



Department of Social Services
Accountability Office

INVESTIGATION, REVENUE AND ENFORCEMENT ADMINISTRATION DIVISION OF LIENS AND RECOVERY

375 Pearl Street, 21st Floor
New York, NY 10038
Phone: (844) 449 3444 Fax: (844) 449-3445
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LIENS & RECOVERY FACT SHEET

WHY AM I RECEIVING THIS LETTER?

The Department of Social Services (DSS) has been told that you or your child were injured in an accident. DSS has also been told that you or your attorney have asked the person or company responsible for your injuries for money to help make you whole. When you ask the person or company for money, the Department of Social Services is required to also ask them for money to repay the medical bills (medical assistance or Medicaid) and money (cash assistance) DSS paid on your behalf. This is called a lien.

HOW CAN I FIND OUT WHAT DSS IS OWED?

The New York City Department of Social Services, Division of Liens and Recovery is the unit that figures out how much DSS is owed. DSS, along with the New York State Office of the Medicaid Inspector General (OMIG), work to collect Medicaid and Cash Assistance liens. All requests or questions should be sent to the Division of Liens and Recovery. They can be reached at (212) 274-5892.

DEFINITIONS

LIEN: A hold on any money agreed to be paid or might be paid by the responsible person or company to you to help make you whole. DSS figures out how much the lien is by adding up all cash assistance and injury-related Medical care paid on your behalf from the date of the accident through the current date. (N.Y.S. SSL§104-b).

UPDATED LIEN AMOUNT: Sometimes you or your attorney may want to know how much is owed to help you work out how much money the responsible person or company will pay you. You or your attorney may ask for an “updated lien,” which is the amount DSS is owed through the date of the letter.

FINAL LIEN AMOUNT: Once you or your attorney and the responsible person have agreed to a sum of money they will pay, you or your attorney **must:** 1. get in touch with DSS, 2. tell us how much you have agreed to, and 3. ask for the “final lien.” This is the final amount DSS is owed, and your attorney cannot give you any money until they have agreed to pay DSS for the lien.

PRELIMINARY LIEN: If you or your attorney got a letter saying that there is a “preliminary lien” that letter notifies you or your attorney that you have received Medicaid benefits from DSS after the accident date. You or your attorney should get in touch with DSS and ask for an “updated lien.”

CLAIM: If the amount you receive from the responsible person is a lot, DSS asks you to pay back all the cash assistance provided to you and your family for the previous ten years. This is called a Cash Assistance Claim (N.Y.S. SSL §104).

HOW TO SEND DSS A LIEN REQUEST

To **expedite** requests for **UPDATED** and **FINAL** liens, submit your request on the internet at the website:

<http://www1.nyc.gov/site/hra/help/program-integrity-liens-form.page>

You or your attorney can also **fax the request form to (844) 449-3445**.

Giving us the following information will allow DSS to calculate lien amounts more quickly:

- **Plaintiff's Name, Social Security Number, and Date of Birth**
- **Date of Occurrence - Place of Occurrence *in other words* When and Where the Accident Happened**
- **Nature of Injury, *such as* broken ankle, back pain, bad medical care or "malpractice"**
- **Claim/File Number, if applicable**
- **Name & address of each allegedly liable third party *in other words* the person or company you think is responsible for your injuries, their attorney, & their insurance company**
- **Caption & Index Number of the personal injury lawsuit or Insurance Claim Number, if applicable**
- **Copy of the pleadings and Bill of Particulars *in other words* the papers filed by your attorney that say what happened. The "bill of particulars" is a legal document that tells the court all your injuries and dates of treatment.**

HOW TO MAIL CERTAIN DSS DOCUMENTS

SUBPOENAS/SERVICE OF PROCESS	MOTIONS	OTHER LIEN ISSUES
HRA/Office of Legal Affairs Service Desk 4 World Trade Center 150 Greenwich Street – 38 th Floor New York, NY 10007	HRA/Office of Legal Affairs Liens and Recovery Litigation Unit 4 World Trade Center 150 Greenwich Street – 38 th Floor New York, NY 10007	375 Pearl Street, 21 st Floor New York, NY 10038 or email: liensrecovery@hra.nyc.gov

HOW TO PAY DSS:

For timely crediting of the client's account mail all payments to the DSS lock box:

**New York City Human Resources Administration
Division of Liens and Recovery
P.O. Box 414799
Boston, MA 02241-4799**

The Division of Liens and Recovery **cannot** accept or endorse two-party checks for deposit.

Do you have a medical or mental health condition or disability? Does this condition make it hard for you to understand this notice or to do what this notice is asking? Does this condition make it hard for you to get other services at HRA? **We can help you.** Call us at 212-331-4640. You can also ask for help when you visit an HRA office. You have a right to ask for this kind of help under the law.