

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

40 NORTH PEARL STREET, ALBANY, NEW YORK 12243-0001



BRIAN J. WING
Acting Commissioner

INFORMATIONAL LETTER

TRANSMITTAL: 97 INF-4

TO: Commissioners of
Social Services

DIVISION: Temporary
Assistance

DATE: January 14, 1997

SUBJECT: Temporary Assistance to Needy Families (TANF) State
Plan

SUGGESTED DISTRIBUTION: Directors of Income Maintenance
Staff Development Coordinators
CAP Coordinators

CONTACT PERSON: For Public Assistance:
Your Regional Team Representative at 1-800-343-8859
Team I at 3-0332; Team II at 4-9344; Team III at
4-9307; Team IV at 4-3231; Team V at 3-1469;
Team VI at 212-383-1658

ATTACHMENTS: Matrix on Changes Resulting From TANF State
Plan - available on-line

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
93 ADM-8 96 ADM-13					GIS 96 TA/DC041

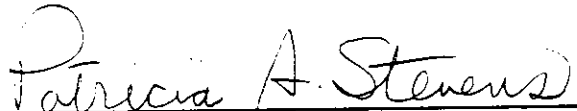
DSS-329EL (Rev. 9/89)

New York State submitted an amended IV-A State Plan to the federal government on October 17, 1996 to accelerate participation in TANF. On December 13, 1996 the federal government informed the Department that the submitted State Plan was complete. This means that effective December 2, 1996 (after the end of the 45 day comment period) New York State is operating under the provisions of the new State Plan.

The purpose of this is to provide districts with notice of the changes that will result under the new State Plan. This release is purely informational; no action is to be taken by districts until further instructions are issued.

The implications of the new State Plan are outlined in the matrix attached to this INF. This matrix outlines by provision the changes that will occur, the resulting implications, the required action by the Department to initiate the changes, and the manner in which districts will receive further instructions.

The implications of the new State Plan for employment programs will be addressed by the Department of Labor under separate cover.



Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance

CHANGES RESULTING FROM TANF STATE PLAN APPROVAL

PROVISION	CHANGE	IMPLICATION	DEPARTMENT ACTION	DISTRICT ACTION
Five Year Time Limit	Requires a 5 year time limit on TANF (ADC).	Identification and tracking of TANF (ADC) families must begin. An informational notice should be provided to TANF (ADC) recipients informing them of the change.	Identification and tracking will be done through WMS. A mass mailing is being planned as well as a page replacement to the Informational Books being prepared advising TANF (ADC) recipients of the change.	An LCM will be issued in advance to districts regarding the mass mailing and page replacement. No special action is required at this time regarding identification or tracking.
Additional TANF Requirements:				
Teen Parent Education	Requires an unmarried teen parent of a minor child at least 12 weeks of age to participate in educational activities directed towards receiving a high school diploma or GED as a condition of TANF (ADC) eligibility.	Since there are no similar provisions in State law yet regarding these mandatory provisions no action to deny or discontinue assistance can be initiated solely on the basis of the Federal law changes. However, TANF (ADC) cannot be provided to these individuals. Rather, PG-ADC must be provided until changes in State law are enacted.	A GIS message is being drafted that will be released to districts in the near future.	No action is necessary until further instructions are received by GIS.
Dual State Residence	Bars for ten years from TANF (ADC) any individual who is convicted of having made a fraudulent statement or representation of residence to obtain TANF (ADC) in two or more states.	Same as above.	Same as above.	Same as above.
Fugitive Felon	Bars felons fleeing prosecution, confinement or conviction; as well as probation and parole violators from receiving TANF (ADC).	Same as above.	Same as above.	Same as above.
Drug Related Convictions	Bars for life from TANF (ADC) any person convicted of a drug-related felony.	Same as above.	Same as above.	Same as above.

PROVISION	CHANGE	IMPLICATION	DEPARTMENT ACTION	DISTRICT ACTION
Temporary Absence	Denies TANF (ADC) to a child absent from the home for more than 45 days without good cause, or a caretaker who fails to notify the district within 5 days that a child has left the home and is no longer temporarily absent.	Same as above.	Same as above.	Same as above.
ADC - IPV's	Under TANF, a federal waiver is no longer required to impose Intentional Program Violation (IPV) penalties for TANF (ADC) based upon the monetary amount of fraud.	Upon the filing of regulations, IPV sanction periods for TANF (ADC) may be imposed based on the monetary amount of fraud.	Amendments have been drafted to 18 NYCRR 352.30(h) and 359.9(b) to require IPV sanctions to be imposed based upon the monetary amount of fraud. An ADM has been drafted that will provide more instructions.	No action is necessary until the regulatory changes are filed and the ADM released.
ADC - Residency	Under TANF, a federal waiver is no longer required to impose a residency requirement for TANF (ADC).	TANF (ADC) applicants moving to New York State from another state will only be eligible for the benefits they would have been entitled to in the previous state for the first six months after they establish residency. This is required currently under SSL 131-a[3] [d].	An amendment has been filed to 352.29(i) that will require districts to impose a (TANF) ADC residency requirement. Changes to ABEL will be necessary. An ADM is also being prepared that will provide districts with more detailed information. However, this change is on hold pending the residency litigation (<u>Brown vs. Wing</u>).	No action is necessary until further instructions are released. If the Department is successful in <u>Brown vs. Wing</u> further instructions will be issued applying the current law to ADC applicants.
Reporting Requirements	Under TANF, there are new federal reporting requirements. TANF (ADC) case record information will have to be collected on a monthly basis and provided to the federal government quarterly.	Much of the information required is already available on WMS. However, some is not. Changes will need to be made to WMS to allow for the acquiring of all the necessary data.	The Department is reviewing what changes are necessary to WMS to provide the data required by the federal government. Regulatory changes will be required. An ADM must also be drafted providing detailed instructions to districts.	No action is necessary until the regulations are filed and the ADM released.