NEW YORK STATE OF OPPORTUNITY. | **Office of Temporary and Disability Assistance**

NYS OTDA
Government Transparency Initiative Report

October 2021

Recommended Action

The Office of Temporary and Disability Assistance (OTDA) is responsible for overseeing programs and services that provide support to eligible families and individuals, including cash assistance; help paying for food and heating costs; overseeing New York State's child support services program; determining certain aspects of eligibility for Social Security Disability benefits; supervising homeless housing and services programs; and providing assistance to certain immigrant populations. Many of these programs are administered in conjunction with local department of social services.

With OTDA's mission to help vulnerable New Yorkers meet their essential needs and advance economically, comes an important responsibility to be open and accountable to the public so that they have confidence that their tax dollars are used efficiently and effectively.
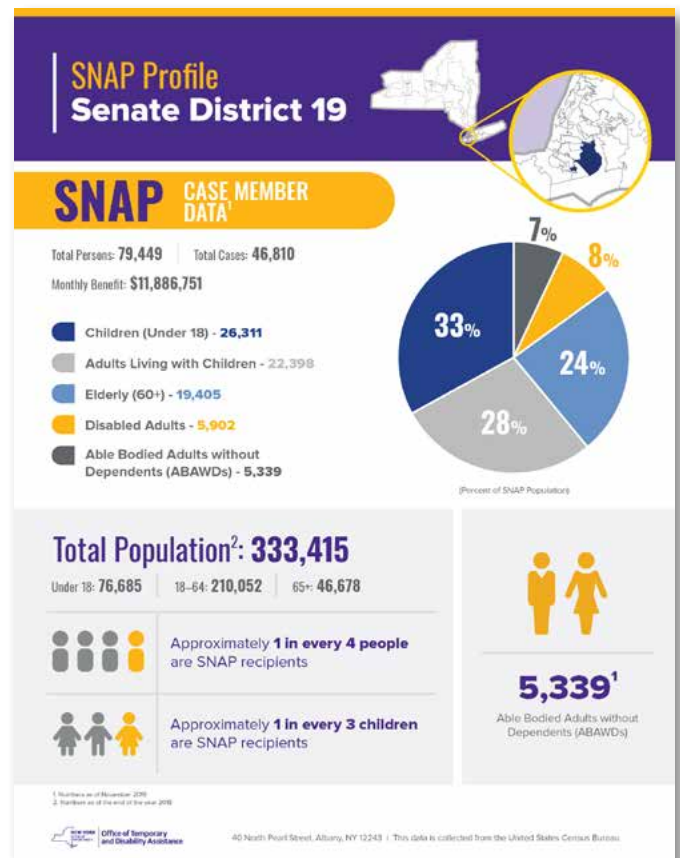
As part of Governor Hochul's pledge of transparency and accountability in New York State Government, OTDA completed a review of current agency policies and practices. The following is a summary of recommendations resulting from that review.

Proposed Government Transparency Initiatives

1. **Expanded Access to Program Statistics and Reports**
   OTDA routinely publishes caseload, expenditure, and other statistics for its major programs, such as Public Assistance (PA) and the Supplemental Nutrition Assistance Program (SNAP), on the agency website and through the Open NY initiative. As part of this plan, OTDA is proposing to expand the reporting of PA, SNAP and other major programs to report caseload and expenditure data by Congressional, Senate and Assembly District. By reporting data in geographic detail beyond traditional county-by-county reporting, OTDA will better inform the public and policy makers of the impact of important OTDA programming.

   In addition, OTDA will modify the agency's website to create a consolidated reports section to make it easier for the public to locate mandated and other reports. The included documents will note the statutory citation requiring the report and the frequency that it's updated will be included to demonstrate OTDA's compliance with reporting requirements. In addition, OTDA will periodically review reports that are often requested by the public through Freedom of Information Law (FOIL) requests to improve the ease of public access to this information. To create interest in agency data and reports and to keep the public informed when new information is available, OTDA will begin sharing reports on social media to create interest and generate social sharing of the agency's information.

SNAP Profile
Senate District 19

SNAP CASE MEMBER DATA[1]

Total Persons: **79,449**   Total Cases: **46,810**

Monthly Benefit: **$11,886,751**

- Children (Under 18) - **26,311**
- Adults Living with Children - 22,398
- Elderly (60+) - **19,405**
- Disabled Adults - **5,902**
- Able Bodied Adults without Dependents (ABAWDs) - **5,339**

7%   8%   33%   24%   28%

(Percent of SNAP Population)

Total Population[2]: 333,415

Under 18: **76,685**   18–64: **210,052**   65+: **46,678**

Approximately **1 in every 4 people** are SNAP recipients

Approximately **1 in every 3 children** are SNAP recipients

5,339[1]
Able Bodied Adults without Dependents (ABAWDs)

1. Numbers as of November 2019
2. Numbers as of the end of the year 2019

Office of Temporary and Disability Assistance   40 North Pearl Street, Albany, NY 12243 | This data is collected from the United States Census Bureau.

