

Office of Administrative Hearings (OAH) Procedures Transmittal		Transmittal Number: 09-19
Distribution:		Date: August 13, 2009
		Page: 1 (plus 2 Attachments)
ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs <input checked="" type="checkbox"/>	Upstate LDSS <input checked="" type="checkbox"/>
	SUP ALJs <input checked="" type="checkbox"/>	
NYC OAH Staff <input checked="" type="checkbox"/>	NYC ALJs <input checked="" type="checkbox"/>	NYC Agencies <input checked="" type="checkbox"/>
	SUP ALJs <input checked="" type="checkbox"/>	
Subject:		
New Issue Code 931 Back to School One Time Payment-Related Issues		

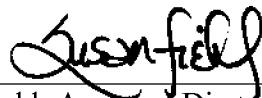
The Office of Administrative Hearings has begun receiving fair hearing requests pertaining to the one-time payment issued in August, 2009 to defray back-to-school costs. Families in receipt of Temporary Assistance or Food Stamps who were active anytime in July, 2009 will receive a one-time payment of \$200 per child aged 3 through 17. Attached is a copy of the notice sent to eligible clients advising them of the payment which will be paid directly into the client's EBT cash account on August 11, 2009. The notice also advises clients of their right to a fair hearing for a review of the determination.

Effective August 16, 2009, a new issue code, **Issue Code 931**, has been created in the Fair Hearing Information System (FHIS) to identify issues related to the back to school payment. This code is for statewide use. Communication Intake Unit (CIU) staff should refer to the coding below when processing a request related to this issue.

Agency: N0__ (NYC Job Center) **or** NF__ (NYC FS Center) **or** LDSS (Upstate)
Category: FA, SNA, or FS
Sub-category: None
Issue Code: **931 (Back to School One Time Payment)**
Action: INAD
Aid Status: NA (Non-Aid)
Hearing Site: 14 Boerum Place or Upstate LDSS

Other unrelated issues can be added to these requests.

If you have any questions regarding this transmittal, you may contact your supervisor or Louise Finkell at (518) 473-4969 or via e-mail at louise.finkell@otda.state.ny.us.



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New York State
Office of Temporary and
Disability Assistance



NOTICE OF BACK TO SCHOOL PAYMENT
August 2009 /NYC

Case Number:
Off./Unit/Worker:

General Telephone No. for
Questions or Help: 1- 877-472-8411

Notice Date: August 11, 2009

Amount of Payment: \$

Dear Recipient:

Great news! This notice is to tell you that you are getting a one-time payment to help with back-to-school costs for the children in your household. This payment is \$200 per child and is based on the number of children in your household, who are 3 through 17 years old on August 1, 2009, and in receipt of public assistance or food stamp benefits during July, 2009. Please see "Amount of Payment", above, for the total amount of your payment.

This payment will help your family cope with these tough economic times and help your children start the school year off on the right foot. The Open Society Institute and the Foundation to Promote Open Society are giving \$35 million to New York State enabling the State to get federal matching funds of up to \$140 million as part of the American Recovery and Reinvestment Act of 2009 to make these payments.

What can I use the money for?

Back-to-School money can be used to buy items such as books, pencils, pens, notebooks, calculators, backpacks, shoes, school uniforms, pants, shirts, skirts, dresses, and other essential school items.

How will I be paid the money?

Your money has been paid directly into your EBT cash account. If you receive food stamp benefits only, you can get the money from your EBT **cash** account using the same EBT card and PIN that you use for your food stamp benefits. This payment can be withdrawn through an ATM or, it can be spent at retail locations where EBT cards are accepted.

Please note that this payment may expire if your cash account is not accessed within 90 days. You should check your cash balance so you can use this benefit before it expires. You may check your cash balance free of charge at an ATM, on the Internet at www.ebtaccount.jpmorgan.com, or by calling the EBT Helpline number on the back of your card.

Is this just a one-time payment?

Yes. The Back-to-School money for your household is a one-time payment.

Will this money affect my Food Stamp Benefits, Medical Assistance, Public Assistance or other benefits?

No. This one-time Back to School money will not affect your eligibility for the benefits you are currently receiving.

Are there any shopping discounts I can receive?

Certain retailers may be offering discounts in the weeks before school starts, so please ask when you make your purchases. Also please check the New York State Consumer Protection Board's "Stretch Your Dollar" tips at http://www.consumer.state.ny.us/syde_page.htm

How can I find out about other benefits that I might be eligible for – like cash assistance or help with emergency needs?

