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| Office of Administrative Hearings (OAH) | Transmittal Number: 97-26 |
| Procedures Transmittal | Date: July 29, 1997 |
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| Distribution: | |
| ALB OAH Staff [X] UPS ALJs/ [] Upstate LDSS [] | Subject: Subcategory SPA - Alien Recertification for Food Stamp Benefits Issues |
| SUP ALJs [] | |
| NYC OAH Staff [X] NYC ALJs/ [X] NYC Agencies [X] | |
| SUP ALJs [X] HRA and FS Only | |

Effective immediately, subcategory SPA has been designated for use when coding fair hearing requests concerning alien recertification for food stamp benefits pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

The City of New York, Food Stamp Program, is mailing notices to New York City alien clients who are in receipt of food stamps notifying them that their food stamp benefits will expire on August 22, 1997. The clients are being instructed to complete a mail-in recertification form to determine if they meet the new food stamp eligibility rules for aliens. Failure to comply with the recertification requirement by August 22, 1997 will result in a discontinuance of their food stamp benefits without additional notice.

The proper coding for these fair hearing requests is as follows:

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| Agency: | N0_ _ or NF_ _ |
| Category: | ADC/HR or FS |
| Subcategory: | SPA |
| Issue Code: | 402 |
| Action: | DISC |

If, upon recertification, a client's eligibility is affected, and a new request for hearing is made to contest any determination made as a result of that recertification, a supplemental issue can be added to the original request for hearing, which may have been made prematurely prior to the August 22, 1997 expiration of benefits. Otherwise, no additional unrelated issues should be added to these requests.

It is no longer necessary, as instructed in memoranda dated July 21, 1997 from either Joanne McGrath or Bill Garren, to put these fair hearing requests into "HOLD" status and to either make a printout of the request to provide to the Correspondence Unit or, for NYC Intake staff, to fax to Albany a list of appellants' names and fair hearing numbers.

If you have any questions regarding this transmittal, please contact Sue Fiehl at (518) 473-4779 or via e-mail 90J069.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings