Office of Administrative Hearings (OAH) Procedures Transmittal	Transmittal Number:	09-18
	Date:	August 6, 2009
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		Attachments (2)
ALB OAH Staff X UPS ALJs X Upstate LDSS X	Subject:	
SUP ALJs X	Revised Servi	ces (300s) Issue Codes
NYC OAH Staff X NYC ALJS X NYC Agencies X		
SUP ALJs X		

To continue with the revision of the Fair Hearing Information System (FHIS) codes which was undertaken to meet programmatic changes and provide a more effective working tool for Communications Intake Unit, legal, and other staff, the Services issue code revisions are now complete. These revisions were based upon the suggestions of a code work group with input solicited from all OAH Intake and ALJ staff and approved by Office of Administrative Hearing (OAH) management in consultation with the Office of Children and Family Services.

Attached are the new Services codes being input into FHIS for use beginning Sunday, August 9, 2009. Please familiarize yourself with the new coding and replace any paper lists with the new version. A list of the eliminated/combined codes is also provided for your reference. All necessary modifications have been made to the electronic version of the code list posted on the OAH website.

Effective August 9, 2009, FHIS will no longer accept eliminated codes, and an edit will alert staff if an obsolete code is entered.

If there are any questions with respect to this transmittal, you may contact your supervisor or Louise Finkell at (518) 473-4969 or via email Louise.finkell@otda.state.ny.us.

Susan Fiehl, Assistant Director of Administration Office of Administrative Hearings

# **SERVICES CODES**

(For NYC Services issues, case number should begin with "S" and entered in case number field.)

# 302 FINANCIAL ELIGIBILITY OR AMOUNT OF FEES FOR DAY CARE

#### **303 DAYCARE – FAILURE TO RECERTIFY OR PROVIDE INFORMATION**

#### **304 DAYCARE, HOMEMAKER, FOSTER CARE-TEMP. ABSENCE CARETAKER RELATIVE**

Example: temporary homemaker placement in family situation when primary caretaker is unable to provide care (i.e. mother in hospital)

CODE	CRITERIA	SUB – CAT	AGENCY
304	CATEGORY: SERV	NONE	NYC: NCWA UPSTATE: LDSS

## **305 DAYCARE - NON PAYMENT TO A SPECIFIC PROVIDER**

#### **306 ANY DAYCARE ISSUE NOT IDENTIFIED BY OTHER CODE**

CODE	CRITERIA	SUB - C	AT AGENCY
302, 303, 305, 306	<ul> <li>MUST LIST NAMES AND AGES OF CHILDREN</li> <li>LIST NAME &amp; ADDRESS OF DAYCARE CENTER.</li> <li>CATEGORY: FA (NYC) SERV (UPSTATE)</li> </ul>	NONE	NDAY (ACD Cases)
	Note: If client is on PA, see Issue Code 020, 726 or 314		

# 308 VOLUNTARY FOSTER CARE PLACEMENT SERVICES FOR NATURAL PARENTS

(Example: visitation rights, transportation or other supportive services to the child, parent, or guardian in voluntary placement situations)

CODE	CRITERIA	SUB - CATEGORY	Y AGENCY
308	CATEGORY: SERV	NONE	NYC: NDAR
	SEE "BULLET STATEMENT" FOR QUESTIONS TO ASK		UPSTATE: LDSS

### 309 ANY SERVICES ISSUE NOT IDENTIFIED BY OTHER CODE

310	<ul> <li><b>PROTECTIVE SERVICES FOR ADULTS</b></li> <li>(Ex: Homemaker, Housekeeper, Day Care, Protective Payee)</li> </ul>			
CODE	CRITERIA	SUB - CATEGOR	Y AGENCY	
310	CATEGORY: SERV	NONE	NYC: NPSA (Held at 34 <sup>th</sup> Street) UPSTATE: LDSS	

