

+-----+
| LOCAL COMMISSIONERS MEMORANDUM |
+-----+

Transmittal No: 90 LCM-24

Date: February 14, 1990

Division: Commissioner's
Office

TO: Local District Commissioners

SUBJECT: Filed Regulation 370.7(a)(1)(2) and 370.7(c)(2)

ATTACHMENTS: Attachment listed below
(Attachment available on-line)

The following changes to the Official Regulations of the State Department of Social Services have been filed for adoption with the Secretary of State.

18 NYCRR 370.7(a)(1)(2) and 370.7(c)(2) relating to recovery of interim assistance.

The final rule - Filed: 2/14/90 - Effective: 3/7/90.

Michael J. McNaughton
Director, Local District
Policy Communications

Paragraphs (1) and (2) of subdivision (a) of section 370.7 are amended to read as follows:

(1) Interim assistance means home relief grants or the increment of a home relief case grant furnished to or on behalf of:

(i) an applicant for supplemental security income (SSI) during the period beginning with the [month in which the recipient filed an application and was eligible for SSI] date on which the recipient's SSI eligibility begins and ending with the month [after the month] in which the initial payment is received[.] or the following month if the social services district cannot stop delivery of the final public assistance payment during the month the individual's SSI payments begin; or

(ii) a recipient of SSI for any period for which the recipient's SSI benefits are reinstated after a period of suspension or termination, such period ending with the month in which the SSI payments are reinstated or the following month if the social services district cannot stop delivery of the final public assistance payment during the month the individual's SSI payments are resumed.

(2) Initial payment means the amount of SSI benefits determined by the Social Security Administration (SSA) to be payable to an eligible individual (including retroactive amounts, if any) at the time the first payments of SSI benefits are made or at the time SSI benefits are first reinstated following a period of suspension or termination, but does not include any emergency advance payments or presumptive disability or blindness payments authorized by SSA.

Paragraph (2) of subdivision (c) of section 370.7 is amended to read as follows:

(2) If a local social services district which does not [yet] have an operating automated interim assistance referral procedure, requires an applicant for or recipient of home relief to apply for SSI benefits or discovers that a home relief recipient has applied for SSI benefits, the local social services district [shall] must send within five working days of the date that an applicant is found eligible for home relief or within five working days of the date that the local social services district learns that a home relief recipient has applied for SSI benefits, a copy of the signed, valid repayment of interim assistance authorization and respective identifying information to the appropriate SSA district office. In no event may an interim assistance authorization be sent until an application for home relief or interim assistance has been approved.

(Deleted material [brackets] ; new material underlined.)