

Office of Administrative Hearings (OAH)	Transmittal Number: 95-47
Procedures Transmittal	Date: December 19, 1995
Distribution:	
ALB OAH Staff [X]    UPS ALJs/ [ ]    Upstate LDSS [ ] SUP ALJs [ ]	Subject: NDAR Coding Procedure for Out-of-State and Upstate Appellants
NYC OAH Staff [X]    NYC ALJs/ [ ]    NYC Agencies [ ] SUP ALJs [ ]	

For any case identified by the agency NDAR (NYC Division of Audit and Response) when the appellant resides out of state or in an upstate county other than Nassau or Suffolk, the hearing should be scheduled as a NYC Telephone Hearing. If the client resides in Nassau or Suffolk, the hearing should be scheduled as a regular hearing at 80 Centre Street. This will ensure that NYC ALJs who are familiar with foster care payment issues are assigned to hear these cases.

Coding for Appellants from Out of State

Coding for Appellants from an Upstate County Other than Nassau or Suffolk

Agency: NDAR  
Category: Serv  
Issue: 313 or 315 and  
Secondary Issue: 998 INAD  
Scheduling Status: M  
Hearing Type: H1  
Hearing Location: MANH (FHIS will schedule at 80 Centre Street as a Telephone Hearing)

Coding for Appellants from Nassau/Suffolk

Agency: NDAR  
Category: Serv  
Issue: 313 or 315  
Scheduling Status: S  
Hearing Type: None  
Hearing Location: None (FHIS will schedule at 80 Centre Street)

The Albany Correspondence Unit staff assigned to handle telephone hearings for non-homebound appellants (Issue 998) will be responsible for sending out the proper letter to request a telephone number and documents and to inform the appellant that the hearing will be held via telephone. They will also change the Scheduling Status and Hearing Type to T and H2, respectively, upon verifying the telephone number so that the case can be properly scheduled as a Telephone Hearing. Telephone Intake Staff should make every effort to obtain a telephone number when handling these requests and should utilize the 998 issue code as a secondary issue to assist in the proper scheduling of a telephone hearing. NYC Intake and Calendar Management staff should continue to forward these 998 issue coded requests to the Homebound Telephone Hearing Unit in Albany for proper distribution to the Correspondence Unit staff to process.

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

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Mark Lacivita, Director of Administration  
Office of Administrative Hearings