

Office of Administrative Hearings (OAH)	Transmittal Number: 95-37
Procedures Transmittal	Date: October 30, 1995
Distribution:	
ALB OAH Staff [X] UPS ALJs/ [X] Upstate LDSS [] Info Only SUP ALJs [X]	Subject: Elimination of Sub-category, SP30, for Actions Related to the "Catanzano Plan"
NYC OAH Staff [X] MA ALJs/ [X] NYC Agencies [] Info Only MA SUP ALJs [X]	

Pursuant to implementation of the "Catanzano" plan as outlined in Sharon Silversmith's memorandum of October 4, 1995 to all 34th Street and Upstate ALJs, SHOs and Professional Staff, it is no longer necessary to isolate those cases that involve an adverse action taken by a CHHA (Certified Home Health Aide) contrary to a physician's order, previously subcategorized as SP30. These cases will no longer be placed in hold status but will be heard and issued. This transmittal, therefore, supersedes Henry Pedicone's memorandum of September 16, 1994 which indicated that such cases were to be adjourned by the Hearing Officer, reason code #10 (Administrative-Awaiting Outcome of Litigation) noted on either the ALJ memo, if NYC, or called into the Intake Section, if A/C, as reason code #10 and noted in the Remarks section on the file as "Change to SP30", if Upstate.

Instead, ALJs should draft these decisions in accordance with the information contained in the October 4, 1995 memorandum, which basically expands the client's right to have reviewed in accordance with the "Catanzano Plan" any discontinuance, reduction, or denial of CHHA services whether the determination was based on fiscal or medical considerations.

Any questions can be directed to Susan Fiehl at (518) 473-4779 or via e-mail 90j029.

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