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|                                                  | Transmittal              |
|       Office of Administrative Hearings (OAH)    | Number:  96-05           |
|                                                  +--------------------------|
|                Procedures Transmittal            | Date:  March 18, 1996    |
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|Distribution:                                     |                          |
|                                                  |                          |
|ALB OAH Staff [X]  UPS ALJs/ [ ]  Upstate LDSS [ ]| Subject:  New Procedure  |
|                   SUP ALJs  [ ]                  |    for Returned DSS-457  |
|                                                  |    Notice of FH Schedule|
|NYC OAH Staff [X]  NYC ALJs/ [ ]  NYC Agencies [ ]|                          |
|                   SUP ALJs  [ ]                  |                          |
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As all Communications Intake Staff were advised on February 9, 1996, this office will no longer file returned forms DSS-457, Notice of Fair Hearing Scheduling. Upon receipt of the returned DSS-457, Scheduling Unit staff will enter in the message field "457 returned to OAH", the date, and code indicating the reason for the return (see below). In the case of a representative's copy of the DSS-457 being returned, the message field will indicate, "Rep 457 returned to OAH", the date, and code. The returned 457s will then be discarded.

The following is a list of reason codes denoting why the notice was returned:

AU	-	Address, Addressee Unknown
D	-	Deceased
FOE	-	Forwarding Order Expired
I	-	Insufficient Address
M	-	Moved, Not Forwardable, Left No Address
NO	-	No Such Number, No Such Street
R	-	Refused
U	-	Unclaimed

This new procedure streamlines work in the Scheduling Unit as well as making the information readily available on line to all FHIS users.

In most cases, staff need only look in the message field on PFHREQ1 or 2 to ascertain whether or not the DSS-457 was returned to this office. However, if the message field does not reflect that the DSS-457 has been returned and the reopen request is for a February hearing date, it is necessary to manually search for the DSS-457 in the fair hearing file. Any hearing dates of March and beyond will not require this manual search.

In addition, for aid-continuing reopen requests received between 15-45 days from the hearing date where the client claims non-receipt of notice, NYC reviewers can check the message field on PFHREQ1 or 2 to verify whether the notice was returned in lieu of contacting, or forwarding such requests to, Albany staff. However, as above, any reopen requests for a February hearing date should first be checked on line and, if no message appears with respect to a returned notice, NYC reviewers should proceed as before to have the file manually searched for a returned DSS-457.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings