

Office of Administrative Hearings (OAH) Procedures Transmittal			Transmittal Number: 01-30
Distribution:			Date: June 11, 2001
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ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs <input type="checkbox"/>	Upstate LDSS <input type="checkbox"/>	Subject: NDAS (New York City HRA Division of Aids Services) Hearing Procedures
	SUP ALJs <input type="checkbox"/>		
NYC OAH Staff <input checked="" type="checkbox"/>	NYC ALJs <input checked="" type="checkbox"/>	NYC Agencies <input checked="" type="checkbox"/>	
	SUP ALJs <input checked="" type="checkbox"/>	NYC HRA and NDAS Only	

Subsequent to July 2, 2001, calendars will be scheduled at 14 Boerum Place to handle issues involving actions taken by the NYC Human Resources Administration's DASIS (Division of Aids Services Income Support) Program. The instructions in this transmittal supersede those contained in OAH Transmittals 95-17, 98-02, and 99-45.

Communications Intake staff, upon identifying that a hearing requires notification to DASIS, will now input "NDAS" in the first Agency field when entering requests on the PFREQ1 screen on the Fair Hearing Information System (FHIS) and will input the appropriate Income Support Center (ISC) in the second Agency field. This will ensure that the appropriate contact person is provided notification of fair hearing requests, redirects, notices, adjournments, decisions, and complaints of non-compliance:

Agency: NDAS/N0__ or NDAS/FS__
 NDAS/NIM or NDAS/NFS (if IS or FS center is unknown)
 Category: SNA, FA or FS
 Subcategory: None
 Action: REDU, DENY, DISC, or INAD
 Issue Code: Any
 Hearing Location: 14 Boerum Place

Use of the above coding will generate notification to

Division of Aids Services
 Att: John Maher
 260 11th Avenue, 6th Floor
 New York, New York 10001

Tel: (212) 630-9774
 Fax: (212) 630-9155

Communications Intake staff should be aware that any requests received from clients of ISC 24, 43, and 49 must be coded with NDAS in the first agency field, as these centers only handle DASIS cases. However, since ISC 43 and 49 are not yet programmed as viable agency fields in FHIS, Communications Intake staff are advised NOT to put N043 or N049 in the secondary agency field, or an error message will prevent transmitting from the screen. Staff will be advised at such time as these centers are available for entry in

the secondary agency field. Coding for cases from ISC 043 and ISC 049 should, therefore, only reflect NDAS in the first Agency field, until further notice.

In the event that Communications Intake staff are unable to elicit the information necessary to the proper calendaring of these cases, it will be incumbent on the NYC HRA to notify the Office of Administrative Hearings utilizing the Agency Correction memorandum (OTDA-524EL). Upon receipt of the OAH-1891, Fair Hearing Request, when staff in the Income Support Centers are aware that the appellant's fair hearing request is the responsibility of an Income Support Center or program other than that noted in the Agency field on the OAH-1891, the DSS-524EL form (New York City FIA Memorandum) should be completed and faxed to (518) 473-6735. This will result in the appropriate change on the Fair Hearing Hearing Information System (FHIS) upon processing by the OAH Communication Intake Section, resulting in scheduling to the correct calendar.

If there are any questions with respect to this transmittal, you may contact your supervisor or Sue Fiehl at (518) 473-4779 or via email 90J029@dfa.state.ny.us.



Mark Lacivita, Director of Administration
Office of Administrative Hearings