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Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
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ALBANY, NEW YORK 12243-0001

Brian J. Wing
Commissioner

INFORMATIONAL LETTER

TRANSMITTAL: 98 INF-2

TO: Commissioners of
Social Services

DIVISION: Temporary
Assistance

DATE: January 6, 1998

SUBJECT: Revised Request for Voluntary Restriction
Form (DSS-4580 Rev.12/97)

**SUGGESTED
DISTRIBUTION:** Income Maintenance Directors
Forms Coordinators
Staff Development Coordinators

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

ATTACHMENTS: Request For Voluntary Restricted
Payments (Form LDSS-4580 (Rev.12/97))-Available On-
Line

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
97 ADM-21 87 ADM-51 88 INF-64		370.4 and 381	Welfare Reform Act of 1997		GIS 95 ES/DC038 GIS 95 ES/DC026

The purpose of this letter is to inform local social services districts (SSDs) of revised language to be used for recipients to request voluntary restricted payments. This revision was necessary to conform with the Welfare Reform Act of 1997. In addition, this language has now been incorporated into a Department form, LDSS-4580 (Rev. 12/97).

The revisions consist of:

- o Public assistance program name changes
- o A simplification of the language
- o Changes to accommodate Safety Net Non-Cash Assistance.

Aside from the program name changes on the form, there are **no** changes to the policies regarding **voluntary** requests for restriction for Family Assistance and Safety Net Cash Assistance.

For persons receiving Safety Net Non-Cash Assistance, **payment** for utilities (including fuel for heating) now cannot exceed certain amounts unless the recipient of Safety Net Non-Cash Assistance requests that the SSD pay the **entire** bill. The language on the Request For Voluntary Restricted Payments form has been revised to accommodate this request for payment of the entire utility (including fuel for heating) bill.

The Welfare Reform Act of 1997 also specified a particular hierarchy for payment of the Safety Net Non-Cash Assistance grant. The applicable maximum shelter allowance **must** be restricted from the grant and sent directly to the landlord. An additional amount can be restricted from the grant and sent directly to the landlord at the recipient's request. In addition, if the recipient pays separately for utilities, including fuel for heating, the applicable fuel allowance and/or the applicable home energy allowance and supplemental home energy allowance, or the budget billing amount for domestic utilities, whichever is less, **must** be restricted from the grant. Furthermore, only these specified amounts can be paid to the utility/fuel company, **unless the Safety Net Non-Cash Assistance recipient requests that an excess amount be paid.** Number 3 on the LDSS-4580 accommodates this request to pay the entire fuel/utility bill for recipients of Safety Net Non-Cash Assistance.

If a case is transferred into Safety Net Non-Cash Assistance from Family Assistance, Home Relief or Safety Net Cash Assistance and is already vendor restricted for fuel/utilities because of the requirements of Social Services Law (SSL) 131-s, the recipient's agreement to pay the entire fuel bill is **not** required. Also, once the Safety Net Non-Cash Assistance recipient is threatened with a shut-off, the mandates of SSL 131-s apply and recipient permission to pay future entire bills is **not** required.

Effective January 1, 1998, SSDs should ask **all new applicants** who will receive Safety Net Non-Cash Assistance and who pay separately for their fuel and/or utilities to sign Number 3 on the LDSS-4580 if they want the SSD to pay their entire utility/fuel bill. In addition, **all** recipients receiving Non-Cash Safety Net Assistance who pay separately for their fuel and/or

utilities should be asked to sign at next client contact if they want the SSD to pay their entire utility/fuel bill. This should be done to ensure compliance with the Welfare Reform Act of 1997, as well as to lessen any potential disruption of current SSD procedures regarding the payment of vendored utility bills.

If the recipient of Safety Net Non-Cash Assistance will not give written permission to pay the entire fuel/utility bill, the worker must use Method of Payment Code 04, "Vendor as Billed, Subject to Limit" on Screen 6 of WMS. The worker will also fill the appropriate fuel allowance amount and/or home energy and supplemental home energy amounts (or the budget billing amount, whichever is less) in the payment amount field.

Because printed copies of DSS-4580 will not be drop-shipped to SSDs until sometime in March 1998, SSDs must photocopy the Attachment "Request for Voluntary Restriction Form" until that time; a Spanish translation will be available in early January.

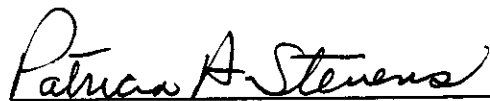
The HRA Brooklyn Warehouse and Upstate districts will receive supplies of this form sometime in March, 1998.

A Spanish version of this form is provided. Only NYC/HRA will automatically receive a supply of the Spanish version. Other districts must order Spanish versions using the procedure described below.

Future requests for the Spanish version of LDSS-4580 (Rev.12/97) should be submitted on Form DSS-876(Rev.2/96): "Request for Forms or Publications", and should be sent to:

Office of Temporary and Disability Assistance
Bureau of Forms and Print Management
P.O. Box 1990
Albany, New York 12201

Questions concerning ordering forms should be directed to the Bureau of Forms and Print Management by calling 1-800-343-8859, ext. 4-2702.



Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance

REQUEST FOR VOLUNTARY RESTRICTED PAYMENTS

_____ COUNTY DEPARTMENT OF SOCIAL SERVICES

CASE NAME: _____

ADDRESS: _____

CATEGORY/CASE TYPE: _____ CASE NUMBER: _____

SEE BACK OF PAGE FOR AN EXPLANATION OF YOUR OPTIONS

1. SHELTER

[] I request that the Department of Social Services send \$_____ of my Public Assistance grant directly to my landlord.

2. UTILITIES (INCLUDING FUEL)

Domestic Utilities Only

[] I request that the Department of Social Services send \$_____ of my Public Assistance grant directly to _____ (utility company) to pay towards my domestic utility bill.

Fuel for Heating Only

[] I request that the Department of Social Services send \$_____ of my Public Assistance grant directly to _____ (my heating fuel/utility company) to pay towards my fuel bill.

Combined Bill

[] I request that the Department of Social Services send \$_____ of my Public Assistance grant directly to _____ (my heating and domestic utility company) to pay towards my fuel/domestic utility bill.

3. SAFETY NET ASSISTANCE NON-CASH ONLY:

[] I request that the Department of Social Services pay my entire utility/fuel bill(s).

Signature of Recipient

Date

Signature of Worker or Witness

Date

OPTIONS

A. FAMILY ASSISTANCE (FA):

You have the right to request to have all or part of your grant restricted to pay bills such as shelter, fuel and/or utilities. If you request to have your grant restricted to pay for your fuel and/or domestic utility bill(s), your cash public assistance grant will be reduced by your fuel allowance and/or your home energy and supplemental home energy allowances, or the budget billing amount of your domestic utility service, whichever is less. You can terminate the voluntary restriction by submitting a written request to do so. The restriction will be terminated within thirty (30) days upon receipt of the written request.

B. SAFETY NET CASH ASSISTANCE:

You have the right to request to have all or part of your grant restricted to pay bills such as shelter, fuel and/or utilities. If you request to have your grant restricted to pay for your fuel and/or domestic utility bill(s), your cash public assistance grant will be reduced by your fuel allowance and/or your home energy and supplemental home energy allowances, or the budget billing amount of your domestic utility service, whichever is less. You can request that the voluntary restriction be terminated by submitting a written request to do so. Such restriction will be terminated within thirty (30) days upon receipt of the written request.

A local social services district can place a Safety Net Cash Assistance recipient on vendor restriction if it is a less expensive or more easily controlled method of payment. If the Department of Social Services determines that this method of payment is the least expensive or is a more easily controlled method of payment, it may continue the restriction **despite your request to have it discontinued.**

C. SAFETY NET NON-CASH ASSISTANCE:

State Law **mandates** that the maximum shelter standard for your family size must be restricted out of your grant and sent directly to your landlord.

State Law **mandates** that, if you must pay separately for your fuel and/or domestic utility costs, your fuel allowance and/or your home energy and supplemental home energy allowances, or the budget billing amount of your domestic utility service, whichever is less, must be restricted out of your grant and sent directly to your utility/fuel company.

You may request that additional amounts be restricted out of your grant and paid directly to your landlord and/or utility/fuel companies.