

Office of Administrative Hearings (OAH)		Transmittal Number: 98-18
Procedures Transmittal		Date: April 10, 1998
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Distribution:		
ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs/ <input type="checkbox"/>	Upstate LDSS <input type="checkbox"/>
	SUP ALJs <input type="checkbox"/>	
NYC OAH Staff <input checked="" type="checkbox"/>	NYC ALJs/ <input type="checkbox"/>	NYC Agencies <input checked="" type="checkbox"/>
	SUP ALJs <input type="checkbox"/>	NMAP only
		Subject: Human Resource Administration's Medical Assistance Program Conference Letter (CONF)

Another phase of the resolution process for NYC Human Resources Administration's Medical Assistance Program (HRA NMAP) cases has commenced. (Please refer to OAH Transmittal 97-36 for a description of the conferencing procedure). The targeted group for this phase of the resolution process are homebound appellants, who will be contacted and offered the opportunity for a conference in anticipation of settling any outstanding fair hearing issues. This office has identified appellants who have a telephone hearing request pending to determine if their needs might be best served by a conference with the HRA NMAP office, whether they wish to continue to pursue a hearing, or whether they wish to withdraw their hearing request. Scripted letters (copy attached) are being sent to an initial group of homebound appellants.

The letter (generated by OAH on letterhead of the NYC HRA's Office of Medical Assistance Program) includes a tear-off section which allows the client to choose to attend a conference with the agency, withdraw the fair hearing request, or proceed with the fair hearing. The tear-off section will be returned by the appellant to Ms. Helen Greif from the Fair Hearing Division/Conference Unit of the Human Resources Administration's Medical Assistance Program, who will in turn provide these forms to Ms. Evelyn Cobian at our 330 West 34th Street site. Until such time as the HRA NMAP office forwards these returned tear-off sections to the Office of Administrative Hearings, the hearing will remain in "M" scheduling status.

If HRA NMAP staff succeed in resolving a hearing issue with a homebound appellant over the telephone, the appellant must be advised by HRA to submit a signed written withdrawal to the Office of Administrative Hearings. At such time as a signed appellant withdrawal is received from the appellant, OAH staff will enter on the PFHMOD screen a Disposition of WITH (Withdrawal), "CONF" (to signify MA Conference) in the Subcategory field, and "CONF, date, and initials" in the Comment section of PFREQ3.

If you have any questions regarding this transmittal, please contact Sue Fiehl at (518) 473-4779 or via e-mail 90J029.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings

Attachment