



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: 98 ADM-9

TO: Commissioners of
Social Services

DIVISION: Temporary
Assistance

DATE: June 2, 1998

SUBJECT: Public Assistance Eligibility: Time Limit for Initial
Interview

**SUGGESTED
DISTRIBUTION:**

Income Maintenance Directors
Medical Assistance Directors
Food Stamp Directors
Staff Development Coordinators
CAP Coordinators
Staff Development Coordinators

**CONTACT
PERSON:**

Call 1-800-343-8859 and ask for: **Temporary Assistance
Regional Representative:** Region 1 - 3-0332;
Region 2 - 4-9344; Region 3 - 4-9307; Region 4 -
4-9300; Region 5 - 3-1469; Region 6 - 212-383-1658.
Medical Assistance: Shari Niedbalec, 518-473-5501.

ATTACHMENTS:

None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		350.3(c)			GIS 97 TA/DC012

I. PURPOSE

This directive advises social services districts (SSDs) of an amendment to 350.3(c) of Department regulations. This amendment increased the time period within which a social services district must schedule a personal interview for public assistance applicants from five (5) to seven (7) working days after receipt of an application. In addition, this directive fulfills our intention to issue an ADM, noted in GIS 97 TA/DC012 Change to the Timeframe for Scheduling a Personal Interview for PA Applicants, dated June 9, 1997.

II. BACKGROUND

Previously, Department regulations had required SSDs to schedule an interview with a public assistance applicant within 5 working days of filing. An amendment to Section 350.3(c) was filed on March 27, 1997 and became effective April 16, 1997. This regulation now allows districts 7 working days after the application filing to schedule and conduct an interview.

Both the old and the new regulation state this timeframe "ordinarily" is applicable except when there is indication of emergency need, in which case the interview must be held at once. In the past there have been some questions about how to interpret "ordinarily". Other than the exception for emergency need as noted above, this timeframe is applicable unless the agency is faced with a natural disaster or other similar circumstance beyond it's control.

III. PROGRAM IMPLICATIONS

As a result of this change, persons applying for public assistance must have a personal interview scheduled within seven (7) working days following the submission of the application. However, it is essential that in conjunction with this policy local districts continue to accept PA applications upon submission in accordance with regulations 350.3(a) and 350.3(b). All other aspects of the eligibility process are unchanged by this modification, including the provision of any emergency assistance and the timeframe within which eligibility must be determined.

IV. REQUIRED ACTION

A. PUBLIC ASSISTANCE

Districts must review their application intake procedures and modify as necessary. Up to seven working days may now be allowed from the date of filing an application to the scheduled certification interview.

B. FOOD STAMPS

A Food Stamp eligibility interview for PA applicants must be conducted at the same time the eligibility worker does the PA eligibility interview. Eligibility interviews for non-public assistance applicants must be scheduled on a timely basis to assure that a determination of eligibility and benefit issuance is made within 30 days of filing an application. However, it should be noted that if an applicant for PA or NPA Food Stamps meets the pre-screening criteria for expedited Food Stamps, then a full Food Stamp eligibility interview must be conducted. For eligible households, the expedited Food Stamps must be issued within 5 calendar days of the application date.

V. ADDITIONAL INFORMATION

A. MEDICAL ASSISTANCE

The instructions provided in this administrative directive do not apply to the Medicaid Program.

For Medicaid, a revision to regulation 360-2.2(f)(1) eliminated the 5 day requirement during which social services districts had to conduct a personal interview. A personal interview must be conducted prior to making a decision concerning an applicant/recipient's eligibility for Medicaid, however, districts are no longer required to complete the interview within 5 working days of application. Please note that agreements which districts have with PCAPS or other providers to complete initial processing of Medicaid applications for pregnant women and/or children at outreach sites were not impacted by this change. The interview by the provider at the outreach site meets the face-to-face interview requirements.

In addition, the revision to regulation 360-2.4(a)(1) changed the time frame social services districts are allowed to determine an applicant's eligibility for MA from 30 days to 45 days. However, the timeframes to determine eligibility for pregnant women and young children and eligibility based on disability status or a separate determination (Rosenberg), remain unchanged.

B. NOTICE REQUIREMENTS


There are no new notice requirements.

VI. SYSTEMS IMPLICATIONS

None.

VII. EFFECTIVE DATE

This Administrative Directive is effective July 1, 1998 retroactive to June 9, 1997.



Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance