

Office of Administrative Hearings (OAH)	Transmittal Number: 00-06
Procedures Transmittal	Date: February 17, 2000
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Distribution:	Subject: NBFBI As the
ALB OAH Staff [x]    UPS ALJs/ [x]    Upstate LDSS [ ]	Primary Agency Field When
SUP ALJs [x]	Coding Cases of Former
	Recipients Challenging
NYC OAH Staff [x]    NYC ALJs/ [x]    NYC Agencies [x]	the Amount of Overpayment
SUP ALJs [x]    HRA & NBFBI Only	of Public Assistance

Fair hearings scheduled for former recipients challenging the amount of a claim for overpayment of Public Assistance will now be scheduled on the NBFBI calendar. You may reference information outlined in OAH Transmittal 99-40, released on September 14, 1999, for information as to how to identify these cases. To ensure proper scheduling, the following coding instructions should be used by Communications Intake staff:

Agency:            NBFBI/ISC#  
Category:            HR or ADC  
Subcategory:        None  
Action:              INAD  
Issue Code:         Appropriate recoupment code  
Hearing Site:       80 Centre Street

Scheduling these cases on the NBFBI calendar will help to assure that the appropriate agency representative appears at the hearing. Intake staff should be aware that no additional issues should be added to the "underlying overpayment" issue, which is now hearable as detailed in OAH Transmittal 99-40.

Administrative Law Judges please note: Hearings with the above issue inadvertently scheduled on a non-NBFBI calendar will require an adjournment to the NBFBI calendar. Also, any cases containing additional issues other than the "underlying overpayment" issue should have those issues bifurcated and rescheduled to the appropriate calendar.

Questions regarding this transmittal can be brought to the attention of your supervisor or to Sue Fiehl at (518) 473-4779 or via email 90J029.

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Mark Lacivita, Director of Administration  
Office of Administrative Hearings