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The Honorable Kathy Hochul  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Via e-mail: [Governor.Hochul@exec.ny.gov](mailto:Governor.Hochul@exec.ny.gov)

Re: A.9118-A (Rosenthal) / S.6348-A (May)

June 30, 2022

Dear Governor Hochul:

Empire Justice Center writes to you today to urge you to sign A.9118-A/S.6348-A into law. A.9118-A/S.6348-A will modernize the administration of public assistance across the state by requiring all social services districts to accept documents through electronic systems. It will not only provide for more equitable access to benefits statewide, but it is also likely to enhance efficiencies and reduce errors within local departments.

Empire Justice Center is a statewide civil legal services organization that represents thousands of New Yorkers through our individual cases and impact litigation, including *Carver v. State* and *Brooks v. Roberts*, protecting and defending the rights of disenfranchised and low-income members of our communities in a variety of practices areas, including public assistance. We also provide support and training to legal services providers and advocates statewide through task force meetings and technical assistance. Our research and reports, like *Don't Lien on Me*, have been used to support our legislative and administrative advocacy, including the repeal of Social Services Law 106. From our offices in Albany, Rochester, Long Island, and Westchester Counties, we have seen firsthand the impact that the uneven introduction of electronic document submission has had on our clients who are public assistance applicants and

recipients. We have also seen the impact through our technical assistance to other providers. A.9118-A/S.6348-A amends the social services law to authorize and direct each county commissioner to “ensure that their social services district allows individuals submitting an application or other paperwork relating to public assistance to do so electronically.” The bill has passed in the Assembly and in the Senate. While most counties offer applicants and recipients of public assistance the option to submit documents online, Nassau, Schenectady, and Orange Counties do not, as discussed further below. This bill would require them to make such services available.

During the COVID-19 pandemic, more New Yorkers found themselves in need of public assistance, pushing local social services districts to capacity. While New Yorkers were most in need of benefits, their ability to apply was limited due to the closure of social services offices. The closures were meant to encourage the public – including people with disabilities and seniors – to stay home to stay safe. During these closures, the ability to apply for assistance online was critical so that people could obtain help meeting their basic needs without putting their health at risk. Unfortunately, not all New Yorkers had that option because not all counties offer online document submission. We learned during the pandemic that online options are necessary to afford New Yorkers access to benefits and services, and the same holds true today.

Public assistance applicants and recipients are required to submit a significant amount of documentation to verify their income, resources, and other information reported in their applications. Failure to provide all verification requested within strict deadlines may result in their applications being denied or their cases being closed. Deprivation of desperately needed public assistance often leads to food insecurity and housing instability. In all counties, verification materials for public assistance applicants and recipients can be submitted to a local social services district office in person, via fax, or by mail. But for many of our clients, taking the time to get to their local social services district office to drop off paperwork creates a significant burden due to lack of transportation, lack of paid time off from work, lack of childcare, because of their physical or mental health, or due to safety concerns due to domestic violence. Similarly, for our low-income clients, accessing a fax machine or getting to the post office quickly may be difficult, if not impossible.

Since 2018, the “NYDocSubmit” app for mobile devices has been available, allowing applicants and recipients of Temporary Assistance, the Supplemental Nutrition Assistance Program, the Home Energy Assistance Program, and Medicaid to submit documents online by uploading pictures of their paperwork – *but only if their county has opted to offer the program*. Applicants and recipients can submit documentation through the app from their homes or with the help of a friend or case manager, and at any hour that is most convenient to them. In addition to English, the app is available in Spanish, Arabic, Bengali, Chinese, Korean, Russian, Yiddish, Italian, Polish, and Haitian-Creole. New York City’s Human Resources Administration has a similar documentation submission program called ACCESS HRA. Unfortunately, Schenectady, Nassau, and Orange Counties still do not accept submission of documents online through NYDocSubmit or a similar program, depriving public assistance recipients and applicants of the opportunity to submit documentation online.

A.9118-A/S.6348-A would eliminate unnecessary and significant barriers to accessing public assistance for New Yorkers in the three counties that do not yet offer an online document submission service, as demonstrated by the following examples:

- In Nassau County, we work with a client who is authorized to represent her adult son, a veteran with severe mental health issues, in his interactions with the Nassau County Department of Social Services (NCDSS). NCDSS regularly sends requests for additional documents, offering minimal time to respond. Failure to timely submit the documents results in closure of our client's son's case, and a gap in his receipt of benefits. Our client works full-time, and she cannot get to the NCDSS office without taking unpaid leave from work – something she cannot afford to do. She does not want to risk having her son's case get closed by mailing documents – she worries the records will not arrive in time or will be lost in the mail. On several occasions, even when she has dropped off documentation at the NCDSS office's dropbox, she has been disappointed to find that her son's case was closed anyway because the documents were not contemporaneously logged or got lost.
- In another case, NCDSS denied benefits to an applicant with limited English proficiency after the applicant did not submit several requested verification documents. Recognizing that she did not understand what she needed to provide, the applicant brought the paperwork she received from NCDSS and her verification materials to her son's house and asked for his assistance. Her son translated the documents and helped her put her verification materials together, but because Nassau County did not offer a way for her son to help her submit the documents online, she missed her document submission deadline. NYDocSubmit is available in multiple languages, and, had it been available, would have reduced barriers to access for this client and other public assistance applicants and recipients in Nassau County with limited English proficiency.

Easy online submission of documents is an essential tool to expand access to public assistance by providing a range of options for completion of the verification process. It also seems likely that it will lead to increased administrative efficiencies for the local social services districts. We urge you to sign A.9118-A/A.6348-A into law to provide equal access to online submission of public assistance application materials statewide.<sup>1</sup>

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<sup>1</sup> Recognizing that accessible digital tools and services are needed to ensure equitable delivery of public assistance, Code for America has launched a new initiative to work in partnership with government agencies to design and build human-centered, accessible public assistance technology systems. As we urge you to sign A9118 into law, we also encourage you to ask the Office of Temporary and Disability Assistance to explore opportunities to work with Code for America to ensure that our digital services and applications are accessible, including to those who have been historically marginalized.

If you have any questions or concerns, please feel free to contact us. Thank you for your commitment to helping low-income New Yorkers meet their basic needs through provision of robust public assistance that is accessible to all.

Sincerely,

A handwritten signature in cursive script that reads "J Radbord".

Jessica Radbord

Senior Benefits Attorney

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