



**NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY
ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NY 12243-0001**

David A. Paterson
Governor

Informational Letter

Section 1

Transmittal:	09-INF-18
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	October 8, 2009
Subject:	5/08 Revisions to the LDSS-4826: "Food Stamp Benefits Application/Recertification" and LDSS-4826A: "How to complete the Food Stamp Benefits Application/Recertification"
Suggested Distribution:	Food Stamp Benefits Staff Temporary Assistance Staff Medicaid Directors CAP/TOP Coordinators Employment Coordinators WMS Coordinators Staff Development Coordinators
Contact Person(s):	Forms Questions: Kelly Whitney @ 1-800-343-8859, ext. 3-7991 Program Questions: Food Stamp Bureau – (518) 473-1469 Metro Region – (212) 961-8207 WMS Questions – (518) 474-8749
Attachments:	LDSS-4826: "Food Stamp Benefits Application/Recertification" (Rev. 5/08) and LDSS-4826A: "How to Complete the Food Stamp Benefits Application/Recertification" (Rev. 5/08)
Attachment Available On – Line:	☒

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
03 ADM-03 04 INF-11		18NYCRR 387.5(a)	SSL 95(11)	FSSB Sections IV and VI	

I. Purpose

The purpose of this INF is threefold:

1. To introduce the revised Statewide 5/08 versions of:

- LDSS 4826: “Food Stamp Benefits Application/Recertification”
- LDSS-4826A: “How To Complete The Food Stamp Benefits Application/Recertification”

2. To inform local districts that the following “other than English” 5/08 versions have also been revised:

- LDSS-4826-AR: “Food Stamp Benefits Application/Recertification” (Arabic)
- LDSS-4826A-AR: “How To Complete the Food Stamp Benefits Application/Recertification” (Arabic)
- LDSS-4826-CH: “Food Stamp Benefits Application/Recertification” (Chinese)
- LDSS-4826A-CH: “How To Complete the Food Stamp Benefits Application/Recertification” (Chinese)
- LDSS-4826-HA: “Food Stamp Benefits Application/Recertification” (Haitian/Creole)
- LDSS-4826A-HA: “How To Complete the Food Stamp Benefits Application/Recertification” (Haitian/Creole)
- LDSS-4826-KO: “Food Stamp Benefits Application/Recertification” (Korean)
- LDSS-4826A-KO: “How To Complete the Food Stamp Benefits Application/Recertification” (Korean)
- LDSS-4826-RU: “Food Stamp Benefits Application/Recertification” (Russian)
- LDSS-4826A-RU: “How To Complete the Food Stamp Benefits Application/Recertification” (Russian)
- LDSS-4826-SP: “Food Stamp Benefits Application/Recertification” (Spanish)
- LDSS -4826A-SP: “How To Complete the Food Stamp Benefits Application/Recertification” (Spanish)

3. To notify local districts that, as long as they are using the 05/08 version of the LDSS-4826 and LDSS-4826A or later, they are no longer required to provide the Client Information Books (LDSS-4148A, LDSS-4148B and LDSS-4148C) to households that are applying or recertifying for Food Stamp Benefits *using* the LDSS-4826: “Food Stamp Benefits Application/Recertification”. This is because *information from the Client Information Books that must be provided to food stamp applicant households has been consolidated and included in the 5/08 LDSS-4826A*.

Districts must continue to provide the LDSS-4826A: “How to Complete the Food Stamp Benefits Application/Recertification and Applicant/Recipient Rights and Responsibilities for the Food Stamp Program” *to all households applying and recertifying for food stamp benefits*, and must continue to provide the Client Information Books upon request (LDSS-4148A, LDSS-4148B and LDSS-4148C).

II. Background

03 ADM-03 introduced the Statewide “Food Stamp Benefits Application/Recertification” forms, LDSS-4826 and LDSS-4826A. Local districts were informed at that time that they must offer these simplified forms to households that are:

- Applying only for NTA Food Stamp benefits (instead of the LDSS-2921: “Statewide Common Application” form and Pub. 1301: “How to Complete the Application”);
- Recertifying for NTA Food Stamp benefits (instead of the LDSS-3174: “Recertification Form” and Pub. 1313: “How to Complete the Recertification”); or
- Applying or recertifying for NTA Food Stamp benefits as SSI recipients living alone or in group homes.

In addition, local districts were directed to continue to provide the Client Information Books (LDSS- 4148A, LDSS-4148B and LDSS-4148C) at Application/Recertification, including households that are not required to have a face to face interview.

III. Forms Revisions:

The following is a listing of the changes and revisions to the 5/05 versions of the LDSS-4826: “Food Stamps Benefits Application/Recertification” and LDSS-4826A: “How To Complete The Food Stamp Benefits Application/Recertification” for the 5/05 versions:

Revisions to the LDSS-4826: “Food Stamp Benefits Application/Recertification”

General – The revision date was **changed** on every page to (Rev.5/08).