2. **Chatbot Pilot Project**
   Chatbot's have become a useful technology to expand access to public information by providing a tool for immediate response to public web-based inquiries rather than searching through an extensive website or using call centers that often have wait times or are only available during set schedules to get answers to questions. As a pilot project, OTDA proposes the use of a chatbot or "virtual counter" to serve customers of the Division of Child Support Services to evaluate the effectiveness of this technology to increase access to important information and enhance the user experience.

   The OTDA Division of Child Support Services serves over 900,000 customer service help line calls and over 2 million interactive voice response systems calls annually. Approximately 220,000 parents log into the secure area of the NYS Child Support website per week. Implementation of a chatbot would increase the channels for communication with the child support program, allowing for wider dissemination of information and access to the child support program's services. The virtual counter will incorporate chatbot technology providing for 24/7 self-service access to address the most commonly sought-after information and increase the level of customer satisfaction through simplified delivery. A virtual counter has the potential to simplify access to information and improve customer service to both the parents receiving and the parents paying child support and serves as a good pilot initiative to evaluate the applicability of this technology across the agency.

3. **Expanded Social Media**
   To bring broader transparency to OTDA's programs, social media is an excellent vehicle to highlight program accomplishments, disseminate content germane to agency functions, and engage directly with the information-seeking public. As part of the plan to improve and expand transparency, OTDA will develop additional program-specific graphics that will help the public better understand the function and importance of the programming. As previously noted, social media will be used to highlight and share agency reports with content that is accessible to the public. These posts will be tailored to make the agency's reports more accessible to the public and quickly highlight the critical information that demonstrates the important work the agency administers for New Yorkers.

4. **Efforts to Increase Agency Participation in Community Events**

   OTDA would benefit from additional involvement and expanded participation in community events, but these opportunities have been limited in the past due to staffing constraints. With the now wide acceptance of remote meeting applications, OTDA has the capability of offering trainings and other presentations using remote meeting platforms as a cost-effective way to expand community participation of agency personnel. For example, OTDA personnel can support informational sessions at the community level and other trainings that we offer agency staff could potentially be formatted to be valuable to community partners in a remote format. To meet this objective, OTDA's Intergovernmental Affairs staff will identify opportunities each quarter and coordinate delivery. Sessions could be developed with a host of community partners and stakeholders, such as community colleges, faith-based partners and other community-based organizations to help inform the public and to provide OTDA the opportunity to obtain feedback from program participants.

   These sessions can be specific to OTDA programs and also to the efforts to expand community understanding of the causes and effects of poverty.

Review of Policies and Procedures

OTDA Website

The OTDA website presents information on programs and services provided by OTDA as well as OTDA's organizational structure and contact information. The website promotes numerous New York State and federal programs that can help New Yorkers make ends meet. Vital documents needed to apply to local social service districts as well as links to myBenefits.ny.gov and access.nyc.gov for applying online for many programs are available on the site. Other information on the site includes but is not limited to press releases, program statistics, public meetings, agency laws and policies, policy manuals and plans, and a page devoted to contact information to local social service districts. The OTDA website receives over 17.7 million pageviews annually and is continually reviewed and updated to keep the information as up to date as possible for New Yorkers.

OTDA follows the Americans with Disabilities Act's (ADA) Revised 508 Standards which require a broad application of the Web Content Accessibility Guidelines (WCAG) 2.0 Levels A and AA to "all web and non-web content and software—including, for example, Web sites, intranets, word processing documents, portable document format documents, and project management software." Accessibility considers the wide spectrum of human abilities. Universal accessibility ensures that individuals with varying abilities, as well as individuals who are either permanently or temporarily disabled, can easily access content via information and communication technologies. Since the new 508 Standards went into place in 2018, OTDA has developed and put into place training for agency staff on how to create accessible electronic documents for posting on OTDA websites. On the OTDA website we have vital documents available in alternative format, including: Audio Disc, Data Disc, Large Print, and Braille. OTDA's website is accessible to all mobile platforms and web browsers. Mobile devices are used by almost 75% of all visitors.