#### **311 PROTECTIVE SERVICES FOR CHILDREN** (Ex: Homemaker, Housekeeper, Day Care)

CODE	CRITERIA	SUB – CAT	AGENCY
311	CATEGORY: SERV	NONE	NYC: NCWA UPSTATE: LDSS

312	PREVENTIVE SERVICES FOR CHILDREN
	Services provided to a family as an alternative to Foster Care placement, including
	housing subsidies

CODE	CRITERIA	SUB - CATEGOR	Y AGENCY
312	CATEGORY: SERV	NONE	NYC: NDAR
			UPSTATE: LDSS

#### **313 FOSTER CARE** (including kinship foster care) Regular, Special, and Exceptional rate Foster Care payments, including discharge grant for foster children that have aged out of the system.

CODE	CRITERIA	SUB - CATEGORY	AGENCY
313	CATEGORY: SERV	NONE	NYC: NDAR
	SEE "BULLET STATEMENT" FOR QUESTIONS TO ASK		UPSTATE: LDSS
	List code for each child.		

### **Bullet Statement for Foster Care Services:**

When taking a request concerning foster care issues, there is important identifying information which must be obtained to allow NYC Administration for Children's Services the capability to obtain the proper case record and prepare for the hearing. Therefore, for all cases identified by the agency NDAR, issue codes **308 or 313**, it will be necessary to ask the following questions and note the information on the comment screen (PFREQ):

#### **Questions for 308:**

- (1) What is the specific reason for the hearing request?
- (2) What is the Services case number? (Enter in case # field beginning with letter "S")
- (3) What is the child's (children's) name?
- (4) What is the child's (children's) date of birth? What is the sex of the child (children)?
- (5) What is the name and telephone number of the foster care worker?

# **Questions for 313:**

- (1) What is the specific reason for the hearing request and the time period for which benefits are being requested?
- (2) What is the natural mother's name?
- (3) What is the child's (children's) name? What is the child's (children's) date of birth? What is the sex of the child (children)?
- (4) What is the Services case number? (Enter in case # field beginning with letter "S")
- (5) What is the name of the agency by which the foster-parent is supervised? Verify which county placed child.
- (6) What is the name and telephone number of the foster care worker?

#### NOTE: Adoption subsidy issues are not reviewable through the Office of Administrative Hearings. Client should contact Special Hearings – refer to Agency Referral Guide.

# FOR NYC Foster Children living outside the city limits:

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 <u>other than</u> Nassau, Suffolk or Westchester, the hearing should be scheduled as a NYC Telephone Hearing\*. If the client resides in Nassau, Suffolk or Westchester, the hearing should be scheduled as a regular hearing at 14 Boerum Place. This will ensure that NYC ALJs who are familiar with foster care payment issues are assigned to hear these cases.

\*If speaking to the requester, staff must get phone number as these will be scheduled as phone hearings.

Agency: NDAR Category: Serv Issue: 313 Secondary issue: Inad 998 Scheduling status: M (no telephone number) or T (phone number available) Hearing type: H1 (M) or H2 (T)

# GIVE PRINTOUT TO CORRESPONDENCE SUPERVISOR TO HAVE OUT OF STATE/DISTRICT TELEPHONE LETTER PROCESSED.

#### **314 TRANSITIONAL CHILD CARE** (Former recipient - up to 1 year)

CODE	CRITERIA	SUB - CATEGORY	AGENCY
314	CATEGORY: FA	NONE	NYC: NTBU
			UPSTATE: LDSS

# **Eliminated/Combined Codes (Services)**

# <u>Codes</u>

- **300 ELIMINATE USE SPECIFIC SERVICES CODE** Formerly: The processing/or failure to process application for services
- **301** ELIMINATE USE SPECIFIC SERVICES CODE Formerly: Effective date of coverage
- 315 ELIMINATE USE 313 Formerly: Kinship Foster Care

# **316 ELIMINATE – OBSOLETE** Formerly: Boarder babies special needs