If you only receive food stamp benefits, please go to www.mybenefits.ny.gov, the website to check your eligibility for other benefits such as cash assistance, help with rent arrears, Home Energy Assistance and various tax credits that might help you make ends meet during these difficult economic times.

What do I do if I think the amount of the Payment is incorrect?

Please refer to the Conference and Fair Hearing Page on the reverse.

CONFERENCE AND FAIR HEARING SECTION – DO YOU THINK WE ARE WRONG?

If you think our decision is wrong, you can ask for a review of our decision. You may request either or both of the following:

1. **Informal meetings with us:** If you think our decision was wrong, or if you do not understand our decision, please call us. To do this please call (212) 331-4953; (212) 331-4921 or (212) 331-3114. Sometimes this is the fastest way to solve any problem you may have. We encourage you to do this if you have concerns about your payment.
2. **STATE FAIR HEARING – YOU HAVE 60 DAYS FROM THE DATE OF THIS NOTICE TO ASK FOR A FAIR HEARING:**

HOW TO ASK FOR A FAIR HEARING: You can ask for a fair hearing by **mail**, by **phone**, by **fax** or **online**.

Mail: Send a copy of both sides of this notice completed to the Office of Administrative Hearings, New York State Office of Temporary and Disability Assistance, P.O. Box 1930, Albany, New York 12201. Please keep a copy of each notice for yourself.

I want a fair hearing. I do not agree with the agency's action. (You may explain why you disagree below, but you do not have to include a written explanation.) _____

Phone: 800-342-3334 (PLEASE HAVE THIS NOTICE WITH YOU WHEN YOU CALL.)

Fax: Fax a copy of the front and reverse of this notice to: (518) 473-6735 or

Walk-In: Bring a copy of this entire notice to the New York State Office of Temporary and Disability Assistance at 14 Boerum Place, Brooklyn or 330 West 34th Street, NYC.

Online: Complete an online request form at: <http://www.otda.state.ny.us/oah/forms.asp>.

If you cannot reach the New York State Office of Temporary and Disability Assistance by phone, by fax or online, please write to ask for a fair hearing before the deadline.

WHAT TO EXPECT AT A FAIR HEARING: The State will send you a notice that tells you when and where the fair hearing will be held.

At the hearing, you will have a chance to explain why you think our decision is wrong. You can bring a lawyer, a relative, a friend or someone else to help you do this. If you cannot come yourself, you can send someone to represent you. If you are sending someone who is not a lawyer to the hearing instead of you, you must give this person a letter to show the hearing officer that you want this person to represent you at the hearing.

At the hearing, you and your lawyer or other representative will have a chance to explain why we are wrong and a chance to give the hearing officer written papers that explain why we are wrong.

To help you explain at the hearing why you think we are wrong, you should bring any witnesses who can help you. You should also bring any papers you have, such as: pay stubs, leases, receipts, bills, doctor's statements.

At the hearing, you and your lawyer or other representative can ask questions of witnesses which we bring or which you bring to help your case.

LEGAL ASSISTANCE: If you think you need a lawyer to help you with this problem, you may be able to get a lawyer at no cost to you by contacting your local Legal Aid Society or other legal advocate group. For the names of other lawyers, check your Yellow Pages under "Lawyers".

ACCESS TO YOUR FILE AND COPIES OF DOCUMENTS: To help get ready for the hearing, you have a right to look at your case file. If you call, write or fax to us, we will send you free copies of the documents from your file that we will provide the Hearing Office at the Fair Hearing. Also, if you call, write or fax to us, we will send you free copies of other specific documents from your file that you think you may need to prepare for you Fair Hearing. To ask for documents or to find out how to look in your file, call (718) 722-5012, fax (718) 722-5018 or write to **HRA Division of Fair Hearing, 14 Boerum Place, Brooklyn, New York 11201**.

If you want copies of documents from your case file, you should ask for them ahead of time. They will be provided to you within a reasonable time before the date of the hearing. Documents will be mailed to you only if you specifically ask that they be mailed.

INFORMATION: If you want more information about your case, how to ask for a fair hearing, how to see your file, or how to get additional copies of documents, call us at the phone numbers on the **front** of this notice or write to us at the address on the **front** of this notice.

Notice Date: **August 11, 2009**