Cover:

3rd Bullet now reads: “We must accept your application if, at minimum, it contains your name, address (if you have one), and a signature. This information will establish your application filing date. However, the application process, ***including the interview***, must be completed and we must interview you for us to determine your eligibility.”

4th Bullet now reads: “You can apply for and get Food Stamp Benefits for eligible household member(s) even if you or some other members of your household are not eligible for benefits because of immigration status. For example, ***ineligible alien*** parents can apply for Food Stamp Benefits for their children and receive benefits for their eligible children.”

5th Bullet now reads: “You can still apply ***and be eligible*** for Food Stamp Benefits even if you have reached your Temporary Assistance time limits.”

Page 1:

Questions at the bottom of the page:

Question 2 now reads: “Has a court issued a **warrant because** it found that you **or anyone living with you is** fleeing to avoid prosecution, custody or confinement for a felony or an attempted felony?”

Question 3 now reads: “Are you or is anyone living with **you in violation** of probation or parole according to a court?”

Last sentence: “If you are recertifying for Food Stamp Benefits, list on Page 6 what has changed since your last application or recertification (such as moved, had a baby, someone moved in or out **of your household**).”

Page 2:

Added the following to the Resources Section: “Resources do not affect the eligibility of most households applying for Food Stamp Benefits. However, some resource information is used to determine if you qualify for expedited processing of your application.”

Page 3:

Last 2 paragraphs were added:

Anyone who is fleeing to avoid prosecution, custody or confinement for a felony, or who is violating a condition of probation or parole, is not eligible to receive Food Stamp Benefits.

If you get more Food Stamp Benefits than you should have (overpayment), you must pay them back. If your case is active, we will take back the amount of the overpayment from future Food Stamp Benefits that you get. If your case is closed, you may pay back the overpayment through any unused Food Stamp Benefits remaining in your account, or you may pay cash.

Page 4:

Added the first two paragraphs:

If you have an overpayment that is not paid back, it will be referred for collection in a number of ways, including automated collection by the federal government. Federal benefits (such as Social Security) and tax refunds that you are entitled to receive may be taken to pay back the overpayment. The debt will also be subject to processing charges.

Any expunged Food Stamp Benefits will be put towards your overpayment. If you apply for Food Stamp Benefits again, and have not repaid the amount you owe, your Food Stamp Benefits will be reduced if you begin to get them again. You will be notified, at that time, of the amount of reduced benefits you will get.

4th Paragraph now reads: “**CONSENT FOR RELEASE OF CONFIDENTIAL UNEMPLOYMENT INSURANCE (UI) INFORMATION** – I authorize the New York State Department of Labor (DOL) to release any confidential information, maintained by DOL for Unemployment Insurance (UI) purposes, to the New York State Office of Temporary and Disability Assistance (OTDA). This information includes UI benefit claims and wage records. I understand that OTDA, **along with State and local agency employees working in local social services** district offices, will use the UI information for **establishing or verifying eligibility for, and the amount of, TA, MA, or FS benefits** applied for in this application and for investigations to determine whether I received benefits to which I was not entitled.”

Changed last sentence to read: “If you or anyone applying/recertifying does not have an SSN, a SSN must be applied for at the Social Security Agency.”

Page 5:

Moved **CITIZENSHIP/IMMIGRATION STATUS** section to the top of the page.

Added the following sentence: “**For the Food Stamp Benefits Program**, citizenship must be documented only if questionable.”

The following information was changed: The Husband/Wife signature section was removed.

(Note: An authorized representative must be designated in writing by the Head of Household or other responsible adult member of the household along with their signature. This can be done separately or on the application. If this is done on the application then the Head of Household or other responsible adult member of the household must sign the application. If the authorized representative is designated separate from the application then the authorized representative **or** the Head of Household or other responsible adult member must sign the application .

Page 6:

In the Agency Use Only Section, check boxes were added for In-Person Interview and Telephone Interview.

Revisions to the LDSS-4826A:

“How To Complete the Food Stamp Benefits Application/Recertification”

General:

The revision date was **changed** throughout to (Rev.5/08).

Page 1:

The following information was changed:

The Title: How to Complete the Food Stamp Benefits Application/Recertification and Applicant/Recipient Rights and Responsibilities for the Food Stamp Program

Section: When You Are Applying For Food Stamp Benefits, the 3rd and 4th Bullets have changed to read:

- We must accept your application if, at a minimum, it contains your name, address (if you have one), and a signature. This information will establish your application filing date. However, the application process including the interview must be completed and we must interview you for us to determine your eligibility.
- You can apply for and get Food Stamp Benefits for eligible household member(s) even if you or some other members of your household are not eligible for benefits because of immigration status. For example, ineligible alien parents can apply for Food Stamp Benefits for their children and receive benefits for their eligible children.