Executive Order 26.1 (E.O. 26.1), which established New York's Statewide Language Access Policy states New York State Agencies must offer free language assistance services (interpretation and translation of vital documents) to individuals with Limited English Proficiency (LEP) when providing direct public services. OTDA follows the translation requirements put into place by the Statewide Language Access Coordinator following the Executive Order. We have a Language Access Help webpage with tools provided by the New York State Office of Information Technology Services (ITS) to assist New Yorkers who need to translate webpages. There are 29 vital documents posted to the website in the following languages: Arabic, Bengali, Chinese, Haitian Creole, Italian, Korean, Polish, Russian, Spanish, and Yiddish. From June 1, 2021 through August 20, 2021, 12% of portable document format (PDF) downloads were for other languages and of the 5,869,340 unique visitors to the website, 223,551 have set their browsers to their preferred language.

OTDA maintains professional standards in the quality, accuracy, appearance, and accessibility of its websites. OTDA ensures that information published on any public-facing electronic publishing/communication platform is presented in an accurate, consistent and accessible manner, and that the use of such platforms complies with federal, state and agency mandates and objectives.

Social Media

OTDA maintains five social media accounts, which are used for various and distinct purposes, as well as cross promoting various content from the agency's programs. They include:

- Facebook
- Twitter
- Instagram
- Youtube
- Flickr

The most significant of these platforms is Facebook, with Twitter being a close second. Instagram is primarily used to echo content on these two platforms or when content is exclusively graphic-oriented. YouTube is a repository for program videos and other video content produced during events. Flickr, the lesser used of the five platforms, hosts images taken from live events.

From the onset of the pandemic, both Facebook and Twitter became important mediums to engage the public to answer program-specific inquiries directly. This service became an invaluable asset to communicate with the assistance-seeking public after local social services agencies were shuttered statewide and toll-free helplines were inundated with calls. Among other things, Facebook Messenger helped to:

- Direct individuals looking for case-specific child support information, but unable to connect with the helpline.
- Disseminate information regarding critical pandemic-related food assistance programs.
- Connect SNAP recipients with staff to locate missing food benefits.
- Reorder Pandemic EBT cards not received by children.
- Twitter has served a similar function, though on a lesser scale.
  More recently, this medium has helped OTDA's public information office connect applicants with questions about the state's Emergency Rental Assistance Program with staff that can help them resolve their issues. With these lessons learned, social media will help improve the dissemination of critical information and assist New Yorkers with access to all OTDA programs.

Project Sunlight

Project Sunlight, a component of the Public Integrity Reform Act of 2011, provides the public with an opportunity to learn which individuals and entities are interacting with government decision-makers. OTDA, through the Division of Internal Audit and Quality Improvement, performs periodic reviews to assess OTDA's conformity with the agency's approved Project Sunlight compliance plan. The review period runs from June 1 through May 31 each year. Responsibility for agency adherence to the Project Sunlight compliance plan is also shared between the Division of Legal Affairs and the agency's covered individuals.

OTDA maintains a record of the agency's covered individuals, distributes monthly reminders to the covered individuals of their responsibility to report appearances in the Project Sunlight database, and ensures that covered individuals complete the required Project Sunlight trainings. OTDA conducts periodic assessments to determine the agency's level of adherence to the Project Sunlight compliance plan, including reviews of visitor logs. The recent installation of turnstiles in the lobby of 40 N. Pearl St (Albany) has improved the process by preventing visitors from proceeding to upper floors without stopping at the security desk and completing the visitor log.
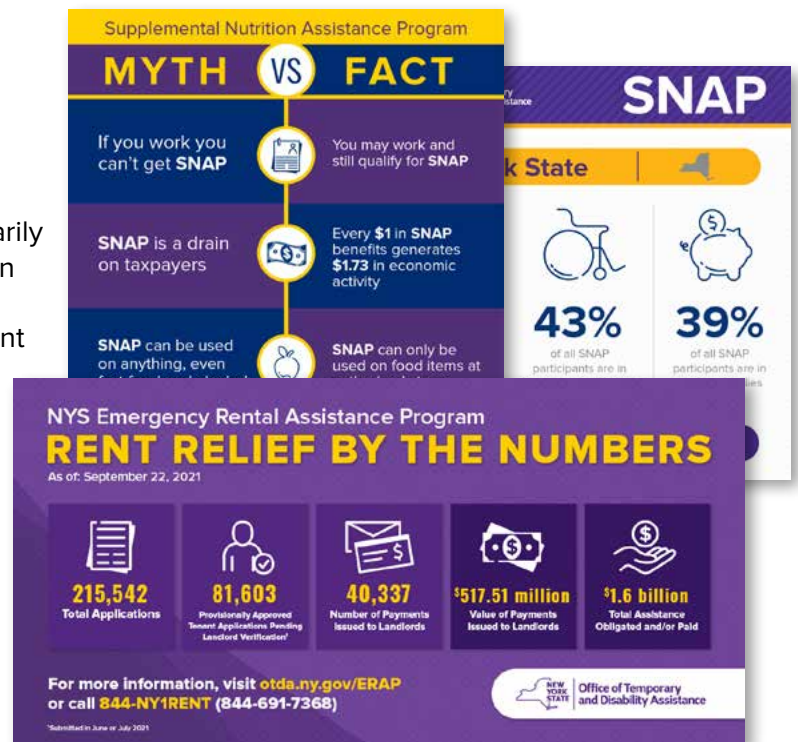
While telephone communications are not considered a reportable appearance, the addition of the video component qualifies the appearance as in-person thus requiring the appearance to be reported. OTDA is working to identify a method to provide assurance that instances where appearances have occurred virtually is properly documented and reviewed for compliance.

