Office of Administrative Hearings (OAH)	Transmittal Number: 98-15
Procedures Transmittal	Date: April 21, 1998
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Subject: NOHC Notices Regarding PERS (Personal Emergency Response Services)

The New York City Office of Home Care (NOHC) has resumed sending out notices of intent related to PERS (Personal Emergency Response Services). Previously, the NOHC, acting in accordance with directives pursuant to DeLuca et. al v. Hammons and Wing, had been withdrawing all outstanding notices pertaining to reductions of home care hours for clients with PERS devices. Since June, 1997, the Office of Administrative Hearings has processed agency withdrawals on NOHC PERS-related issues by issuing Dispositions of Fair Hearing rather than scheduling hearings. (See OAH Transmittal 97-20).

As the agency is now making individual assessments and notifying clients of anticipated action, Communications Intake staff should expect to process new requests pursuant to the actions indicated on the attached Notice of Decision to Authorize, Reauthorize, Deny or Discontinue Personal Emergency Response Services (PERS).

Coding of fair hearing requests with NOHC PERS-related issues as described above is as follows:

Agency:	NOHC
Category:	MA
Subcategory:	None
Issue Code	291 and/or 292
Action:	DISC/DENY/REDU/INAD

Please note that there continues to be no current need to resume use of either the OHC2 or OHC3 subcategories; otherwise, this transmittal supersedes Transmittal OAH 97-20. If you have any questions regarding this transmittal, you may contact your supervisor or Sue Fiehl at (518) 473-4779 or via e-mail 90J029.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings

Attach.