Office of Administrative Hearings (OAH)	Transmittal Number: 96-26
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Distribution:	
ALB OAH Staff [x] UPS ALJs/ [x] Upstate LDSS [ ] SUP ALJs [x] Erie DSS Only [x]	Subject: New Subcategory for Erie County DSS Scheduling Restrictions (SPB)
NYC OAH Staff [ ] NYC ALJs/ [ ] NYC Agencies [ ] SUP ALJs [ ]	

Effective immediately, a new subcategory, SPB, has been created for use when processing Erie County fair hearing requests involving the following issue codes:

- o 202 - Disability Disputes
- o 246 - Personal Care/Home Care Services
- o 260 - Certified Home Health Aide - Medical Assessment (Not Burland)
- o 261 - Action on CHHA As A Result of Medical Assessment Due to Hospitalization (Burland)
- o 287 - Cluster Care (Shared Aid)

This subcategory has been established to accommodate Erie County's request that fair hearings involving the above issues be scheduled on the morning calendar when their Medical Director is available for testimony. In addition to adding the subcategory to the coding of these fair hearing requests, it is necessary for Intake staff to input the scheduling restriction of a.m. calendar only.

The proper coding for these fair hearing requests is:

Agency:	Erie County DSS
Category:	MA
Subcategory:	SPB
Action:	DISC, REDU, DENY or INAD
Issue Code:	202, 246, 260, 261 and/or 287
Restrictions:	AM Calendar Only

The Desk Reference Guide has been updated to reflect this new coding, which should result in fewer adjournments due to unavailability of the Medical Director. Any questions can be referred to your supervisor or Sue Fiehl at (518) 473-4779 or via e-mail 90j029.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings