

Office of Administrative Hearings (OAH) Procedures Transmittal		Transmittal Number: 06-16
Distribution:		Date: November 30, 2006
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ALB OAH Staff <input checked="" type="checkbox"/> UPS ALJs <input checked="" type="checkbox"/> Upstate LDSS <input checked="" type="checkbox"/> Monroe Only SUP ALJs <input checked="" type="checkbox"/>		Subject:
NYC OAH Staff <input checked="" type="checkbox"/> NYC ALJs <input type="checkbox"/> NYC Agencies <input type="checkbox"/> SUP ALJs <input type="checkbox"/>		New Monroe Country (MON#) Subcategories

Beginning with calendars dated December 6, 2006, in order to more efficiently schedule hearings requested against Monroe County Department of Social Services (MCDSS) and thereby reduce the scheduling backlog, Fair Hearing calendars will be scheduled utilizing a series of new subcategories, based on criteria as indicated below. MCDSS staff will enter the subcategories into the Fair Hearings Information System (FHIS.) MCDSS staff will not be able to override existing subcategories.

The new subcategories and definitions are:

MON1 = Temporary Assistance Eligibility/Intake Issues

MON2 = Medicaid/some Food Stamp/HEAP/Day Care/ Services Issues

MON3 = Employable TA clients - All Issues, including Employment Related Issues, Recertifications, etc.

MON4 = TA and MA clients in Rehabilitation Treatment Programs -All Issues, including Rehabilitation and Employment Related Issues, Recertification, etc.

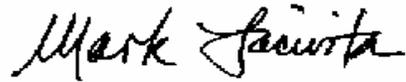
MON5 = To be determined

The OAH Scheduling Unit will schedule an entire calendar composed of hearings with the same subcategory. Notation of the type of calendar (currently, 1 - 4) will be made on the Daily Upstate Calendar for reference by the liaison staff. MON1 and MON3 calendar will be scheduled on Tuesdays and Thursdays. MON2 and MON4 calendars will be scheduled on Wednesdays and Fridays. Fair Hearings involving issues not indicated above, such as those scheduled against offices of the Department of Health, will be integrated into the calendars by the Scheduling Unit supervisor.

This temporary project will not affect the day-to-day business operations of OAH. Communications Intake Staff (CIU) will continue to process all requests for hearing, supplemental issues, adjournments, etc. following normal procedures. Consideration need not be given to the type of calendar when adding a Fair Hearing involving Emergency Assistance to a calendar, nor for definite-date adjournments. If necessary, the MON# subcategory can be replaced with another subcategory.

When adjourning a fair hearing to a definite date, Administrative Law Judges may take into consideration a Monroe County hearing representative's request that the hearing be rescheduled for a date with the same category of cases, however, this is discretionary.

If there are any questions with respect to this transmittal, you may contact your supervisor or Susan Fiehl at (518) 473-4779 or via email susan.fiehl@otda.state.ny.us.

A handwritten signature in black ink that reads "Mark Lacivita". The signature is written in a cursive, slightly slanted style.

Mark Lacivita, Director of Administration
Office of Administrative Hearings