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 | INFORMATIONAL LETTER |
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TRANSMITTAL: 95 INF-46

TO: Commissioners of
 Social Services

DIVISION: Economic
 Security

DATE: November 28, 1995

SUBJECT: Revision of Client Information Books:
 DSS-4148A - "What You Should Know About Your Rights
 and Responsibilities (When Applying for
 or Receiving Social Services)"
 DSS-4148B - "What You Should Know About Social
 Services Programs"
 DSS-4148C - "What You Should Know If You Have An
 Emergency"

SUGGESTED

DISTRIBUTION: Income Maintenance Directors
 Food Stamp Directors
 Medical Assistance Directors
 Family and Children Services Directors
 Adult Services Directors
 Child Support Enforcement Coordinators
 Corrective Action Coordinators
 CAP Coordinators
 Employment Coordinators
 Staff Development Coordinators
 Forms Coordinators

CONTACT PERSON: Bob Gullie, ES/WMS Program Operations at
 1-800-343-8859, extension 4-6501

ATTACHMENTS: Attachment I - Listing of Attachments - available
 on-line

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
See Attachment II	See Attachment II	See Attachment II	See Attachment II	See Attachment II	See Attachment II

I. PURPOSE

The purpose of this release is to inform local districts that the Client Information Books, DSS-4148A, DSS-4148B, and DSS-4148C, have been revised.

These three Books were distributed to the NYC/HRA and Upstate warehouses late September, 1995.

II. 1/95 VERSIONS: MAJOR CHANGES

The following are the major changes to the 9/92 versions of Client Information Books 1, 2 and 3 which were incorporated into the 1/95 revisions.

DSS-4148A (Book 1) "What You Should Know About Your Rights And Responsibilities (When Applying For or Receiving Social Services)"

A. GENERAL - The Revision Date was changed on every page to (Rev.1/95).

B. YOUR RIGHTS

1. APPLICATION RIGHTS - Section 1 (New Page 1)

The Medical Assistance time frame in the last sentence of the ninth bullet was changed from "60" to "90" days.

2. NONDISCRIMINATION RIGHTS - Section 2 (New Page 2)

a. The word "handicap" was changed to "disability", in the first sentence of this section.

b. New text about disability discrimination was added to the end of this section.

3. PERSONAL PRIVACY RIGHTS - Section 3 (New Pages 2 and 3)

a. The NOTE for the first bullet was changed to read:

NOTE: If you are applying for or getting Public Assistance or Medical Assistance, we may give your children's Social Security Numbers to their absent parent in order to enroll the children in their absent parent's health insurance coverage and, if necessary, to begin child support enforcement services.

b. Wage Reporting Information was added to the end of this section.

4. YOUR RIGHT TO LOOK AT YOUR RECORDS - Section 4 (New Pages 3 and 4)

No changes.

5. CONFERENCES AND FAIR HEARINGS - YOUR RIGHT TO HAVE DECISIONS REVIEWED - Section 5 (New Pages 4, 5, 6 and 7)

- a. The title of this section was changed to include:

CONFERENCES, SUPPORT PASS-THROUGH PAYMENT DESK REVIEWS AND FAIR HEARINGS

- b. New information about "Desk Reviews" was added between "A CONFERENCE IS NOT A FAIR HEARING" and "FAIR HEARING" sections.

- c. The last sentence in the first paragraph of the "Fair Hearing" section was deleted and replaced with the following two sentences:

The Department will then issue a written decision which will state whether the local department of social services decision was right or wrong. The written decision may order the local department of social services to correct your case.

- d. The Medical Assistance time frame in the third bullet of the "Fair Hearing" section was changed from 60 days to 90 days.

- e. A new subheading "Time Limits To Ask For A Fair Hearing" was added after the last paragraph in the "Some Reasons Why You Might Ask for A Fair Hearing" section and the remaining Fair Hearing section text was rearranged for clarity purposes.

- f. In the "Telephone numbers for requesting a Fair Hearing" section, Nassau and Suffolk Counties were removed from the "Albany" grouping because these counties now have their own telephone number. The new grouping reads as follows:

If you live in: Nassau or Suffolk County: (516) 739-4868

- g. The telephone numbers for requesting a Fair Hearing were moved to the end of the "Conferences And Fair Hearings" section.

