



FOR IMMEDIATE RELEASE
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Empire Justice Center and National Center for Law and Economic Justice File Class Action Disability Complaint Against Suffolk County

Suffolk County Department of Social Services Denying Accommodations and Services to New Yorkers with Disabilities, in Defiance of Law

[Suffolk County, New York, 08/08/2019]: The Empire Justice Center and the National Center for Law and Economic Justice filed a Class Action Complaint yesterday in federal court against Frances Pierre, Commissioner of the Suffolk County Department of Social Services (Suffolk County DSS), on behalf of Suffolk County residents with disabilities who need accommodations to access public benefits and participate in programs administered by Suffolk County DSS, such as Medicaid, SNAP (commonly known as Food Stamps), Temporary Assistance, and Temporary Housing Assistance.

The Complaint alleges that Suffolk County DSS, as administered by Commissioner Pierre, violates the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 by discriminating against people with disabilities. Specifically, Suffolk County systemically fails or refuses to provide the accommodations necessary for individuals like Plaintiffs to access and maintain benefits and services.

“One plaintiff has a visual impairment, and uses a program on her home computer to help her read and write written text. She repeatedly asked Suffolk County DSS to send her *electronic* Medicaid application forms and instructions so she could read and fill them out on her computer,” said **Linda Hassberg, Empire Justice Center**. “Suffolk County DSS never sent the application materials to her in the alternative format she requested and then denied her the Medicaid benefits she was eligible to receive. Although her second application was approved, she will face the same problem when she has to apply again next year.”

This plaintiff is one of many people with disabilities who have been and continue to be denied benefits, or have lost benefits they were already receiving, simply because Suffolk County DSS continues to fail or refuse to respond to and keep track of their requests for assistance – but **people with disabilities are legally entitled to reasonable accommodations** they need in order to fill out applications or comply with other requirements in order to access benefits.

“Suffolk County DSS Commissioner Pierre must develop and implement policies and procedures to ensure that all Suffolk County residents with disabilities are able to obtain and maintain reasonable accommodations that give them access to benefits and services in compliance with federal law,” said **Jen Rasay, National Center for Law Economic Justice**.

The Class Action Complaint also describes the difficulties the other plaintiffs and class members have experienced in attempting to apply for and continue receiving public benefits.

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Empire Justice Center is a statewide, multi-issue, multi-strategy, public interest law firm focused on changing the “systems” within which poor and low-income families live. Empire Justice protects and strengthens the legal rights of people in New York State who are poor, disabled or disenfranchised through: systems change advocacy, training and support to other advocates and organizations, and high quality direct civil legal representation. Empire Justice has offices in Albany, Rochester, Yonkers, White Plains and Central Islip on Long Island. For more information, please visit empirejustice.org.

National Center for Law and Economic Justice (NCLEJ) works to advance economic justice and preserve the fundamental rights of low-income families, individuals, and communities across the country through legal representation, policy advocacy, impact litigation, and support for grassroots organizing. NCLEJ’s health care advocacy and litigation work also ensures that state health care programs operate efficiently and do not violate the rights of low-income individuals and persons with disabilities. For more information, please visit nclej.org.

For further information on this issue, please contact Linda Hassberg, Empire Justice Center (631-650-2305, LHassberg@empirejustice.org) or Greg Bass/Travis England/Jen Rasay, National Center for Law and Economic Justice (212-633-6967; Bass@nclej.org or England@nclej.org or Rasay@nclej.org).