

Office of Administrative Hearings (OAH) Procedures Transmittal			Transmittal Number: 01-49
			Date: December 4, 2001
Distribution:			Page: 1 of 2
ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs <input checked="" type="checkbox"/>	Upstate LDSS <input checked="" type="checkbox"/>	Subject: Statewide 60-Month Time Limit Coding Procedures
	SUP ALJs <input checked="" 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"/>		

Effective December 1, 2001, local districts statewide and New York City agencies will take action pursuant to requirements that families with at least one adult who has received sixty-months of assistance through one or more combinations of Family Assistance (FA), Child Assistance Program (CAP), cash Safety Net Assistance (SNCA), or non-cash Safety Net Assistance federal participating (SNA/FP) must be evaluated for Safety Net Assistance federally non-participating (SNA/FNP). Unless the adult qualifies for an exemption based on inability to work or other reasons, notices of intent will be generated either discontinuing Family Assistance and denying Safety Net Assistance, or converting the Family Assistance case to Safety Net Assistance, or converting the Non-cash Safety Net Assistance federally participating to federally non-participating.

Actions taken as a result of clients reaching their 60-month time limit will be identifiable by certain Client Notice System (CNS) codes, as set forth below, and will be scheduled on the Next Available ("N") Upstate local district or NYC center-based calendar. Decisions after hearing will be tracked and expedited.

Also, the issue of changing an appellant's category alone from FA to SNA due to 60-month time limit factors is subject to aid-continuing, whether or not there are budget changes. The category change, however, does not require timely notice, only adequate. To be eligible for aid continuing, the appellant must request the hearing within ten days of the notice date. Manual notices dealing with category changes include aid-continuing language, however, CNS notices currently do not. The CNS category change notices are being corrected to include aid-continuing language. All such changes in category will be considered as Reductions, subject to aid continuing, as appropriate.

Coding for fair hearing requests involving 60-Month Time Limit issues is as follows:

Agency:	NYC: ISC__ or NIM (if center is unknown) Upstate: LDSS
Category:	FA and SNA
Subcategory:	None
Action:	DISC/REDU/DENY
Hearing Location:	NYC: 14 Boerum Place Upstate: LDSS
Issue Code:	See Below

<u>CNS Code</u>	<u>Description</u>	<u>FHIS Code</u>	
		FA	SNA
B-50	FA to Cash SNA	REDU 064	
G-30	FA 60 Mos/No SNA Application	DISC 064	DENY 126
G-31	FA 60 Mos/SNA Sep Denial Notice Sent	DISC 064	DENY 160*
G-32	FA 60 Mos/SNA FT Sign Repayment	DISC 064	DENY 164
G-33	FA 60 Mos/SNA Refuse to Apply	DISC 064	DENY 025
P-30	FA 60 Mos/SNA FTC Job Service	DISC 064	DENY 716
P-31	FA 60 Mos/SNA FTC Employability	DISC 064	DENY 714
P-32	FA Refuse Job/SNA Refuse Job	DISC 764	DENY 764
B-20	SNA Budget Change/Manner of Payment (if 60-month related)	----	REDU 066

Communications Intake staff can combine other non-60 month-related supplemental issues with these requests, as appropriate.

*When coding the SNA Denial on CNS Code G-31 (FA 60 Mos/SNA Sep Denial Notice Sent), the SNA Denial should be coded with issue code 160 (Denial of PA – No Notice or Reason) if the appellant is claiming non-receipt of notice; at such time as the appellant receives a manual denial notice, the request should be amended with the appropriate issue code.

FHIS codes noted in bold are new codes, as follows:

066 Change in Budget or Manner of Payment, 60-Mo. Time Limit
764 Fail. to Accept Referral or Offer of Employ., 60-Mo. Time Limit

Please note: These two new codes will not be available on the Fair Hearing Information System (FHIS) until December 10, 2001. Until such time as these codes migrate, Communications Intake staff can enter the request on FHIS, put any requests with 066 or 764 in HOLD, and upon supervisory approval, place the printout in the appropriate basket in the Correspondence Unit. New York City intake staff should also enter the request on FHIS, put any requests with 066 or 764 in HOLD, and upon supervisory approval, forward printouts to the attention of the Albany Scheduling supervisor. These requests will be amended by designated staff once the codes are available.

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