



**Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201**

FIA INFORMATION MEMO

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND CASE MANAGERS**

FROM: CHARLES E. HENRY, EXECUTIVE DIRECTOR

**RE: QUESTIONS REGARDING DHR FORM 340 AND ACTION
TRANSMITTAL 02-78**

**PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE (TCA), TEMPORARY
EMERGENCY MEDICAL and HOUSING ASSISTANCE
(TEMHA)**

**ORIGINATING OFFICE: ADMINISTRATIVE SERVICES AND CONTINUOUS
IMPROVEMENT**

SUMMARY:

This Information Memo provides answers to questions asked by Local Department staff regarding Action Transmittal 02-78, **Revised Authorization for Reimbursement of Interim Assistance** (DHR/FIA 340). There are several points local department staff should keep in mind when reading this memo and processing the 340 forms. They are:

- FIA and the Social Security Administration have agreed to limit the number of 340 forms sent to SSA for customers who have not actually applied for SSI benefits. Please do not send a 340 to DEAP unless you have proof of SSI application.
- SSA has assured DEAP and FIA that customers may apply for benefits on the day they visit the SSA office. When a customer goes directly to SSA they should ask to file their application on the same date. The customer should explain that they are also filing for FIA benefits and must return proof of filing for SSI within the time period specified by the LDSS. Depending on SSA workloads, customers who visit the office without an appointment may have to wait for several hours.
- If customers choose to schedule an appointment, they will probably have a two to three week wait. Encourage the customer to file for SSI as soon as possible. Scheduling an appointment with SSA could interfere with timely processing since

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SSA has a two-to-three week backlog. SSA has agreed to remind their staff that FIA customers have a 30-day application processing time frame and should be seen as soon as possible.

A. Local departments have asked questions about three major areas of concern related to processing the 340. These issues have been discussed with and clarified by Social Security Administration (SSA) and the Disability Entitlement Advocacy Program (DEAP):

1. Customer and State Representative Signature Dates

- The last bullet in section 2, page 3 of Action Transmittal 02-78 is wrong. SSA confirms that the applicant and the State representative (local department case manager or PAA social worker) do **not** have to sign the 340 on the same date.
- State representatives should not sign and date the 340 until they receive proof of SSI application. SSA must receive the completed Form 340 within **30 calendar days** of the **applicant's signature date**. This is a Federal requirement and is not negotiable.
- The FIA application and the 340 form have a 30-day processing time frame and both processes should occur simultaneously. If DEAP does not notify SSI within 30 calendar days of the date the customer signed the 340, the reimbursement agreement is not binding.
- DEAP cannot transmit a 340 to SSA that is older than 30 days from the applicant sign date. DEAP will ask the local department to send a new signed and dated 340 form. Since the original 340 is not binding (has an expired signature date) SSI will only reimburse the State from the customer signature date on the second 340.

2. Forwarding Forms 340 to DEAP within two workdays of signature

- Maryland is an "automated" State. DEAP electronically transmits 340 forms from Maryland to SSA. The local department must allow DEAP adequate processing time to meet the SSA 30-day submission requirement. Forward 340s to DEAP within **two workdays of the date the LDSS verifies the customer's SSI application and the State representative signed 340**.

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3. Proof of Application for Supplementary Security Income (SSI)

- Form 340 becomes effective upon being signed by a State Representative (a case manager or a PAA social worker). Do **not** sign or forward Form 340 until you verify that the customer has applied for SSI.
- Proof of application includes an SSA application receipt or an SSI application date displayed on SDX (Inquiry Screen 1), SOLQ (Response Screen 5) or SVES (Response Screen 5).

