unemployment requires that the principal wage earner work less than 100 hours per month. A statement to verify less than 100 hours needs to be obtained when hours of employment are not included in the pay information. The definition of unemployment for the purpose of establishing deprivation no longer includes prior attachment to the workforce. Therefore, an ADC-U checklist is no longer required.

The individual categorical codes of 01-08 for children, 13 for dependent relative must continue to be used to identify deprivation. A new individual categorical code-48, should be used to identify pregnant women when there is a deprivation.

For identification of individuals who are not deprived of parental support or care, continue to use individual categorical codes 09 for children, single adults and childless couples and individual categorical code 15 for pregnant women. Additionally, a new individual categorical code-26, should be used to identify parents of an intact household.

F. TEMPORARY ABSENCE OF A MINOR

For Medicaid purposes, temporary absence exists when a child is absent from the home but is expected to return. No maximum time limit applies.

G. Medicaid defines a child as a person who is under age 21.

H. Medicaid has no employment requirements. No person who is otherwise eligible for Medicaid shall lose eligibility as a result of the imposition of work activities sanction. Thus, in situations where cash assistance is being terminated only for this reason, Medicaid must be continued.

I. TRANSITIONAL MEDICAID (TMA)

A family is eligible for TMA when Medicaid eligibility (not

PA) is lost due to increased earnings or new employment of the caretaker relative. The family must have a dependent child living home and must have received Medicaid during three out of the past six months prior to losing Medicaid eligibility.

When a public assistance recipient loses eligibility due to excess income the PA worker must determine TMA eligibility. Because child care is an allowable income deduction in a MA budget, it is necessary for the PA worker to manually subtract the verified child care expense from the PA surplus. If the child care expenses do not eliminate the surplus, the recipient is eligible for TMA. If the child care expenses eliminates the surplus, then the recipient is not TMA eligible but eligible for full MA. CNS reason code E30-Excess Income (no TMA) must be used.

J. **MEDICAID EXTENSION DUE TO INCREASED SUPPORT PAYMENTS**

Any family is eligible for a four month Medicaid extension when Medicaid eligibility (not PA) is lost due either wholly or partially because of the collection or increased collection of child or spousal support.

K. **ALCOHOL AND SUBSTANCE ABUSE**

For the purposes of Medicaid, only single individuals, childless couples and parents in an intact household who are not certified blind or disabled are subject to alcohol and drug screening, formal assessment and treatment.

L. **FINGER IMAGING**

Details will follow in a separate directive.

Effective November 29, 1997 for Upstate, the Client Notice System (CNS) will support an automated separate determination process when a PA case is ineligible for cash assistance but is eligible for Medicaid. CNS will also provide the appropriate Medicaid closing language when both PA and Medicaid close for the same reason. Medicaid CNS language will support a PA case denial. However, there is not an automated referral process for denials and workers must use the current manual referral process employed by their district. CNS will also support language, in the few instances stated above, when workers must enter the Medicaid coverage code of 04.

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VI. SYSTEMS IMPLICATIONS

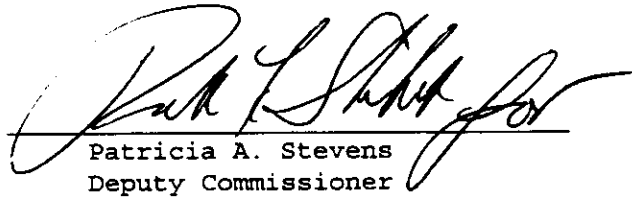
Systems instructions will be sent under separate cover.

VII. SERVICES IMPLICATIONS

Services implications will be addressed under a separate cover.

VIII. EFFECTIVE DATE

This directive is effective January 1, 1998

A handwritten signature in cursive script, appearing to read "Patricia A. Stevens", is written over a horizontal line.

Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance

SEVERAL EXAMPLES FOLLOW WHICH ILLUSTRATE HOW THE CASH AND NON-CASH ALLOWANCES OPERATE.

