

NEW YORK STATE
 DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243-0001
 BRIAN J. WING
 Commissioner



INFORMATIONAL LETTER

TRANSMITTAL: 97 INF-9

TO: Commissioners of
 Social Services

DIVISION: Temporary
 Assistance

DATE: July 3, 1997

SUBJECT: Automated Finger Imaging System (AFIS) Policy
 Clarifications

**SUGGESTED
 DISTRIBUTION:** Directors of Temporary Assistance
 Staff Development Coordinators

CONTACT PERSON: Division of Temporary Assistance Regional Team
 Representative at 1-800-343-8859:
 Region I ext. 3-0332; Region II ext. 4-9344;
 Region III ext. 4-9307; Region IV ext. 4-9300;
 Region V ext. 3-1469; Region VI (212) 383-1658

ATTACHMENTS: None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
96 ADM-4 96 ADM-5		351.2(a) 351.26 384			

DSS-329EL (Rev. 9/89)

The purpose of this INF is to clarify Department policy on various Automated Finger Imaging System (AFIS) procedures.

Program Implications:

18 NYCRR Part 351.2(a) authorizes districts to require that Public Assistance applicants and recipients establish their identities by means of finger imaging as a condition of eligibility. All adults (individuals eighteen (18) years of age and older) and heads of households must be enrolled in AFIS.

This applies to the assistance programs ADC, ADC-U, HR, PG-ADC or HR-PG, but not to EAF or EHR. At this time there is no regulation authorizing finger imaging as a condition of eligibility for EAF or EHR. Local districts will be informed if and when a regulation is promulgated authorizing the finger imaging of individuals applying for or receiving EAF or EHR.

Sanctioned Individuals:

Pursuant to Department Regulation 351.2(a), a sanctioned individual is not exempt from finger imaging. That regulation provides that any adult member or head of household applying for or receiving public assistance must be finger imaged. If the household is applying for or receiving public assistance, all adult members must be finger imaged. If an adult member of the household is responsible for other members of the household, the household must be denied or the case closed if the member refuses to be finger imaged. If an adult member of the household is not responsible for other members of the household, that adult is removed from the case.

Good Cause:

An applicant or a recipient who fails to be finger imaged may claim "good cause" for not complying with this requirement. If a district determines that "good cause" exists, then no negative action can be taken. When an applicant or recipient claims good cause, that person is responsible for furnishing evidence to support that claim. Upon a review of the evidence, the local district will determine whether to accept the claim of good cause. The final determination and the reasons for that determination should be detailed in the case record.

Local districts will have to track their good cause exemptions from AFIS to reconcile their AFIS enrollment statistics until such time as WMS provides an AFIS good cause code or an AFIS exemption code.

Exemptions:

Exemptions of the finger imaging requirement to individuals or special populations must be documented within the local district's AFIS Plan of Operation and approved by the Department.

Local districts will have to track their exemptions from AFIS to reconcile their AFIS enrollment statistics until such time as WMS provides an AFIS exemption code.

Client Notices:

The policy regarding client notices for applicants and recipients who fail to be finger imaged remains unchanged from the procedures outlined in 96 ADM-4, but the procedure for sending client notices to non-legally responsible(NLRR) persons in the household who fail to be finger imaged must be clarified.

When a NLRR household member refuses to be finger imaged, such as an 18 year old child, and is removed from the case, the rest of the household remains eligible for benefits. However, there is no specific individual reason code available to delete only the individual who refuses to be finger imaged. At this time, depending upon circumstances, either Y98 or Y99 should be used.

A manual notice must be sent in all instances (openings, denials, undercare and closings) when a NLRR refuses to be finger imaged and that individual is ineligible.


Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance