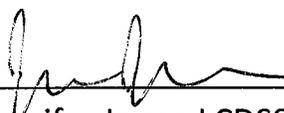


**AGREEMENT WITH THE DISTRICT ATTORNEY'S OFFICE
IN ACCORDANCE WITH DEPARTMENT
REGULATION 18NYCRR 348.2C**

The Lewis County Department of Social Services agrees to refer to the Lewis County District Attorney's Office all cases where the facts warrant criminal prosecution resulting from a person or persons intentionally misrepresenting, concealing, or withholding facts for the purpose of establishing or maintaining eligibility for Social Services Programs.

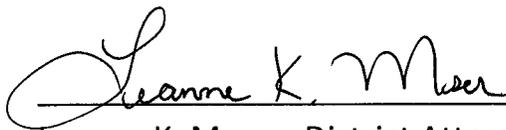
Also, it is agreed that the "Statement for the Record" will be included in the Court papers informing the client/defendant of the consequences that are involved if a person is determined to have committed an "Intentional Program Violation" (IPV).



Jennifer Jones-LCDSS
Commissioner
Lewis County Department of Social Services

_____ 11/30/15

Date



Leanne K. Moser, District Attorney

_____ 12/4/15

Date



Lewis County Department of Social Services
Office of Administration and Fiscal

Jennifer Jones, Commissioner
Sheila Zehr, Fiscal Manager

December 3, 2015

Leanne Moser, District Attorney
7514 State Street
Lowville, NY 13367

Dear District Attorney Moser,

With the transition of Jennifer Jones being appointed as the Department of Social Services Commissioner, we have updated the enclosed agreement with your office. If you could please sign and date the document and return the original to me, I would appreciate it.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Penny L. Demo".

Penny L. Demo-LCDSS
Secretary to the Commissioner

A handwritten word "Copy" in cursive script, positioned in the upper right area of the page.

Investigative Unit Operations Plan

County: Chemung County
Contact Person: Jan Bliss
Title: Supervising Social Services Investigator
Phone: 607-737-5378
E-mail address: jbliss@co.chemung.ny.us

1 & 4. What unit is responsible for the investigation and prosecution of client fraud allegations? (name of the unit, # of positions, titles of positions, how are allegations processed)

The Chemung County Department of Social Services Special Investigations Unit (SIU) is responsible for the investigation and prosecution referral of client fraud allegations. Our Investigation team consists of the following staff:

- 1 Full-Time Supervising Social Services Investigator
- 1 Full-Time Social Services Investigator
- 1 Part-Time Social Services Investigator
- 1 Full-Time Police Fraud Investigator
- 1 Full-Time Senior Social Welfare Examiner

Client fraud referrals are received from a variety of sources including the public, other governmental agencies, and the Department of Social Services workers. All client fraud referral information is entered into an automated SIU computer program by various Chemung County employees or members of the SIU. The SIU computer program is a network based program and allows various Chemung County employees to send fraud referrals to the SIU from their desktops. The fraud referral intake process provides for the entry of the client's demographic information, the type of fraud, and a narrative of the alleged fraud. A Fraud Referral Cover Sheet identifies the referral by client name and assigns a specific Fraud referral number for tracking purposes. The SIU staff or designee prepares a file and completes a preliminary case review and forwards the referral to the investigative team.

2. What unit is responsible for determining the overpayment amount, establishing the claim and collection activities?

The Senior Social Welfare Examiner, in SIU, is responsible for determining the overpayment amount based upon eligibility rules for each program area. The SIU's Resource Recovery Unit consists of one Sr. Resource Clerk who is responsible for establishing claims on the Cash Management System (CAMS) and pursuing collection activities. The Sr. Resource Clerk position is under the direction of the Supervisor of Fiscal Services.

3 & 5. What are the procedures for the referral of fraud cases to your District Attorney and Administrative Hearings?

When a fraud has been detected, the Supervising Social Services Investigator or Police Fraud Investigator gathers and prepares an evidence package to support the allegations of the fraud. The evidence package includes documentary evidence (i.e. sworn statements, applications, recertification's, budgets, over grant summary, defendant statement, etc.) to support the allegation of fraud. The Police Fraud Investigator is responsible for preparing the Accusatory Instrument for the unit and for filing the complaint together with the evidence package with the District Attorney's Office. On cases where the District Attorney declines to criminally prosecute, the Social Services Investigator may pursue a disqualification consent agreement resulting in an Intentional Program Violation upon the District Attorney's approval.

6. What are your procedures regarding the DCA?

When the Chemung County District Attorney's Office declines to criminally prosecute a case prepared by the Chemung County Special Investigation's Unit, a Disqualification Consent Agreement can be presented as an option upon approval of the District Attorney's Office. SIU Investigators as well as the supervising Investigator meet with the District Attorney's Office weekly to review the cases that are approved by them for the DCA process. A contact letter is sent to the client. The client makes an appointment to come in and speak to the Investigator. During the interview with the client the "Notice of Consequence" and the "Disqualification Consent Agreement" are read to the client explaining each bullet and answering any questions the client may have. The client is given in writing the address and phone number for both the Chemung County Neighborhood Legal Services Office and the Public Defender's Office. Before the client leaves the interview, they are given an appointment to return to SIU no earlier than 10 days from that date. They leave the SIU Unit with both the "Notice of Consequence" and the "Disqualification Consent Agreement". When the client comes to SIU for the follow up appointment with an Investigator, they either present a statement or give a statement at that time. The Client then signs the DCA and is given a copy for their records. Clients are also given a "Client notice" generated from the SIU system in regards to the IPV for TA and/or FS. If applicable the client then signs a repayment agreement and is also given a copy. The case is then forwarded to the Senior Social Welfare Examiner to complete client notices, adjust the budget, and to forward to Resource Recovery to establish a claim and pursue collection.

7. How is it proven that an individual has been advised on the court record of the Temporary Assistance disqualification penalties?

The Statement for the Record document is included with each evidence package sent to the District Attorney, Criminal Court, and the Defendant. The Elmira City Court forwards a copy of the Statement for the Record along with the court order disposition to the SIU.

8. Please see attachment.

