

Helpful Tips: Child Care Subsidy – Westchester County

Initial Application for Child Care Subsidy

When you apply for a child care subsidy with your local Department of Social Services (DSS):

- **Always keep copies.** Keep a copy of any and all proof that you give to DSS.
- **Request a receipt from DSS when submitting any documentation.** ALWAYS ask for a receipt from DSS when you give them any documentation. If DSS does not offer you a receipt after you have requested one, be sure to write down the following: a list of the proof you provided, who you provided the proof to and the date and time you provided the info.
- **If you hand deliver your application, send a follow-up letter to DSS detailing the info you sent.** If you give an application or documentation in person to DSS and do not receive a receipt, send a letter to DSS by mail or fax. You MUST include: 1) the date you sent your application; 2) who you gave your application to; 3) the document(s) you attached/gave them; and 4) your name, contact phone number, address, date of birth, and case number (if you have one).
- **Ask for the name of the DSS worker you are speaking with.** ALWAYS ask for and write down the name of the person that you gave your documentation to.
- **Submit your documentation in multiple ways and keep proof of delivery.** When submitting your info, you should do so by fax, email, and/or certified mail. Even if you hand deliver documents to the DSS office, you should send a copy by fax (proof of delivery: fax confirmation sheet), email (proof of delivery: read receipt) to DSS, and/or certified mail (proof of delivery: return receipt).
- **Always document attempts you have made to reach DSS.** You should keep a record of every call to DSS. For every call, you should document: name of the person you spoke with, reason for call, date of call, time of call, a brief summary of the conversation, and phone number (that you called or received a call from).
- **If you need more time to send in necessary info, ask DSS for more time.** If you ask for more time, do so verbally and in writing to DSS.
- **DSS may have to help you get the info you are unable to obtain yourself.** If you are required to send in documentation that you are unable to get or are asked to pay a fee for, ask DSS to help you get the info. If you do ask DSS to assist in obtaining documentation, ask them verbally and in writing.



Child Care Subsidy Denials and Fair Hearings

If you apply for a child care subsidy and it is denied:

- **Written Notice.** You should receive written notice and notice of your right to a Fair Hearing.
- **Re-apply and Request a Fair Hearing.** If you disagree with the denial, you should re-apply right away AND ask for a Fair Hearing.

If you do not receive a decision from DSS about your application for a child care subsidy:

- **Request a Fair Hearing.** Generally, DSS has 30 days* from the date that you apply to make a decision (determination) on your initial application. DSS is generally then required to send notice to applicant/recipients within 15 calendar days of determination being made. If DSS does not make a determination within the guidelines above, you can ask for a fair hearing for DSS' failure to take action on your application. **You do not need to wait until you receive written notice from DSS to request a Fair Hearing in this situation.**
 - There are exceptions to the 30 day time limit. These exceptions may include, but not limited to, situations where you need more time. There may be difficulties in verifying eligibility that lead to a delay, and reasons that are beyond the control of DSS that lead to a delay. If there is a delay by DSS in providing a decision on your application, that delay must be recorded in your case record and told to you.
 - If you think that the delay in providing you with a decision about your case is excessive or not warranted, you can ask for a Fair Hearing.
 - Notice must be sent by DSS to applicants/recipients within 15 calendar days of decision being made.

How to Request a Fair Hearing:

You may ask for a Fair Hearing by mail, fax, phone, online form, or in person. For more information on how to ask for a Fair Hearing, go to www.otda.ny.gov/hearings/request/

Online: Online Request Form at: www.otda.ny.gov/hearings/request/

By Mail: Office of Temporary and Disability Assistance
Office of Administrative Hearings
P.O. Box 1930 Albany, New York 12201-1930

By Fax: (518) 473 - 6735

By Phone: (800) 342 - 3334

In Person: Fair Hearings can be requested in person at the Office of Temporary and Disability Assistance, Office of Administrative Hearings; Brooklyn and Albany (See addresses listed on next page)

Have Questions or Need Legal Assistance?

If you have questions or need legal assistance about a child care subsidy denial, and you live in Westchester, Putnam, Rockland, Orange, Sullivan, Dutchess, or Ulster County, please contact Legal Services of the Hudson Valley (LSHV) for more info on how to complete an intake with LSHV. Please note that contacting the attorney listed below or any other affiliate/employee of LSHV does not guarantee that services or an attorney will be provided. LSHV can be reached at (877) 574 - 8529.



CONTACT & ADDRESS INFORMATION

- **Westchester Residents:** For assistance in completing an application for a child care subsidy OR for questions about your eligibility for a child care subsidy:

Contact the **Child Care Council of Westchester's** Subsidy Coordinator at:

Child Care Council of Westchester, Inc.

313 Central Park Avenue

Scarsdale, New York 10583

Phone: (914) 761-3456, ext. 140

Email: referrals@cccwny.org

- Requests for Fair Hearings may be made in person at the following locations:

New York City

Office of Temporary and Disability Assistance

Office of Administrative Hearings

14 Boerum Place, 1st Floor

Brooklyn, New York 11201

Albany

Office of Temporary and Disability Assistance

Office of Administrative Hearings

40 North Pearl Street, 15th Floor

Albany, New York 12243

About this Guide

This guide was created by Legal Services of the Hudson Valley with support from the Legal Services Corporation. To read all of the guides in this series, please visit www.LSHV.org

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