6. EMPLOYMENT RIGHTS - Section 6 (New Page 7)

Information in this section was revised to stress employability issues.

7. RIGHTS OF CHILDREN AND FATHERS WHEN PATERNITY IS ESTABLISHED IN COURT - Section 7 (New Page 7)

No changes.

8. RIGHTS REGARDING PATERNITY AND CHILD SUPPORT LEGAL ACTIONS AND REPRESENTATION - Section 8 (New Page 7)

No changes.

9. SUPPORT PASS-THROUGH ("BONUS") PAYMENTS - PUBLIC ASSISTANCE - NEW SECTION 9 (formerly on Page 16 was placed on New Page 8)

The "SUPPORT PASS-THROUGH ("BONUS") PAYMENTS - PUBLIC ASSISTANCE" section was moved from PAGE 16 to PAGE 8 and was renumbered, "9". This section includes information on the revised procedures about support pass through payments.

10. YOUR RIGHT TO ASK FOR RESTRICTED PAYMENT FOR PUBLIC ASSISTANCE - Section 9 (New Page 8)

This section was renumbered, 10.

11. YOUR RIGHTS IF YOU ARE SUSPECTED OF FRAUD - Section 10 (New Page 8)

This section was renumbered, 11.

C. YOUR RESPONSIBILITIES:

1. GENERAL RESPONSIBILITIES - Section 1 (New Page 9)

The following new fourth bullet about an employment responsibility was added:

- o If you are able to work, you must accept any job offered to you that you are able to do, even if it would pay you less than Public Assistance does. Public Assistance will pay you a supplement if you need it.

2. RESPONSIBILITY TO PROVIDE TRUTHFUL AND ACCURATE INFORMATION - Section 2 (New Page 9)

The "IPV penalties" section information was expanded, and separate sections for Public Assistance and Food Stamps IPV's were created within this section.

3. RESPONSIBILITY TO PROVIDE PROOF - Section 3 (New Pages 10 and 11)

The following Medical Assistance Qualifier was added to the end of this section:

If you are applying for Medical Assistance only, pregnant women and babies under the age of one do not have to provide proof of their resources. Generally, children born on or after October 1, 1983, do not have to provide proof of resources.

4. RESPONSIBILITY TO REPORT CHANGES - Section 4 (New Pages 11 and 12)

a. The first subheading in this section was changed from "General Changes" to:

General Information On Changes

b. The first sentence of the third paragraph was changed to read:

If this is so, you do not need to report changes at any time other than on the Quarterly Report or at recertification, whichever occurs first.

c. A new twelfth bullet with an example of a change that must be reported was added. The wording is as follows:

o You or someone who lives with you receives property.

5. RESPONSIBILITIES REGARDING YOUR PERSONAL IDENTIFICATION CARD - Section 5 (New Pages 13 and 14)

a. "Upstate Only" was changed to "Outside NYC".

b. "New York City Only" was changed to "New York City".

6. RESPONSIBILITY TO PICK UP YOUR FOOD STAMPS - Section 6 (New Page 14)

No changes.

7. EMPLOYMENT RESPONSIBILITIES - Section 7 (New Pages 14 and 15)

a. The "For Public Assistance" section information was updated.

b. Information on choosing the Food Stamp "Head of Household" was added to this section.

8. RESPONSIBILITY REGARDING CHILD AND SPOUSAL SUPPORT - Section 8
(New Pages 15 and 16)

- a. The "SUPPORT PASS-THROUGH ("BONUS") PAYMENTS information was removed from this section, revised, and put on the new Page 8.
- b. The first sentence of the "CHILD SUPPORT COLLECTION - MEDICAL ASSISTANCE" section was changed to reflect an exception to cooperating with the Child Support Enforcement Unit. That exception includes if you are within two months following the end of your pregnancy.
- c. The second to last paragraph in the "CHILD SUPPORT COLLECTION - MEDICAL ASSISTANCE" section was changed to read:

If you do not cooperate with the Child Support Enforcement Unit, you cannot get Medical Assistance for yourself, unless you have "good cause" for not cooperating or you are pregnant or it is within two months following the end of your pregnancy.

9. RESPONSIBILITY TO PARTICIPATE IN SUBSTANCE ABUSE REHABILITATION - Section 9 (New Page 17)

No changes.

