

A Guide for Kinship Caregivers

Understanding Your HRA Benefits

NEW YORK CITY
KINCARE
TASK FORCE

If you are the caregiver for your grandchild, niece, nephew, cousin, sibling, etc. (who is not your biological or adopted child) and that child is under age 18, or under age 19 if in high school or the equivalent, and you do not receive foster care payments, you may be able to receive Cash Assistance for the child. You do not need a legal custody or guardianship order to apply. In addition, you may receive Cash Assistance for yourself and other family members if you meet the eligibility requirements.

What is HRA?

HRA (the New York City Human Resources Administration) is the agency that administers public assistance, Food Stamps, and Medicaid in New York City.

Is my grandchild (or other child I am caring for) eligible for cash assistance?

- ♦ **YES.** If your grandchild (or other child who is not your biological or adoptive child) lives with you and you are the child's main provider, you have the right to apply for Cash Assistance (cash and shelter allowance) for the child at your local HRA center, called a Job Center.
- ♦ You **do not need** a custody or guardianship order to apply.
- ♦ If the child's biological parent also lives in your household you may still be eligible for a Cash Assistance grant for the child and the child's biological parent if the child's parent is under 18, or under 19 if in high school or the equivalent, such as a vocational or technical training program.
- ♦ There are two options for applying for Cash Assistance for the child:
 1. You can apply only for the child and not be on the Cash Assistance case yourself. This is the type of grant that is explained in this pamphlet.
 2. If you do not have any income, or your income is low, you may want to apply for Cash Assistance for yourself and other family members as well. This is called a "family grant" and it is different from the grant that is only for the child. If you receive a "family grant" you may be required to comply with work re-

quirements, fingerprinting, and screening for drug and alcohol abuse.

Does it matter how much money I have?

- ♦ **NO.** If the case is only for the child, your income and resources (like bank accounts or property) do not affect the child's eligibility for Cash Assistance. However, you may still have to give information about your income, such as paychecks or Social Security, and resources. You also must report any changes in income or if you or others in your household move.
- ♦ Your income will be counted for Food Stamps for the child, yourself and any other household members who are part of the Food Stamp household. You may also be asked to provide information about your resources when you apply but, in most cases, your resources will not be used to determine your eligibility for Food Stamp benefits.

How do I apply for benefits?

- ♦ To find out where to apply for Cash Assistance, Food Stamps, or Medicaid call 311 and ask for the closest Job Center.
- ♦ To receive benefits, you must turn in an application, attend an interview and go to an appointment with the Office of Child Support Enforcement where you will be asked to provide the contact information you have about the child's parents. You may be required to attend an appointment with the Bureau of Eligibility Verification (BEV) as well.
- ♦ You must cooperate with the Office of Child Support Enforcement unless a "good cause" waiver applies (see below).

- ♦ After your Cash Assistance case is accepted, the Office of Child Support Enforcement will have the right to bring an action for child support against the child's biological or adoptive parents and HRA will have the right to any support collected for the time the child is receiving the grant.

What if I fail or refuse to cooperate with child support enforcement?

- ♦ If you fail or refuse to cooperate and do not have "good cause" (see below), your Cash Assistance grant will be reduced by 25%.
- ♦ "Good cause" means, among other things, that you have a reason to believe that starting a child support action against one of the child's parents may lead to serious physical or emotional harm to you or the child. Emotional harm can include a fear that a parent may try to remove the child from your home or retaliate (get back at you) in other ways.
- ♦ If you are able to show that you have "good cause," you will not have to cooperate with the Office of Child Support Enforcement and your grant will not be reduced.
- ♦ Requests for a waiver must be supported with evidence. You may be required to submit affidavits (sworn written statements) or other documents.

What documents should I bring when I apply?

