

Seneca Nation

Disability Services

"Disability does not mean Inability"

Request for Policy Waiver

Seneca Nation Disability Services reserves the right to execute a policy waiver at any time under the specific conditions, requirements, and documentation submitted with a Request for Waiver by an applicant or recipient to receive the Seneca Nation Disability Payment.

Guidelines

Persons who have made application to any long-term disability agency and has not received a determination, made application and have been denied, or have been approved and terminated at a review may submit an Application for Waiver to waive the current eligibility policy under these special circumstances:

1. The Applicant has made a disability claim to a long-term disability agency and has not received a determination after 90 days.
2. The Applicant has been denied a long-term disability benefit and has appealed the determination and have an appeal date.
3. The Applicant was eligible for a long-term disability benefit but was terminated after a review of their disability status and the reviewer's determination has been appealed.

While policy could be waived with approval under special circumstances, the program's criteria/regulations, required documentation and verification as set forth in the Supplemental Disability Payment Program as approved by Seneca Nation Council cannot be waived.

Documentation

When requesting a Policy Waiver, the applicant will need to provide the following:

1. Completed Request for Waiver to Receive Disability Payment
2. Identification
3. Proof of Residence
4. Social Security Card
5. Enrollment Verification
6. Verification of Disability Form
7. Proof of Filed Initial Claim
8. Proof of Filed Appeal
9. Denial Letters
10. Any other Supporting Documentation to show cause for a Policy Waiver

Waiver Review Procedure

1. The SNDS staff will meet with the applicant to explain the process and requirements to Request a Policy Waiver.
2. Once the Request for Waiver and supporting documentation has been submitted, SNDS staff will review all documents for completeness and authenticity.
3. Upon completeness of the application, SNDS will notify the Review Panel and schedule a day and time within 30 days to hear the Request at a Regular Scheduled Monthly Meeting, or a Special Meeting may be called.
4. At the time of the Hearing, each reviewer will receive a summary and/or timeline of the materials submitted.
5. SNDS will take minutes of the hearing which will be filed with each case.
6. On the day of the hearing, the reviewers will be allowed time to read all materials, have a discussion of the Request and circumstances, and make a determination by majority vote.
7. With the determination, the Review Panel may also implement conditions that must be followed to prevent fraud, or request additional documentation to make a final determination.
8. SNDS will notify the Applicant of the Review Panel's decision in writing within 7 days of the hearing.
9. If there is a favorable determination, the Applicant will proceed with all other SN Disability Benefit Application Guidelines and Procedures with no exceptions.
10. If there is an unfavorable determination, the Review Panel will provide the reasons why the Applicant is not eligible for a Policy Waiver.
11. A new Request for a Policy Waiver cannot be submitted until such time the reasons stated in the original denial can be met.

When your Request for Policy Waiver is complete, or if you have questions or need assistance, please call the Disability Services Office to schedule an appointment.

Allegany: (716)945-8163

Cattaraugus: (716)532-4900, ext. 5152 or 5151