10. RESPONSIBILITIES REGARDING THE USE OF MEDICAL ASSISTANCE PROVIDERS - Section 10 (New Page 17)

No changes.

11. RECERTIFICATION RESPONSIBILITIES - Section 11 (New Page 18)

The third paragraph was changed to provide further explanation about your responsibilities when a Recertification interview is missed.

DSS-4148B (Book 2) "What You Should Know About Social Services Programs"

A. GENERAL

The Revision Date was changed on every page to (Rev. 1/95).

B. TABLE OF CONTENTS - The new section order was changed to:

YELLOW	PUBLIC ASSISTANCE
WHITE	TRANSITIONAL HELP
GREEN	MEDICAL ASSISTANCE
GOLD	FOOD STAMPS
BLUE	SERVICES
PINK	OTHER BENEFITS

C. PUBLIC ASSISTANCE

1. New Pages 1-5 - Most of the changes and revisions to the Public Assistance section were made by moving and incorporating the "Employment, Education and Training" section information into the "Public Assistance" section. The following will be the new Questions and Answers order.

2. New Pages 1 and 2

a. Q. What is Public Assistance (PA)?

The answer was changed to read:

Public Assistance is temporary help for needy men, women and children. If you are unable to work, can't find a job, or your job does not pay enough, Public Assistance may be able to help you pay for your expenses.

b. Q. If I Have Or Get A Job, Can I Still Get Help? was moved to this page from the former Page 3.

c. Q. How Can I Get Help To Get A Job? was moved to this page from the former Page 19.

1. The question was changed to read:

Can I Get Help To Get A Job?

2. The first sentence of the answer was changed to read:

When you apply for or get Public Assistance and/or Food Stamps, you may be able to get help with:

d. Q. What Kinds Of Expenses Will Public Assistance Help Me To Pay?

1. The housing and household related items that Public Assistance will help pay for was changed to a bullet format.

2. The reference above the NOTE in the answer was changed to read:

(See the Question, "Can I Get Extra Help When I Take Part In Training or Education?" on Page 3.)

3. New Page 3

a. Q. How Do I Apply For Public Assistance? was moved to this page from the former Page 2.

b. Q. How Do I Start? was moved to this page from the former Page 19, and this question was changed to:

What Happens When I Apply For Public Assistance?
(The answer was revised to stress employment issues.)

c. Q. Can I Get Extra Help When I Take Part In Training Or Education? was moved to this page from the former Page 19.

In the answer, "Lunch" was removed from the PA/FS section and moved to the PA only section, since Food Stamps no longer pays for lunch. (GIS 92 IM/DC007)

* Please Note: Subsequent to the reprinting of this book, Regulation 385.3 was filed which also discontinues the lunch benefit for Public Assistance.

d. Q. What Happens If I Get A Job? was moved to this page from the former Page 19.

e. Q. What Will Happen If I Do Not Agree Or Fail to Agree To Take Part In A Required Employment Program? was moved to this page from the former Page 19.

4. New Page 4

Q. Does Everyone Who Lives With Me Have To Apply For Public Assistance? was moved to this page from the former Page 2.

1. The last sentence was moved up to follow the first sentence.

2. Two new sentences were added after the third sentence that reads:

If the absent parent is supporting your children, you may be able to get more money by taking your children out of your public assistance grant and receiving their child support directly. You may ask your public assistance worker in your local department of social services how this would affect you.

D. TRANSITIONAL HELP -

New Page 5 - This section was moved from the former Page 20 to this page, and the following changes were made:

1. The third and fourth bullets in the "Transitional Medical Assistance" section were deleted.
2. The new third bullet in the "Transitional Medical Assistance" section was changed to read:
 - o You are not making too much money.

E. MEDICAL ASSISTANCE

1. New Page 6

Q. "How Do I Apply For Medical Assistance?" - the fourth and fifth bullets were changed to read:

- o New York State Office of Mental Retardation and Developmental Disabilities facility - Revenue Support Field Office
- o New York State Veterans' Home (Oxford Veterans' Home) - Medical Assistance Office

2. New Pages 6 and 7

Q. "How Can Medical Assistance Help Me?" -

1. A new first bullet was added that reads:

- o Health Insurance Premiums

2. An additional program that a pregnant woman or a child might get help from was also added. The new program information reads:

- o Managed Care Programs will also help you to find a doctor who can give you prenatal care and will continue to see you and your child for exams and follow-up after your pregnancy.

