

ATTENTION:

If You Are Blind or Seriously Visually Impaired And Need Information About Medicaid or SNAP (Food Stamps) Benefits In Accessible Alternate Formats, A Proposed Federal Court Settlement May Affect You.

What Is The Case About?

A settlement has been reached in a class action lawsuit against the New York City Human Resources Administration (HRA), the New York State Office of Temporary and Disability Assistance (OTDA), and the New York State Department of Health (DOH). The lawsuit alleges that these agencies violated the Americans with Disabilities Act and related federal and local civil rights laws by failing to make applications, notices, publications, and other documents available in alternate formats for individuals who are blind or seriously visually impaired and who are attempting to access Medicaid and SNAP (Food Stamps) benefits. The lawsuit is called *Rafferty v. Doar*, No. 13-cv-1410 (TPG) and is pending in the United States District Court for the Southern District of New York. The parties have submitted the settlement agreement to the Court for its approval.

Who Is Affected By The Settlement?

The Court certified a class of “All New York City residents who (1) have visual impairments that substantially limit the major activity of seeing or otherwise have a visual disability as ‘disability’ is defined under the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973; (2)

are current or future applicants for or recipients of SNAP and/or Medicaid benefits; and (3) need written materials in alternative formats for effective communication regarding SNAP and Medicaid.”

In this notice, people who fit this description are referred to as **“Class Members.”**

What Are The Basic Terms Of The Settlement?

- 1. Conversion of Documents into Alternative Formats:** No later than July 1, 2016, OTDA, DOH, and HRA will provide certain written materials such as publications, applications, and notices in alternate formats to persons who are blind or seriously visually impaired. These formats include: (a) large print in 18-point font; (b) audio format (recordings for use with computers and digital audio players); and (c) data format (electronic versions of text documents compatible with assistive screen reading software). If you are a Class Member, you will also be able to request that these types of written materials be provided in Braille, if other formats are not equally effective for you.

- 2. Website Access:** HRA will phase in, starting August 1, 2015, and concluding by December 1, 2017, the provision of a portal on its website that will, over that time period, make the web content accessible to clients on personal computers and allow them to receive, complete, and submit applications and recertifications, access certain notices, get

account balances, and upload supporting documents for SNAP benefits.

- 3. Recording Alternative Format Requests:** No later than July 1, 2016, OTDA will record in their computer systems the alternative format accommodations requested by Class Members.
- 4. Reporting:** OTDA and DOH will provide quarterly reports to Plaintiffs' attorneys that show the number of Class Members asking for written materials provided in alternative formats and which formats they have requested.
- 5. Training:** OTDA and HRA will train their staff on their obligations to provide access to written SNAP and Medicaid materials in alternative formats, for persons who are blind or seriously visually impaired.
- 6. Enforcement:** The Court will retain jurisdiction to enforce this settlement for at least 12 months after the Defendants have fully implemented the terms of the settlement.

Where Can I Find The Settlement Agreement?

The settlement agreement is available on the websites for Plaintiffs' counsel, the National Center for Law and Economic Justice, <http://nclej.org/> and Drinker Biddle & Reath LLP, <http://www.drinkerbiddle.com/rafferty>. It is also posted on the websites of HRA, <http://www.nyc.gov/html/hra/html/news/news.shtml>, OTDA, <https://otda.ny.gov/>, and DOH, <https://www.health.ny.gov/>.

When Will The Court Review The Settlement?

The Court will hold a fairness hearing on October 1, 2015 at 2pm. The hearing will take place before the Honorable Thomas P. Griesa, at the following address:

United States District Court for the Southern District of New York

**Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 26B
New York, NY 10007-1312**

Who Can Object To The Settlement?

Class Members can object to the proposed settlement if they feel that it is not fair, reasonable, and adequate. To object to the settlement, you may appear at the fairness hearing in person or through counsel to state your objections. You may also object to the settlement by sending a letter marked “Rafferty v. Doar Class Settlement” and postmarked by September 26, 2015, to the Court at the address identified above.

Who Represents The Plaintiff Class?

The Court has appointed attorneys to represent the Class Members. They are:

Greg Bass
National Center for Law
and Economic Justice
275 Seventh Avenue,
Suite 1506 New York,
NY 10001-6708
Tel. (212) 633-6967

Joshua M. Link, Michael P. Daly
Drinker Biddle & Reath LLP
One Logan Square, Ste. 2000
Philadelphia, PA 19103-6999
Tel. (215) 988-2700

Who Do I Call If I Have Questions About the Notice or Settlement?

If you have any questions about this settlement, please call the attorneys for the Class Members: the National Center for Law and Economic Justice at (212) 633-6967, or Drinker Biddle & Reath LLP at (215) 988-2700. PLEASE DO NOT CALL THE COURT.

Is The Notice Available In Alternative Formats?

Yes. The Notice can be viewed in English and Spanish, in large print (18-point font) and can be downloaded in audio format at the following websites:

- HRA, <http://www1.nyc.gov/site/hra/news/legal-notice-rules.page>
- OTDA, <https://otda.ny.gov/>
- DOH, <https://www.health.ny.gov/>
- National Center for Law and Economic Justice, <http://nclej.org/>
- Drinker Biddle & Reath LLP, <http://www.drinkerbiddle.com/rafferty>

If you would like a copy of the Notice in Braille, audio format (on CD), or large print (18-point font), please contact the National Center for Law and Economic Justice, or Drinker Biddle & Reath LLP.

للاطلاع على هذا الإخطار باللغة العربية، يُرجى الذهاب إلى موقعنا الإلكتروني على:

Pou wè avi sa a nan lang Kreyòl Ayisyen, tanpri ale sou sitwèb
nou nan

한국어 통지서를 확인하시려면 다음 주소의 당사
웹사이트를 방문하십시오:

Для просмотра этого уведомления на русском языке
посетите наш сайт

若要檢閱本通知的 中文版本，請瀏覽我們的網站，網址：

<http://www1.nyc.gov/site/hra/news/legal-notices-rules.page>