B. The following are questions asked by Local Department staff and the answers developed and approved by DEAP and SSA:

1. **When the customer signs the Form 340, at what point does the 2-day time frame begin to send the 340 to DEAP?**

A. The 2-workday time frame begins on the date the local department.

2. **How should telephone interviews be handled if the 340 needs to be sent to DEAP in 2 days?**

A. The application/340 process has a 30-day time frame. During this period, the case manager conducts the telephone interview, secures the applicant's signature on the application and 340, allows adequate time for the customer to file for SSI and the representative to verify SSI application. The customer should return proof of SSI application and other verifications within 25 days of the application date.

The LDSS should use the five remaining days to sign the 340, forward the application package to DEAP within two workdays and finalize the case. As stated in previous question, the 340 is **not binding** unless SSI receives DEAP's electronic verification within 30 days of the customer's signature date.

The LDSS has the flexibility to adjust time frames within the 30-day application requirements. If the 340-signature date has expired, the LDSS may have the customer sign another 340. Remember, SSI will only reimburse the state from the signature date on the second 340.

3. **How should the LDSS handle the Public Assistance for Adults application/340 process? Social workers at Rehab Centers may hold applications for up to 25 days before submitting them to an LDSS.**

A. Depending upon local procedures and system access instruct social workers to forward the 340 form, 1696 form and DEM2 screen to the

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local department case manager as soon as possible. Social workers should not hold the 340 forms for batch submission or other paperwork associated with a PAA case.

- 4. For PAA cases, we currently complete the 340 form and forward it to the Fiscal (Financial) Office. Will the timeframe established for TEMHA be applicable for PAA? Currently, case managers wait for social workers or facility coordinators to return the 340 form. Should case managers backdate Form 340? Please keep in mind that there is no face-to-face contact with PAA clients or their representatives, only with the Social Worker.**
 - A. Remember that we now know the customers and State reps may sign the 340 on different dates. If the social worker has sole contact with an applicant, the social worker becomes the State rep who signs and dates the 340 after verifying the customer has filed for SSI. The social worker then immediately forwards the 340 to the LDSS case manager.

- 5. The choices for payment blocks are not customer friendly. They are wordy and very confusing. It is difficult for Case Managers to explain and answer questions concerning these payment methods. Staff needs clear explanations on how to explain to clients what all this means.**
 - A. The “Initial Payment Only” block refers to clients who have not yet begun to receive SSI payments. Checking this block enables the State to recover benefits paid from an applicant’s SSI initial lump sum check.

The “Initial Posteligibility Payment Only” block refers to SSI recipients whose benefits have been suspended. Checking this block enables the State to recover any benefits paid during an SSI suspension period beginning with the first check after SSI reinstates benefits.

- 6. Please clarify the definition of INITIAL POSTELIGIBILITY PAYMENT ONLY, and provide an example of when this would apply.**
 - A. See #5 above. Example: SSI suspended a recipient’s benefits in July for failure to provide redetermination information. If that recipient subsequently applies for TEMHA, PAA, or DEAP-TCA because they were not receiving SSI, the Local Department should check the “Initial Post eligibility Payment Only” block. This enables the State to recover any interim benefits once monthly SSI payments resume.

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7. **If a customer signs the 340 at application, the LDSS denies the case and the customer reapplies, does the customer need to sign another 340?**
- A. Yes, Form 340 is valid for the life of a client's application and any subsequent appeals. If a client files a new application for SSI, a new DEAP referral (340 and SSA-1696) is required.
8. **What is SEVERELY DISABLED?**
- A. The applicant's Primary Care Physician provides information on the severity of a disability via the 402B form. The information is for medical review purposes only. Case managers should not use this information to prepare or expedite the 340. For further on clarification on specific cases, please contact Rick McClendon at 410-767-8513.
9. **Are representatives from DEAP still going to assist those disabled customers who have a hard time following through on their own (due to their mental health issues, etc.)?**
- A. Case Managers are responsible for ensuring that clients apply for SSI as part of the eligibility process for TEMHA, PAA, and DEAP-TCA. DEAP will focus on helping the homeless population apply for SSI. They continue to assist this population and other select cases to apply for SSI based on merit.
- Per Action Transmittal #03-19, DEAP is no longer responsible for the initial step to ensure that customers apply for SSI unless the customer is **homeless**. Once the customer files an SSI application, **DEAP will assist and represent all applicants in pursuing their claims and any subsequent appeals.**
10. **What happens when SSI applicants don't have the transportation or ability to go to apply for SSI/SSDI on their own?**
- A. Any applicant who cannot travel to a Social Security office or Contact Station should consider making an appointment to file an SSI claim by telephone. If an applicant does not have a telephone or cannot communicate effectively by telephone, the case manager should check local resources to see if transportation is feasible and if not, contact the Social Security office for possible arrangement of a field visit.

