

Office of Administrative Hearings (OAH)	Transmittal Number: 98-41
Procedures Transmittal	Date: November 6, 1998
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Distribution:	
ALB OAH Staff [X] UPS ALJs/ [X] Upstate LDSS [X] SUP ALJs [X] OMH [X]	Subject: Notification of Office of Mental Health for CIS1 and OMH1 Issues
NYC OAH Staff [X] NYC ALJs/ [] NYC Agencies [X] SUP ALJs [] NMAP Only	

Currently, hearing requests related to Medical Assistance for individuals housed in Office of Mental Health (OMH) facilities, are coded so as to generate notification and issuance of the decision to Maureen Frazier, upon use of the subcategory CIS1 (Cooperative Institutional Services). For hearing requests related to issues involving Home and Community-Based Services Waivers (HCBS) for emotionally disturbed children, use of the agency field OMH1, in the secondary agency position, generates notification and issuance of the decision to Ms. Erlinda Rejino. Although no change in coding is required, in the interest of simplification, all future notices and decisions for both Cooperative Institutional Services cases as well as HCBS cases will be sent to:

Ms. Maureen Frazier
New York State Office of Mental Health
Finance Group, First Floor
44 Holland Avenue
Albany, New York 12229

In both cases, it is the responsibility of the Office of Mental Health, not the local department of social services or local agency, in NYC, to prepare for the hearing and represent the agency's basis for the action being contested at the fair hearing. If it is found that OMH has not been appropriately notified, an adjournment of the hearing may be granted. Proper agency notification can be determined by noting on the Inquiry Screen (PFHREQ) on the Fair Hearing Information System (FHIS) or, on the Fair Hearing Request (OAH 1891), the secondary agency field NYS1 and the subcategory CIS1 for Cooperative Institutional Services cases, or the secondary agency field OMH1 for HCBS cases. Local agencies should notify the Office of Administrative Hearings Liaison Unit at (518) 474-8787, if any requests on these issues lack the appropriate agency notification.

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

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Mark Lacivita, Director of Administration
Office of Administrative Hearings