



The subject of the hearing will be the timeliness of the request based on the claim and the underlying issue as to whether there was an overpayment and the amount thereof. If there is a finding of fact that there was not an overpayment, or that there was an erroneous amount recovered from the appellant, the decision will direct an adjustment of the agency's records.

As a related issue, for all current and former recipients of food stamps who are subject to tax refund offsets to recover food stamps, although the refund offset issue is not hearable, the appellant has a right to a hearing if s/he is contesting the underlying food stamp overpayment determination.

Any questions can be brought to the attention of your supervisor or Sue Fiehl at (518) 473-4779 or via email 90j029.

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Mark Lacivita, Director of Administration  
Office of Administrative Hearings