Where You Can Apply For Food Stamp Benefits

If you live **outside** of New York City, call or visit your local department of social services in the county where you live and ask for an application package. You can get the address and phone number by calling toll free **1-800-342-3009**.

If you live in **New York City** and you are **not** also applying for Temporary Assistance, call or visit any Food Stamp Benefits Office and ask for an application package. You can get the address and phone number by calling **1-877-472-8411** or toll free **1-800-342-3009**.

Last sentence on the page should read:

Please contact your local department of social services if you have any questions, to see if you are eligible for a telephone interview, **or if you need to reschedule an interview.**

Page 2:

The following information was changed:

INSTRUCTIONS ON HOW TO COMPLETE THE FOOD STAMP APPLICATION/RECERTIFICATION

Under Section 1 – OTHER PHONE should read: **OTHER PHONE: PRINT** another phone number where you can be reached, if you have one.

Section 2: Sign your name and date, **ONLY** if you want to submit your application without completing the next page at this time. You must complete the application for us to determine your eligibility.

Page 3:

The following information was changed:

- Section 4: Answer all questions in section 4. Fill in names of any individuals who are not U.S. Citizens.
- Section 6: Resources: Resources do not affect the eligibility of most households applying for Food Stamp Benefits. However, some resource information is used to determine if you qualify for expedited processing of your application.

Page 4:

Sections 9 and 10 were reversed. Section 10 also includes a new 2nd paragraph.

Note at bottom of the page should read: **Note: The last page of this application is an application to register to vote. If you would like help filling out the voter registration application form, ask your worker. Applying or declining to register to vote will not affect your eligibility or the amount of assistance that you will be given by this agency.**

Page 5-10:

This information is all new to the LDSS-4826A. It includes the rights and responsibilities and penalty language taken from the client information books: LDSS-4148A: “What You Should Know About Your Rights and Responsibilities”, LDSS-4148B: “What You Should Know About Social Services Programs” and the LDSS-4148C: “What You Should Know If You Have an Emergency”. Please see the Purpose and Background Sections of this INF for further clarification as to why the information was added.

IV. Forms Ordering

The 5/08 versions of the Statewide LDSS-4826: “Food Stamps Benefits Application/Recertification” (English) and LDSS-4826A: “How To Complete The Food Stamp Benefits Application/Recertification” (English) was delivered to the Upstate (Albany) and HRA (New York City) warehouses in October 2008. All districts received an initial supply of these revised English forms.

Printing of the “other than English Forms” in Arabic, Chinese; Haitian/Creole; Korean; Russian and Spanish; will follow. When the “other than English” versions are printed, **only New York City** will automatically receive supplies. All other districts must order supplies of the “other than English” forms using the procedure described below.

Upon receipt of the revised forms, all existing copies of the previous 5/05 versions of the LDSS-4826 (English); LDSS-4826A (English); LDSS-4826-AR (Arabic); LDSS-4826A-AR (Arabic); LDSS-4826-CH (Chinese); LDSS-4826A-CH (Chinese); LDSS-4826-HA (Haitian/Creole); LDSS-4826A-HA (Haitian/Creole); LDSS-4826-KO (Korean); LDSS-4826A-KO (Korean); LDSS-4826-RU (Russian); LDSS-4826A-RU (Russian); LDSS-4826-SP (Spanish) and LDSS-4826A-SP (Spanish) **must be destroyed**.

Any initial or future requests for the 5/08 versions of LDSS-4826 (English); LDSS-4826A (English); LDSS-4826-AR (Arabic); LDSS-4826A-AR (Arabic); LDSS-4826-CH (Chinese); LDSS-4826A-CH (Chinese); LDSS-4826-HA (Haitian/Creole); LDSS-4826A-HA (Haitian/Creole); LDSS-4826-KO (Korean); LDSS-4826A-KO (Korean); LDSS-4826A-RU (Russian); LDSS-4826A-RU (Russian); LDSS-4826-SP (Spanish) and LDSS-4826A-SP (Spanish) should be submitted on Form OTDA-876 (Rev. 6/98): “Request for Forms or Publications” and should be sent to:

Office of Temporary and Disability Assistance
Document Services
P.O. Box 1990
Albany, New York 12201

Questions concerning ordering forms should be directed to Document Services at 1-800-343-8859, ext. 4-9522.

In addition, for local district staff, electronic PDF versions of all of the notices referenced in this INF can be accessed on the OTDA Intranet website at <http://otda.state.ny.net/otda/ldss/eforms/default.htm>.

Issued By

Name: Russell Sykes
Title: Deputy Commissioner
Division/Office: Center for Employment and Economic Supports