

Statewide Report of Fair Hearing Issues Decided by Outcome Reason for the Year 2011

Outcome Reason Code	Category of Assistance									TOTAL
	FA	SNA	HEAP	ADH	EA	MA	FHP	FS	SERV	
<u>Reversal Codes</u>										
01	88	106	3	0	2	127	5	70	11	412
02	112	84	7	2	15	248	23	78	0	569
03	1,484	1,256	1	30	94	512	25	1,092	9	4,503
04	346	148	2	5	11	111	3	199	4	829
05	543	494	0	1	120	138	10	259	6	1,571
06	2,531	1,490	18	37	146	1,851	38	1,023	103	7,237
07	15	3	0	0	0	11	0	4	0	33
<u>Affirmance Code</u>										
10	5,075	3,778	175	548	2,855	3,521	336	2,689	268	19,245
<u>Remand Codes</u>										
41	6	11	1	0	0	7	0	1	3	29
42	85	43	3	1	55	97	3	61	11	359
43	520	365	11	4	77	78	2	711	7	1,775
44	293	183	10	0	483	44	1	304	1	1,319
45	387	200	0	0	167	38	1	292	8	1,093
46	353	209	12	0	37	86	2	357	310	1,366
47	28	17	0	0	0	1	0	56	1	103
<u>Withdrawal Codes</u>										
20	155	84	0	38	0	48	2	20	0	347
21	7,462	6,104	57	56	184	1,812	134	1,525	59	17,393
22	40	24	1	1	3	22	1	13	1	106
23	12	4	0	0	0	10	0	3	0	29
24	15,084	11,343	2	24	16	515	26	4,074	306	31,390
25	3,829	2,074	17	5	971	310	7	2,848	9	10,070
29	167	135	0	0	0	595	1	0	0	898
<u>Other Codes</u>										
30	6	9	0	0	0	10	0	2	0	27
31	1,640	1,009	6	1	17	430	13	200	29	3,345
32	69	28	0	0	34	23	0	9	3	166
33	80	49	2	1	104	58	3	56	15	368
34	920	529	0	0	103	43	0	152	3	1,750
35	513	295	5	1	27	81	3	231	0	1,156
<u>Correct When Made Codes</u>										
50	1,536	914	5	0	21	399	25	308	10	3,218
51	144	114	5	0	7	256	20	51	11	608
TOTAL	43,523	31,102	343	755	5,549	11,482	684	16,688	1,188	111,314
Sub Totals:										
Reversals (Codes 1-7)	5,119	3,581	31	75	388	2,998	104	2,725	133	15,154
Affirmances (Code 10)	5,075	3,778	175	548	2,855	3,521	336	2,689	268	19,245
Remands (Codes 41-47)	1,672	1,028	37	5	819	351	9	1,782	341	6,044
Withdrawals (Codes 20-29)	26,749	19,768	77	124	1,174	3,312	171	8,483	375	60,233
Others (Cods 30-35)	3,228	1,919	13	3	285	645	19	650	50	6,812
Correct When Made (Code 50)	1,680	1,028	10	0	28	655	45	359	21	3,826

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	FA	SNA	HEAP	ADH	EA	MA	FHP	FS	SERV	
<u>Reversal Codes</u>										
01	0.20%	0.34%	0.87%	0.00%	0.04%	1.11%	0.73%	0.42%	0.93%	0.37%
02	0.26%	0.27%	2.04%	0.26%	0.27%	2.16%	3.36%	0.47%	0.00%	0.51%
03	3.41%	4.04%	0.29%	3.97%	1.69%	4.46%	3.65%	6.54%	0.76%	4.05%
04	0.79%	0.48%	0.58%	0.66%	0.20%	0.97%	0.44%	1.19%	0.34%	0.74%
05	1.25%	1.59%	0.00%	0.13%	2.16%	1.20%	1.46%	1.55%	0.51%	1.41%
06	5.82%	4.79%	5.25%	4.90%	2.63%	16.12%	5.56%	6.13%	8.67%	6.50%
07	0.03%	0.01%	0.00%	0.00%	0.00%	0.10%	0.00%	0.02%	0.00%	0.03%
<u>Affirmance Code</u>										
10	11.66%	12.15%	51.02%	72.58%	51.45%	30.67%	49.12%	16.11%	22.56%	17.29%
<u>Remand Codes</u>										
41	0.01%	0.04%	0.29%	0.00%	0.00%	0.06%	0.00%	0.01%	0.25%	0.03%
42	0.20%	0.14%	0.87%	0.13%	0.99%	0.84%	0.44%	0.37%	0.93%	0.32%
43	1.19%	1.17%	3.21%	0.53%	1.39%	0.68%	0.29%	4.26%	0.59%	1.59%
44	0.67%	0.59%	2.92%	0.00%	8.70%	0.38%	0.15%	1.82%	0.08%	1.18%
45	0.89%	0.64%	0.00%	0.00%	3.01%	0.33%	0.15%	1.75%	0.67%	0.98%
46	0.81%	0.67%	3.50%	0.00%	0.67%	0.75%	0.29%	2.14%	26.09%	1.23%
47	0.06%	0.05%	0.00%	0.00%	0.00%	0.01%	0.00%	0.34%	0.08%	0.09%
<u>Withdrawal Codes</u>										
20	0.36%	0.27%	0.00%	5.03%	0.00%	0.42%	0.29%	0.12%	0.00%	0.31%
21	17.14%	19.63%	16.62%	7.42%	3.32%	15.78%	19.59%	9.14%	4.97%	15.63%
22	0.09%	0.08%	0.29%	0.13%	0.05%	0.19%	0.15%	0.08%	0.08%	0.10%
23	0.03%	0.01%	0.00%	0.00%	0.00%	0.09%	0.00%	0.02%	0.00%	0.03%
24	34.66%	36.47%	0.58%	3.18%	0.29%	4.49%	3.80%	24.41%	25.76%	28.20%
25	8.80%	6.67%	4.96%	0.66%	17.50%	2.70%	1.02%	17.07%	0.76%	9.05%
29	0.38%	0.43%	0.00%	0.00%	0.00%	5.18%	0.15%	0.00%	0.00%	0.81%
<u>Other Codes</u>										
30	0.01%	0.03%	0.00%	0.00%	0.00%	0.09%	0.00%	0.01%	0.00%	0.02%
31	3.77%	3.24%	1.75%	0.13%	0.31%	3.74%	1.90%	1.20%	2.44%	3.01%
32	0.16%	0.09%	0.00%	0.00%	0.61%	0.20%	0.00%	0.05%	0.25%	0.15%
33	0.18%	0.16%	0.58%	0.13%	1.87%	0.51%	0.44%	0.34%	1.26%	0.33%
34	2.11%	1.70%	0.00%	0.00%	1.86%	0.37%	0.00%	0.91%	0.25%	1.57%
35	1.18%	0.95%	1.46%	0.13%	0.49%	0.71%	0.44%	1.38%	0.00%	1.04%
<u>Correct When Made Codes</u>										
50	3.53%	2.94%	1.46%	0.00%	0.38%	3.48%	3.65%	1.85%	0.84%	2.89%
51	0.33%	0.37%	1.46%	0.00%	0.13%	2.23%	2.92%	0.31%	0.93%	0.55%
TOTAL	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Sub Totals:										
Reversals (Codes 1-7)	11.76%	11.51%	9.04%	9.93%	6.99%	26.11%	15.20%	16.33%	11.20%	13.61%
Affirmances (Code 10)	11.66%	12.15%	51.02%	72.58%	51.45%	30.67%	49.12%	16.11%	22.56%	17.29%
Remands (Codes 41-47)	3.84%	3.31%	10.79%	0.66%	14.76%	3.06%	1.32%	10.68%	28.70%	5.43%
Withdrawals (Codes 20-29)	61.46%	63.56%	22.45%	16.42%	21.16%	28.85%	25.00%	50.83%	31.57%	54.11%
Others (Cods 30-35)	7.42%	6.17%	3.79%	0.40%	5.14%	5.62%	2.78%	3.90%	4.21%	6.12%
Correct When Made (Code 50)	3.86%	3.31%	2.92%	0.00%	0.50%	5.70%	6.58%	2.15%	1.77%	3.44%

Report of Fair Hearing Issues Decided by Outcome Reason for the Year 2011

Category of Assistance Code	Explanation of Codes
FA	Family Assistance
SNA	Safety Net Assistance
HEAP	Home Energy Assistance Program
ADH	Administrative Disqualification Hearings
EA	Emergency Assistance [includes Emergency Assistance to Families (EAF), Emergency Assistance for Adults (EAA) and Emergency Safety Net Assistance (ESNA)]
MA	Medical Assistance (Medicaid)
FHP	Family Health Plus
FS	Food Stamps [also known as the federal Supplemental Nutrition Assistance Program (SNAP)]
SERV	Social Services funded through the New York State Department of Family Assistance

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Outcome Reason Code	Explanation of Codes
<u>Reversal Codes</u>	
01	Agency Notice Defective
02	Agency Verification and/or Eligibility Determination Procedure Defective
03	Agency Hearing Presentation Defective (insufficient documents, testimony etc., but all or part of case record was present)
04	Agency Either Misapplied Law, Regulation or Policy or There Was No Authority for Their Action
05	Agency Failed to Produce Appellant's Case Record
06	Factual Issues Found in Favor of Appellant
07	Agency Failed to Send Requested Documents to Appellant
<u>Affirmance Code</u>	
10	Agency Action Affirmed
<u>Remand Codes</u>	
41	Agency Notice Defective
42	Agency Verification and/or Eligibility Determination Procedure Defective
43	Agency Hearing Presentation Defective (insufficient documents, testimony etc., but all or part of case record was present)
44	Agency Either Misapplied Law, Regulation or Policy or There Was No Authority for Their Action
45	Agency Failed to Produce Appellant's Case Record
46	Factual Issues Found in Favor of Appellant
47	Agency Failed to Send Requested Documents to Appellant
<u>Withdrawal Codes</u>	
20	Agency Is Not Prepared to Proceed and/or Does Not Have Appellant's Case Record
21	Agency Re-Evaluated Its Position and/or Settled the Issue with the Appellant
22	Appellant Submitted Verification/Documentation Following Agency Determination But Before or At Fair Hearing, Accepted by Agency
23	Agency Failure to Send Requested Documents to Appellant
24	Agency Resolved Issue to Client's Satisfaction
25	Agency Stipulated to Settle a Non-Notice of Intent Based Issue
<u>Other Codes</u>	
30	Appellant Has No Standing to Request a Hearing
31	Commissioner Has No Jurisdiction to Hear Issues (Either Subject Matter or 60 Day Statute of Limitations)
32	Commissioner Has No Authority to Grant Relief Requested (Payment on Closed Case, Determination of Validity of Agency Lien, etc.)
33	Improper Request by Appellant for Fair Hearing (Request for Hearing Premature - No Agency Action Yet Taken, Previous Hearing Decision on Same Issue, No Change in Circumstances)
34	Client Withdrew on Issue at Hearing
35	Issue Is Moot
<u>Correct When Made Codes</u>	
50	Agency Action Was Correct When Taken
51	Agency Action Was Correct When Taken – Remand.