- ♦ Bring the child's:
 - ♦ Birth certificate
 - ♦ Social Security Number
 - ♦ Documentation of the child's income and resources (like bank accounts or property), if any
 - ♦ Proof of your rent and utility receipts, and
 - ♦ Documentation showing your relationship to the child. This may include: court or legal documents (such as custody or guardianship orders), school records or letters from neighbors, daycare workers or landlords.
 - ♦ You also need to show who lives in your household. A lease or letter from your landlord can help.
 - ♦ If you are related to the child, bring information on your income and resources, although

this information does not have to be documented.

What if I cannot get to the job center?

- ♦ If you are disabled and cannot apply in person, ask to speak with the Homebound Unit at (718) 237-7576 or 311 which can come to your home and help you fill out the application.

How long does the application take?

- ♦ Fully completed applications including required documents should be processed within 30 days from the date they are filed. It may take 45 days if you are on the Cash Assistance case and are not related to the child.
- ♦ However, if you qualify as having an emergency or an immediate need for Food Stamps, your emergency will be addressed immediately and you should receive Food Stamps within 5 days of filing the application.

Do I have to work to receive assistance?

- ♦ If the Cash Assistance case is only for the child, you cannot be required to participate in work activities.

What if I need help but do not want recurring assistance?

- ♦ You and the child may be eligible for other benefits in addition to Cash Assistance, such as Food Stamps, Medicaid or other health care benefits.
- ♦ You can apply for Food Stamps only and/or Medicaid only at what is called a "Food Stamp Center" or a "Medicaid Office." Call 311 to find the closest location.
- ♦ If you apply for Food Stamps, you must be on the same budget (case) as the child. This means that your income will be counted when determining your family's eligibility for Food Stamps.
- ♦ You can also get help at your local Job Center with emergencies like back rent, unpaid utility bills, and furniture/moving expenses if you can show that there is an emergency and you do not have the income or resources to meet the need.

Can I get child care?

- ♦ If you are working, actively seeking employment, or are in an approved training or education program, and the child is receiving Cash Assistance, you may be eligible to receive assistance with child care. To be eligible, the child must be: under age 13, or under age 18 with special needs, or under age 19 with special needs and a full time student in high school or the equivalent, such as a vocational or technical training program.
- ♦ You do not have to be on Cash Assistance yourself to get child care as long as the child is on Cash Assistance.

What if I have problems applying for or receiving benefits for the child?

- ♦ If you apply for benefits and are denied, are not allowed to apply, or are told you are not eligible to apply, ask to speak to a supervisor or the Fair Hearing and Conference Unit while you are still at the Job Center.
- ♦ Show this brochure to the supervisor. Also, be sure to write down the names of the people you are speaking with and details about what you were told. Make sure that you get a decision in writing.

- ♦ Do not withdraw your application even if you are asked to do so. If you withdraw your application, you will not receive a decision in writing.
- ♦ **You have a right to ask for a Fair Hearing** which is the formal way to challenge a written decision that HRA makes about your benefits. You should ask for a Fair Hearing as soon as possible after you receive a decision in writing, but no later than 60 days from the date the decision is made. To make sure you don't miss the deadline, you may want to ask for a Fair Hearing even if you are trying to fix the problem through the Job Center as well. If you need assistance, call HRA's Office of Community and Constituent Affairs at (212) 331-4640/41.

To request a Fair Haring:

Call: 1-800-342-3334

Fax: 1-518-473-6735

In Person: 14 Boerum Place
Brooklyn, NY 11201

Mail: New York State OTDA
Office of Administrative Hearings
P.O. Box 1930
Albany, NY 12201

WE CAN HELP!

NEW YORK CITY KINCARE TASK FORCE MEMBERS

Please call one of the following organizations for more information about benefits to which you may be entitled and for help in securing them:

MFY Legal Services, Inc.
212-417-3850 (City-wide)

JBFCs Kinship Care Program
718-676-4251 (Brooklyn)

Lutheran Social Services of NY
718-558-3993 (Queens)

**Call 311 to be connected to the
Grandparent Resource Center (City-wide)**

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