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- 11. Social Security has limited outreach in some counties to accommodate clients with limited or no transportation. It can take at least 3 weeks before SSA visits an area. How will this affect the 48-hour DEAP turnaround request or the 30-day limitation from SSA?**
 - A. The LDSS must adhere to the 2-workday (DEAP) and 30 day (SSA) timeframes that pertain to 340 processing. The LDSS should closely monitor a client's SSI application status process and allow a reasonable time for applicants with hardships associated with the filling process. If the customer cannot access the SSI outreach until three weeks after signing the 340, there should still be sufficient time for the customer to return SSI verification, the State rep to, sign the 340 and forward the required material to DEAP within 2 workdays.

- 12. Regarding those instances where SSA visits a county site on a scheduled date: could a client sign the 340, leave the date blank, then fill in the date upon providing proof of having applied for SSI/SSDI?**
 - A. SSA has clarified that the applicant and State rep may sign on different dates. The customer should sign and date the 340 during interview. The State rep will sign and date when they verify that the customer filed for SSI. The date that SSA visits a remote site should have little effect on 340 procedures. Form 340 becomes effective when signed by both the applicant and case manager and social worker.

- 13. Some 402Bs take 3 to 4 weeks to get back to the Local Department (because client needs special testing, needs to go to a Baltimore or Washington Hospital to have tests run, then needs results returned to the primary physician, who completes Form 402B). Under these circumstances, a 30-day turnaround time is not practical for "outer" (non-metropolitan) areas of the State.**
 - A. The 30-day turnaround time applies only to processing Form 340. Local Departments should not hold Forms 340 pending receipt of 402Bs. Once the customer verifies the SSI application and the State rep signs the 340 form, forward the applicant's 340, 1696 and CARES screens to DEAP as soon as possible.

- 14. For centers working an appointment system, interview dates may be different than application dates. What date should we use on 340s?**
 - A. The applicant should sign and date Form 340 using the date of the interview. The Case Manager should sign and date Form 340 after verifying application for SSI.

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15. With a customer representative, the applicant may not be present during the interview, but may be able to sign the Form 340. How does this work under the new time frame?

- A. Social Security Administration recognizes customer representatives such as a parent for child applicants or a court-appointed legal guardian/payee applicant (such as a legally authorized staff member of a nursing home/long term care facility). If so empowered, the customer representative may sign and date a 340 for an applicant. Otherwise, a customer representative or social worker should have applicants sign and date the 340 and return the form to the LDSS as soon as possible.

The LDSS case manager will verify SSI application, sign the 340 and forward the material to DEAP within two workdays.

16. How do we verify the date that 340s were mailed?

- A. DEAP date-stamps all Forms 340 upon receipt. If the LDSS wants to document the date that they forward the 340 to DEAP, they should record the forwarding date on the pink (Local Office) copy of the Form.

INQUIRIES: FIA is in the process of including this information in the TCA Manual DEAP/TCA section. Please direct inquiries to Ralph Gaston at 410-767-7207 or rgaston@dhr.state.md.us. Direct policy questions to Jo-Ann Showalter at 410-767-7956 or jshowalt@dhr.state.md.us.

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