Office of Administrative Hearings (OAH)	Transmittal Number: 97-40
Procedures Transmittal	Date: October 24, 1997
	Page: 1 of 1
Distribution:	
ALB OAH Staff [x] UPS ALJs/ [ ] SUP ALJs [ ] Upstate LDSS [ ]	Subject: Elimination of NYS7 Agency Designation for Cases Involving Greenstein v. Dowling
NYC OAH Staff [x] NYC ALJs/ [x] SUP ALJs [x] NYC Agencies [ ]	

Effective immediately, the NYS7 Agency designation has been eliminated. As you may know, the NYS7 coding was used in conjunction with issue code 995, Greenstein v. Dowling, to notify Jane McCloskey, formerly from our Department's Counsels' Office and now with the Department of Health, of fair hearing requests and decisions related to reimbursement for out-of-pocket expenses. There is no longer a need to track these cases for Ms. McCloskey's review.

Therefore, fair hearing requests that fit the Greenstein v. Dowling criteria, i.e. issues involving reimbursement for out-of-pocket expenditures incurred by NYC Medical Assistance recipients for covered services as a result of agency error, should be coded as follows:

Agency:	NMAP
Category:	MA
Subcategory:	None
Action:	DENY or INAD
Issue Code:	995

An Office of Administrative Hearings transmittal was never released regarding the NYS7 agency designation, therefore, this transmittal does not replace any previously-released transmittal. The issue code list (page B-23) has been appropriately modified. If you have any questions, please consult your supervisor or Susan Fiehl at (518) 473-4779 or via e-mail at 90J029.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings