Office of Administrative Hearings (OAH) **Procedures Transmittal**	Transmittal Number: 08-12
	Date: September 16, 2008
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Distribution:					Subject:
ALB OAH Staff ☒	**UPS ALJs** ☒	**Upstate LDSS** ☐			
	SUP ALJs ☒				FHIS Edit for Issues Related to Private Duty Nursing Services in Certain Upstate Agencies
NYC OAH Staff ☒	**NYC ALJs** ☐	**NYC Agencies** ☐			
	SUP ALJs ☐				

Effective May, 2008, an edit was created in the Fair Hearing Information System (FHIS) to assist staff and avoid the improper scheduling of hearing requests to review issues related to private duty nursing. These services , whether for registered nursing (RN) or licensed practical nursing (LPN) services, are subject to prior approval by the Department of Health (DOH) except in the following Upstate local districts (LDSS):

<div align="center">

Broome County
Chemung County
Erie County
Oneida County
Schenectady County
Tompkins County
Westchester County

</div>

These counties perform their own assessments, and, therefore, any hearings to review a denial of private duty nursing in these counties should be scheduled against the LDSS and not DOH. The aforementioned edit in FHIS does not allow staff to transmit off the Appellant Information screen if they have entered the Subcategory OHSM with one of these counties. The following message appears at the bottom left of the screen:

<div align="center">

OHSM NOT ALLOWED FOR ISSUE 241 IN THIS COUNTY

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For all other counties, DOH must be notified using the secondary Agency HSM1 and Subcategory OHSM. The following information has been added to the Issue Codes:

241   LICENSED PRACTICAL NURSE (LPN) AND/OR REGISTERED NURSE (RN)
       For Broome, Chemung, Erie, Oneida, Schenectady, Tompkins, Westchester Counties, schedule against LDSS. If managed care, see coding for 229.

If there are any questions with respect to this transmittal, you may contact your supervisor or Susan Fiehl at (518) 473-4779 or via email susan.fiehl@otda.state.ny.us.

Mark Lacivita
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Mark Lacivita, Director of Administration
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