Office of Administrative Hearings (OAH)	Transmittal Number: 94-37
Procedures Transmittal	Date: June 13, 1994
Distribution:	
ALB OAH Staff [x] UPS ALJs/ [ ] SUP ALJs [ ] Upstate LDSS [ ]	Subject: Procedural Change
NYC OAH Staff [x] NYC ALJs/ [ ] SUP ALJs [x] NYC Agencies [x] PA ONLY	Aid-to-Continue Redirects and Compliance Directives for NYC PA Cases

Please be advised of a change in procedures relating to Aid-to-Continue Redirects for Public Assistance (PA) cases. Previously, notifications of alleged aid-continuing violations (DSS 3792) were telefaxed to the Director of NYC IM Monitoring and Special Projects for distribution to the appropriate Income Support Center. Effective immediately, all redirects of aid continuing involving the second instance of non-compliance and all subsequent instances, if any, will be telefaxed directly to the appropriate center director.

Please be mindful of the local agency's obligation in accordance with Section 358-3.6 of the regulations (18 NYCRR 358-3.6) to take immediate action to assure that the appellant's benefits continue unchanged until the fair hearing decision is issued.

Any questions regarding the above procedural change or any questions on specific aid-to-continue directives, can be referred to Sandy Cehowski at 518-486-5887 or via e-mail at 89A631.

Additionally, the procedure for advising the NYC agencies of complaints of non-compliance for PA Cases will be likewise revised. Previously, compliance coordinators forwarded the initial compliance complaint to the NYC IM Monitoring and Special Projects Unit for distribution to the local centers. All initial compliance complaints will now be sent via first class mail to the appropriate center director.

Again, it is anticipated that in accordance with Section 358-6.4(c) of the Regulations (18 NYCRR 358-6.4(c)) that the local agency, upon receipt of a complaint of non-compliance, will take prompt action to comply with the fair hearing decision. Any questions regarding the compliance procedural change can be directed to Bart Delaney at 3-3276 or via e-mail at 89A109.

Mark Lacivita, Director of Administration
Office of Administrative Hearings