Freedom of Information Law Process and Procedures

OTDA has made significant improvements to its Freedom of Information Law (FOIL/Personal Privacy Protection Law (PPPL) procedures over the past few years to improve response time and enhance transparency. The effectiveness of OTDA's efforts is evidenced by the fact that, of the 313 FOIL/PPPL requests processed by OTDA in 2020, only 12 were the subject of administrative appeals, and of the 288 requests processed thus far in 2021, only 4 were appealed. All of 16 FOIL/PPPL appeals decided by OTDA's FOILS Appeal Officer in 2020 and 2021 upheld the initial determinations made by OTDA's FOIL Unit, and not one of those determinations was challenged in CPLR Article 78 proceeding.

As to the affirmative measures OTDA has taken to ensure that FOIL/PPPL requests are expeditiously processed, OTDA relies on the State Open FOIL system to track all incoming FOIL/PPPL requests and manage them to avoid backlogs. OTDA makes every effort to process FOIL requests within 30 days (PPPL requests must be processed within 30 days), and extends deadlines only where requests are made for significant volumes of records and additional time is necessary to collect, review and redact responsive records of information that is exempt from disclosure under the Public Officers Law (POL). In these circumstances, OTDA often engages in "rolling" disclosures so records can be released as they become available. This ensures a prompt response to requests that may take more time to fully complete.

Aside from using OpenFOIL, OTDA's FOIL unit separately tracks requests for commercial information subject to the POL § 89(5), to ensure that those requests are processed as expeditiously as possible.

OTDA also posts frequently requested information such as guidance and policy documents, manuals, federally mandated plans, and source books, among other things, on its internet website so that the material may be readily accessed by the public without having to resort to FOIL. See, e.g., https://otda.ny.gov/legal/. Pursuant to POL § 87(3)(c), OTDA publishes a list, by subject matter, of all records in the possession of the agency, whether or not available under FOIL. See https://otda.ny.gov/legal/foil/subject-matter.asp. OTDA also publishes a list of the guidance documents on which it relies in the State Register State Administrative Procedure Act (SAPA) § 202(e)(1), and links to the relevant section of the State Register on the aforementioned its website. https://dos.ny.gov/system/files/documents/2021/04/012721.pdf (p. 155).

Executive Order 8.95

Executive Order 8.95 "Using technology to Promote Transparency, Improve Government Performance and Enhance Citizen Engagement" requires OTDA to make publishable data available on the Open Data Website - Open Data NY. OTDA completed an inventory of machine publishable data sets and established a schedule of producing and publishing this data to the Open Data NY website.

Mandated Reporting and Meetings

OTDA is required by Law to produce approximately 50 reports and State Plans related to the various federal and State programs and services we administer. OTDA, through the Commissioner's Office, monitors and documents the timeliness of submission on an ongoing basis. Several of these reports which are listed below are required to be distributed to the Executive and the Legislature. All of these reports are currently compliant and can be accessed on the OTDA website.

- Disability Advocacy Report – Biennial
- OTDA Annual Report - Annual
- Homeless Housing Assistance Program (HHAP) Annual Report - Annual
- HEAP Pre-Application of State Plan Report - Annual
- OTDA Monthly Statistics Reports - Monthly
- Statistical Report on Operations of TA Programs - Monthly

In addition, OTDA is responsible for the New York State Homeless Housing and Assistance Corporation (HHAC), which is a public benefit corporation formed in 1990 for the purposes of administering the Homeless Housing and Assistance Program. HHAC board meetings are open to the public as well as viewable by webcast. Agendas and related materials are posted online and available prior to meetings. Additional reports and materials relating to HHAC are available online as required by the New York State Public Authorities Law.