3. New Page 8

Q. Do I Pay Any Money For My Medical Care?

This new question and answer that discusses "co-payments" and "co-payment costs" was added after the first question on this page.

4. New Page 9

- a. Q. "What Is A Medicaid Managed Care Program?"

The answer to this question was revised.

- b. Q. "Why Join A Managed Care Program?"

The answer to this question was revised.

4. New Page 10

- a. Q. "If I Am Pregnant Or Have Children, Can I Have More Income And More Resources And Still Get Medical Assistance?" - the wording for the answer to this question was changed to read:

Yes, if you are pregnant or want help for a baby under the age of one, there is no limit to the amount of resources (savings) a family, you or the child can have.

If you want help for a child born on or after October 1, 1983, there is generally, no limit to the amount of Resources a family, you or the child can have.

- b. A new question and answer that discusses the Prospective Drug Utilization Review Program was added to the bottom of this page. The question asks:

Q. What is Prospective Drug Utilization Review?

5. New Page 11

- Q. "If I Sell, Give Away Or Transfer Any Money Or Property, Can I Still Get Medical Assistance?" -

- a. The first two paragraphs of the answer to this question were changed to read:

This section explains what may happen if you transfer any property or money and apply for Medical Assistance. A transfer is when you give away money or property or sell property for less than it is worth.

You can keep certain money or property for you and your family and still get Medical Assistance. If you or your spouse transferred other money or property, Medical Assistance may not pay for the following medical care for a period of time, depending on how much money or property you transferred.

b. A new fifth bullet was added to the answer to this question. The new bullet reads:

- o You set up a trust for a disabled individual. The local department of social services must decide if the individual is disabled.

c. A note was added to the end of the answer to this question. That Note reads:

NOTE: For information about what might happen if you transferred property or money before August 11, 1993, ask your local department of social services.

6. New Page 12

The "Medical Assistance Utilization Threshold Fact Sheet" information was added.

F. FOOD STAMPS

New Page 16 (Formerly Page 11)

1. The 9/92 version of this Book had two questions which discussed "How to Pick Up Food Stamps" (formerly Page 11) and "Things People Should Know About Food Stamps" (formerly Page 12). The information from latter question was incorporated into the former question titled, "If I Am Found Eligible, How Do I Pick Up My Food Stamps?"

The information in the question "If I Am Found Eligible, How Do I Pick Up My Food Stamps?" of the 9/92 version, that discussed "pick-up dates" was incorporated into a new question entitled, "When Do I Pick Up My Food Stamps?". This new question and answer should follow "If I Am Found Eligible, How Do I Pick Up My Food Stamps?"

2. The question and answer, "What Other Things Should I Know About Food Stamps?" (formerly on Page 12) was deleted since this information has been incorporated into the revised question and answer, "If I Am Found Eligible, How Do I Pick Up My Food Stamps?" (formerly on Page 11).

3. New Page 17

The question and answer, "What Happens If A Person In My Household Quits A Job?" (formerly on Page 12) was deleted and replaced with a new question entitled:

- Q. What Happens If A Person In My Household Does Not Follow An Employment Requirement Or Quits A Job?

G. OTHER BENEFITS

PAGE 23 - A new "Burial" information section was added.

DSS-4148C (Book 3) "What You Should Know If You Have An Emergency"

GENERAL - The Revision date was changed to (Rev. 1/95) on every page.

III. REQUIREMENTS SATISFIED

In addition to the requirements that were satisfied by previous versions of the Client Information Books, outlined in 90 ADM-41, 91 INF-60 and 93 INF-26, use of the 1/95 versions of these books at application and/or recertification will also:

- o Satisfy the requirement contained in 95 ADM-8 to provide Food Stamp applicants and recipients with information on how the Food Stamp head of household is selected for employment purposes. However, local districts must continue to orally inform Food Stamp applicants and recipients about this information at application and recertification.
- o Satisfy the requirement contained in 91 ADM-22 to provide Medical Assistance only applicants in the HR-related category with the "Medicaid Utilization Threshold Fact Sheet".
- o Satisfy the requirements contained in 95 LCM-68 and 95 LCM-87 to provide Public Assistance and Medical Assistance only applicants with the "Medicaid Co-Payment Fact Sheet".

