

Office of Administrative Hearings (OAH)	Transmittal Number: 96-01
Procedures Transmittal	Date: January 19, 1996
Distribution:	
ALB OAH Staff [X]    UPS ALJs/ [X]    Upstate LDSS [X] SUP ALJs [X]	Subject: New Issue Code 164 HR Eligibility Requirements
NYC OAH Staff [X]    NYC ALJs/ [X]    NYC Agencies [X] SUP ALJs [X]    (HRA, OES, EVR)	

New HR eligibility requirements for HR adult applicants include the need for the applicant to sign two forms agreeing to:

(1) Repay any overpayment of assistance, even after the case is closed

and

(2) Assign 10% of future wages to repay overpayments

Failure on the part of the applicant to agree to execute these forms will result in a denial. Any hearings requested to review a denial based on the failure of the applicant to comply with these requirements pursuant to Section 158(g) of the Social Services Law should be coded to reflect the new Issue Code 164 as follows:

Agency: LDSS or N0\_\_ or NIM  
Category: HR  
Issue: 164  
Action: DENY

Please refer to 95-LCM-132 and the December 7, 1995 memorandum from Dan Bloodstein and the January 10, 1996 memorandum from Sharon Silversmith regarding 18 NYCRR 370.2(d)(10) on this subject for further information. Any questions can be referred to your supervisor or to Sue Fiehl at 518-473-4779 or via e-mail 90j029.

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Office of Administrative Hearings