

Office of Administrative Hearings (OAH)	Transmittal Number: 95-45
Procedures Transmittal	Date: December 31, 1995
Distribution:	
ALB OAH Staff [X] UPS ALJs/ [] Upstate LDSS [] SUP ALJs []	Subject: EA Coding Procedure for Income Support Center On-Site Hearings
NYC OAH Staff [X] NYC ALJs/ [] NYC Agencies [] SUP ALJs []	

As advised in Transmittal 95-42, Income Support Center On-Site Hearings, Emergency Assistance (EA) hearings for appellants from Centers 67, 68, 71, 72, and 80 should continue to be scheduled at 80 Centre Street. Since proper coding is instrumental in determining at what hearing location the hearing will be scheduled, the following guidelines are offered to assist in determining the proper coding for EA cases.

It is essential that EA issues to be scheduled at 80 Centre Street are coded with the category EA since the category determines that the case will appear on the EA calendar at 80 Centre Street. In certain instances, however, it is appropriate to schedule cases on the regular calendar at the on-site hearing location. To schedule on the regular on-site calendar, the category must not be EA, but HR or ADC. These cases will be scheduled at Centers 67, 68, 71, 72, and 80, rather than on the 80 Centre Street EA calendar. Please refer to the following:

If the appellant is a PA recipient with a definite-dated shutoff notice or an eviction notice with an eviction date so soon that putting it on the regular calendar would not resolve the problem, the fair hearing must be scheduled on the EA calendar. (Utilize category EA). Any case where a hearing date is obtained and provided to the appellant must be coded with the category EA.

If the appellant is a PA recipient claiming rent or utility arrears with no emergent dates and has been denied EA, the fair hearing should be scheduled on the regular on-site calendar. (Utilize category HR or ADC in these situations).

If the appellant is a non-PA recipient and has been denied EA, the fair hearing must be scheduled on the EA calendar under all circumstances. (Utilize category EA).

For Albany Intake Staff handling NYC EA requests, it is no longer necessary to place the request in Hold status. All NYC EA requests should be referred to the NYC Intake Unit for processing by calling one of the following emergency assistance lines at 80 Centre Street: (212) 417-3614 or 417-4639.

For any EA request involving the Office of Employment Services (OES), please refer to Transmittal #95-41, Denials of Emergency Assistance Due to Employment Sanction, and utilize the procedure set forth. These cases must be coded with a category of EA.

To summarize the scheduling of EA Denials:

Regular On-Site Calendar

EA Calendar

PA Recipient; Rent or utility arrears claimed, but no imminent date

Non-PA Recipient; Any denial of EA

PA Recipient; Eviction or shutoff--imminent date

Category: HR/ADC
Agency: ISC#
Hearing Location: None (FHIS will schedule on-site)

Category: EA
Agency: ISC#
Hearing Location: None (FHIS will schedule at 80 Centre Street)

Denial of EA Due to Employment Sanction (See Transmittal #95-41)

Any questions as to proper coding should be raised with your supervisor; if there are questions with respect to this transmittal, please call Sue Fiehl at (518) 473-4779 or via e-mail 90j029.

Mark Lacivita, Director of Administration
Office of Administrative Hearings