

Office of Administrative Hearings (OAH) Procedures Transmittal			Transmittal Number: 07-13
Distribution:			Date: August 31, 2007
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ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs <input checked="" type="checkbox"/>	Upstate LDSS <input checked="" type="checkbox"/> HSM1, OMR1, DOH1, MCOs	Subject: Fair Hearing Pilot Project for OHSM/OMR1/DOH1/MCO Western Region Hearings Notice to Local Districts/Agencies
	SUP ALJs <input checked="" type="checkbox"/>		
NYC OAH Staff <input type="checkbox"/>	NYC ALJs <input type="checkbox"/>	NYC Agencies <input type="checkbox"/>	
	SUP ALJs <input type="checkbox"/>		

The Office of Administrative Hearings is implementing a pilot project in counties in the Western Region of the State for fair hearings related to the following programs:

- New York State Office of Health Insurance Program's prior approval determinations
- Office of Mental Retardation and Developmental Disabilities, Medicaid Waiver Program, determinations
- Managed Care Organizations' clinical determinations
- Department of Health, Traumatic Brain Injury Waiver Program, determinations

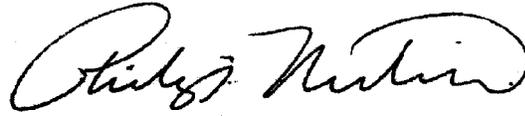
In an effort to improve the administration of these hearings, they will no longer be scheduled with regular hearing calendars. Instead they will be separately handled by Administrative Law Judge Katherine Volk, who will be responsible for scheduling, adjourning, rescheduling and conducting hearings for these cases, which should provide greater flexibility in scheduling, fewer adjournments and reduced decision issuance times.

The seventeen local districts identified for the pilot are: Erie, Chautauqua, Niagara, Cattaraugus, Allegany, Orleans, Genesee, Wyoming, Monroe, Livingston, Steuben, Wayne, Ontario, Yates, Schuyler, Chemung and Seneca. Hearings in the pilot program will continue to be held at the customary local district sites.

ALJ Volk will communicate with the agency contact person in the piloted counties to arrange scheduling and handle any other administrative issues related to the scheduling of these hearings. ALJ Volk may be contacted at 716-783-1483 regarding issues related to the scheduling of these hearings.

Procedures for requesting waivers of personal appearance and submission of evidence packets remain unchanged from current procedures, as will the request notification process through daily electronic mail. Aid-to-continue challenges will remain the responsibility of the Albany Liaison section at 518-474-8787.

We anticipate that by implementing the above measures we can attain added efficiencies in the fair hearing process. Full implementation is expected by September 10, 2007. Should you have any questions or concerns related to the rollout of the pilot, you may contact Ms. Louise Finkell, of my staff, at 518-473-4969.



Philip Nostramo, Principal Hearing Officer
Office of Administrative Hearings

Cc: Erie
Chautauqua
Niagara
Cattaraugus
Allegany
Orleans
Genesee
Wyoming
Monroe
Livingston
Steuben
Wayne
Ontario
Yates
Schuyler
Chemung
Seneca