IV. BOOKS DISTRIBUTION REQUIREMENTS

Local districts must continue to distribute DSS-4148A, DSS-4148B and DSS-4148C as outlined in 90 ADM-41, 91 INF-65, 93 INF 26 and GIS 94-MA/004.

V. BOOKS DELIVERY INFORMATION

The existing 9/92 versions of DSS-4148A , DSS-4148B and DSS-4148C are made obsolete by the 1/95 versions. All existing copies of the 9/92 versions of DSS-4148A, DSS-4148B and DSS-4148C should be destroyed upon receipt of the 1/95 versions.

The NYC/HRA Brooklyn Warehouse and Upstate districts received supplies of the three 1/95 books in late September based on previous ordering and usage practices.

Spanish versions of these books (DSS-4148A(S)), (DSS-4148B(S)) and (DSS-4148C(S)) will follow. Only NYC/HRA will automatically receive supplies of the Spanish versions. Other districts must order Spanish versions using the procedure described below.

Future requests for the DSS-4148A, DSS-4148B and DSS-4148C or Spanish versions DSS-4148A(S), DSS-4148B(S) and DSS-4148C(S) should be submitted on Form WMS-47: (Rev. 9/89): "WMS Order Form" and should be sent to:

New York State Department of Social Services
Welfare Management System
P.O. Box 1990
Albany, New York 12201
Attention: Office of Customer Support Services

Questions concerning ordering the books should be directed to the Office of Customer Services (OCSS) by calling 1-800-343-8859, extension 6-6223.

Patricia A. Stevens
Deputy Commissioner
Division of Economic Security

LISTING OF ATTACHMENTS

- Attachment II - Filing References - available on-line.
- Attachment III - DSS-4148A - "What You Should Know About Your Rights and Responsibilities (When Applying for or Receiving Social Services)" (Rev. 1/95) - Not Available On-Line.
- Attachment IV - DSS-4148B - "What You Should Know About Social Services Programs" (Rev. 1/95) - Not Available On-Line.
- Attachment V - DSS-4148C - "What You Should Know If You Have An Emergency" (Rev. 1/95) - Not 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	91 INF-60	387.2	CFR 273.2	PASB	95 LCM-87
92 ADM-26			(b) & (c)	II-All	95 LCM-68
91 ADM-44				III-All	90 LCM-45
91 ADM-40				IV-B,	90 LCM-30
91 ADM-37				V-A, B	GIS 94-MA/
91 ADM-29				V-E-All	MA/004/005
91 ADM-22				VII-All	GIS 89-
90 ADM-42				VIII-R-All	IM/DC017
90 ADM-41				IX-I-All	
90 ADM-27				XI-B-All	
90 ADM-9				XIII-D-	
89 ADM-45				5-All	
89 ADM-6				XIV-D-All	
86 ADM-13				XV-All	
86 ADM-7				XVI-O-All	
85 ADM-45				XVII-B-2.1	
85 ADM-8					
76 ADM-9				XVII-C-1	
93 INF-26				XVII-D-1	
92 INF-12				XXIII-K-1	
91 INF-12				XXIV-A thru	
89 INF-55				D-All	
88 INF-83				XXIV-F-1.1	
88 INF-39				XXIV-G &	
87 INF-37				H-All	
87 INF-30				XXIV-M-All	
86 INF-35				FSSB	
				III-D-All	
				IV-B thru	
				E-All	
				IV-G &	
				I All	
				V-B-1.1	
				V-E-1.1	
				V-G-All	
				VI-A-All	
				VI-B-1.1	
				VIII-A thru	
				D-All	
				VIII-G-All	
				IX-B-All	
				IX-I-All	
				IX-F-ALL	
				XI-E-All	
				XII-G-7	
				XIII	
				XV-G-1.1	

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
				<u>MARG</u> pp. 5, 15-20 108.1, 204-215, 285 297, 311 340-346.1, 351, 368-391, Appendix II <u>MA</u> <u>Disability</u> <u>Manual</u> <u>Policy</u> <u>Pages</u> 1, 2, 3, 4, 6, 10,	