EXAMPLE 1

A couple, with no dependent children, apply for assistance for the first time. Neither are exempt from employment requirements and, after the screening for drug/alcohol abuse, it is determined that no further assessment is warranted. The couple resides in Albany County and pays \$213 a month in rent. The rent includes heat, but the couple pays separately for their utilities.

This couple is categorically eligible to receive Safety Net Assistance because they have no dependent children. They can receive cash. If, after 24 months of receiving assistance, they are still in need, they will only be eligible for Safety Net Non-Cash Assistance.

The couples' assistance is provided as follows (their maximum monthly grant amount is \$431):

For the first 24 months - \$431 a month is provided in cash.

After the first 24 months - \$213 is paid directly to the landlord; \$39.50 is paid directly to Niagara Mohawk; \$43.70 is paid in cash to the couple; \$134.80 is paid via EBT.

EXAMPLE 2

A mother and her two minor children apply for assistance in Erie County. The mother is determined unable to work due to the abuse of drugs/alcohol and is required to attend outpatient treatment. The mother is compliant with treatment. The rent is \$320; the family pays separately for their gas heat and for their utilities. The mother has requested that her rent, in excess of the shelter maximum, be paid by a two-party check.

Since the mother has been determined unable to work due to the abuse of drugs/alcohol, the family is categorically eligible for Safety Net Non-Cash Assistance.

The family's Safety Net Assistance is provided as follows (their maximum monthly grant amount is \$550):

\$320 is paid by a two-party check.

\$ 53 is paid directly to Niagara Mohawk for domestic energy.

\$ 54 is paid directly to National Fuel Gas for heat.

\$ 58.20 is paid in cash as a Personal Needs Allowance.

\$ 64.80 is paid in cash because the EBT system is not yet in place.

EXAMPLE 3

A mother and her minor child apply for assistance in Schenectady County. The mother refuses to be screened for drug/alcohol abuse. The rent is \$280 and the heat is electric.

Since the mother refuses to comply with the screening requirements, she is ineligible for any public assistance and is treated as a sanctioned member of the household. The child is only eligible for Safety Net Non-Cash Assistance, provided the mother cooperates in determining the child's eligibility.

The child's grant is provided as follows (the family's maximum monthly grant amount is \$266, which is the grant for two minus the mother's prorata share of the grant):

\$195 is paid directly to the landlord (this is the shelter maximum for a family of two).

\$71 is paid directly to Niagara Mohawk (this is all that is left of the prorated grant).

EXAMPLE 4

A husband and wife and their two minor children apply for assistance in Broome County. The SSD, after screening and evaluation, has determined that the father must participate in inpatient alcohol rehabilitation treatment. However, he refuses to participate. The family pays \$350 in rent, and also pays separately for gas heat and utilities.

Because the husband has refused to participate in alcohol rehabilitation and this is his second failure to comply, he is sanctioned from receiving public assistance for 120 days or until the failure ceases, whichever period is longer. The family must also receive any assistance they are eligible for under Safety Net Non-Cash Assistance because the father has been determined unable to work due to alcohol abuse.

The Safety Net Non-Cash grant is provided as follows (the family's maximum monthly grant amount is \$511 which is the grant for four minus the father's prorata share of the grant):

\$350 is sent directly to the landlord.

\$ 60 is paid directly to the gas company.

\$ 68.70 is paid directly to the electric company.

\$ 32.30 is paid in cash as the personal needs allowance (this is all that is left of the cash grant).

EXAMPLE 5

A single man enters a residential alcohol rehabilitation program after the SSD determines that this is the appropriate level of treatment. The Safety Net Assistance is provided as follows:

\$780 is paid directly to the residential program.

\$109 personal needs allowance is paid as a restricted/conditional payment directly to the residential program (according to Department regulation 352.8 (c) (1) (ii)).