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|                                         | Transmittal                |
|        Office of Administrative Hearings (OAH)  | Number: 95-34      |
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|           Procedures Transmittal        | Date: September 28, 1995   |
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|Distribution:                            |                            |
|                                         |           DRAFT            |
|ALB OAH Staff [X]  UPS ALJs/ [ ]  Upstate LDSS [ ]| Subject:  NYC Notice |
|                   SUP ALJs  [ ]         |         Inquiry            |
|                                         |                            |
|NYC OAH Staff [X]  NYC ALJs/ [X]  NYC Agencies [ ]|                     |
|                   SUP ALJs  [X]         |                            |
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As of September 16, 1995, it is possible to do a NYC Notice Match on the Fair
Hearing Information System (FHIS) via program PFHMAT on the menu. All staff
in the Albany Communications Intake Section and those staff who handle PA and
OES-related issues in the NYC Intake and Calendar Management Units have been
trained on the use of this important feature. By accessing the NYC Notice
Inquiry Program, computer-generated notices for ADC/HR discontinuances issued
within the previous 60 days can be accessed. Office of Administrative
Hearings staff can "pull over" information contained on these computer-
generated notices directly onto the FHIS request entry program (PFHREQ), and
thereby expedite the intake process. While most case-specific information
(name, address, case number, notice date, effective date, notice number etc.)
is pulled over onto the Request Information Screen, PFREQ1, the reason for the
discontinuance is pulled over to the Comment Screen, PFREQ3.

Communication Intake staff should note that the agency noted on the actual
notice may differ from the agency indicated on the FHIS screen. The screen
should be changed to reflect the agency on the actual notice. Also, the
notice dates and effective dates contained on the actual notice MAY differ by
one day from the date pulled over onto FHIS via notice match. If the actual
notice is available and has a different date than what is on the FHIS screen,
the date on the screen should be changed to coincide with the actual notice.
If intake staff do not have at hand an actual notice, they should utilize
whatever date is on the screen. When pulling over the information from
"notice match", the notice match date (if different) should be changed to the
immediately preceding date, as follows:

        Notice Match =   Actual Notice =

    Notice date 8/28/95   Notice date 8/27/95
    Effective date 9/7/95   Effective date 9/6/95

Intake Staff should change the 8/28/95 and 9/7/95 to 8/27/95 and 9/6/95,
respectively.

Administrative Law Judges, please note: While the notice date and effective
date may, therefore, be available on the DSS 1891, Notice of Fair Hearing
Request, credibility findings should not rely on the fact that this
information is available. An appellant may, in fact, claim non-receipt of the
notice and, upon electronically pulling this information over via the above-
mentioned NYC Notice Inquiry process, it may appear that an appellant's claim
that he/she failed to receive the notice is not valid since it will appear
that the appellant provided the notice and effective dates at the time of the
request. To assist in this regard, Intake Staff have been instructed to note
in the Comment section that the "Client claims no notice" and "Request
processed via NYC Notice Match". Also, as a further indicator that the notice

was obtained via NYC Notice Match, the comments will begin with the notice language, including any regulatory citations, as stated on the computer-generated notice.

If you have any questions or for a complete packet of instructions for accessing this function, please contact Lisa Hauth at (518) 474-2453 or via e-mail 89a110.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings