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TO: Commissioners; IM Directors; WMS Coordinators
FROM: Patricia A Stevens, Deputy Commissioner Division of Temporary Assistance
SUBJECT: Recent Regulation Changes Affecting Temporary Assistance Cases
EFFECTIVE DATE: Immediately
CONTACT PERSON: 1-800-343-8859:Central /PA Policy Team 4-9344;

Two changes to Department regulations were recently filed and are now effective:

1. Regulation 351.1(b)(2): In the "Responsibility for furnishing information" section, language has been added to the opening sentence in (2) and in new subsections in (v) under (2) to require cooperation in providing information from non-applicants and non-recipients in the assistance household when the information is necessary to meet federal reporting requirements in TANF-funded cases and TA cases claimed in Maintenance of Effort. Earlier GIS Message # 99TA/DC024 informed districts about the need to collect this information from non-applicant/recipients subject to reporting requirements, and I.M. Director Letters of 10/8/99 and 1/27/00 also informed districts of necessary WMS procedures for entry of information. The amended regulation is effective January 10, 2001, and as of that date districts may take denial and closing actions in cases where a non-applicant/recipient refuses to provide the necessary demographic information. Upstate workers should use existing Reason Codes V20 - Failure to provide verification (Closing) and V21 - Failure to provide verification (Denial). NYC workers should use Y99 (Other) for closings and 285 (Other) for denials. There must be a separate determination of FS eligibility and for MA eligibility for TA cases that are closed or denied for non-cooperation with federal reporting requirements. Federal reporting requirements for non-applicant/recipients in TA households do not affect the FS or MA eligibility of TA recipients or applicants in such households. The upstate closing and denial codes (V20 and V21) will generate appropriate MA notice language. Upstate workers must use FS reason codes to assure appropriate FS notice language. NYC workers must insert manual FS and MA call-in language in the closing and denial notices for separate determination. An Administrative Directive will be issued soon to provide detailed background and instructions related to this regulation change.

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2. Regulation 370.4(b)(1)(ii): The paragraph on Safety Net time limits is amended to provide that beginning December 1, 2000, a month will not be counted toward the 24-month limit on cash SNA if the entire deficit amount for the month is issued as a work subsidy to an employer or a third party for the costs of wages or benefits. This change brings the cash SNA treatment of such work subsidies into conformity with the TANF-related treatment as detailed in 99 ADM-7. It means that the following WMS payment types will not be counted toward any time limit in any case type: 14 - TEAP (upstate); T1 - On the Job Training Grant (upstate); T2 - Extended Supportive Services (upstate); 27 - Third Party Health Insurance - OES (NYC -single issue); and 65 - JOBS - Extended Supportive Services (NYC - single issue). WMS Tracking will be modified to exclude these payments from counting toward the 24-month limit on cash SNA.