

Statewide Report of the Number of Fair Hearing Issues Decided by Outcome Reason for the Year 2009

Outcome Reason Code	Category of Assistance									TOTAL
	FA	SNA	HEAP	ADH	EA	MA	FHP	FS	SERV	
<u>Reversal Codes</u>										
01	159	97	1	0	2	83	4	44	5	395
02	172	99	2	1	30	285	15	63	6	673
03	2,037	1,394	1	39	10	468	22	288	6	4,265
04	325	177	1	8	28	75	3	129	8	754
05	882	554	1	0	16	125	11	426	2	2,017
06	3,301	1,963	18	18	298	2,510	47	255	81	8,491
07	12	30	0	0	2	5	0	4	1	54
<u>Affirmance Code</u>										
10	5,372	3,731	226	445	2,851	3,313	251	1,227	360	17,776
<u>Remand Codes</u>										
41	10	10	0	0	2	4	2	1	1	30
42	159	93	3	0	136	319	42	56	21	829
43	847	416	20	2	26	145	14	253	10	1,733
44	479	282	4	0	383	30	2	272	2	1,454
45	625	334	7	0	80	92	10	624	12	1,784
46	518	263	9	1	79	113	7	171	221	1,382
47	20	11	0	0	1	1	0	8	0	41
<u>Withdrawal Codes</u>										
20	200	134	1	29	1	63	2	46	4	480
21	5,575	4,274	60	24	353	2,141	146	1,073	206	13,852
22	49	33	0	0	7	36	6	21	5	157
23	5	5	0	2	0	0	0	3	0	15
24	18,532	13,570	6	24	31	286	20	5,406	277	38,152
25	4,026	2,005	33	8	345	182	24	2,388	3	9,014
<u>Other Codes</u>										
30	1	3	0	0	3	2	1	1	0	11
31	1,791	823	9	0	14	309	14	100	19	3,079
32	26	22	0	0	53	6	0	5	7	119
33	101	91	5	0	73	36	1	45	1	353
34	816	414	1	0	54	46	0	99	10	1,440
35	443	270	5	0	29	63	5	149	7	971
<u>Correct When Made Codes</u>										
50	1,432	880	7	0	21	305	13	68	13	2,739
51	151	138	3	0	13	174	12	55	13	559
TOTAL	48,066	32,116	423	601	4,941	11,217	674	13,280	1,301	112,619
Sub Totals:										
Reversals (Codes 1-7)	6,888	4,314	24	66	386	3,551	102	1,209	109	16,649
Affirmances (Code 10)	5,372	3,731	226	445	2,851	3,313	251	1,227	360	17,776
Remands (Codes 41-47)	2,658	1,409	43	3	707	704	77	1,385	267	7,253
Withdrawals (Codes 20-25)	28,387	20,021	100	87	737	2,708	198	8,937	495	61,670
Others (Cods 30-35)	3,178	1,623	20	0	226	462	21	399	44	5,973
Correct When Made (Codes 50-51)	1,583	1,018	10	0	34	479	25	123	26	3,298

Statewide Report by Percentage of Fair Hearing Issues Decided by Outcome Reason for the Year 2009

Outcome Reason Code	Category of Assistance									TOTAL
	FA	SNA	HEAP	ADH	EA	MA	FHP	FS	SERV	
<u>Reversal Codes</u>										
01	0.33%	0.30%	0.24%	0.00%	0.04%	0.74%	0.59%	0.33%	0.38%	0.35%
02	0.36%	0.31%	0.47%	0.17%	0.61%	2.54%	2.23%	0.47%	0.46%	0.60%
03	4.24%	4.34%	0.24%	6.49%	0.20%	4.17%	3.26%	2.17%	0.46%	3.79%
04	0.68%	0.55%	0.24%	1.33%	0.57%	0.67%	0.45%	0.97%	0.61%	0.67%
05	1.83%	1.72%	0.24%	0.00%	0.32%	1.11%	1.63%	3.21%	0.15%	1.79%
06	6.87%	6.11%	4.26%	3.00%	6.03%	22.38%	6.97%	1.92%	6.23%	7.54%
07	0.02%	0.09%	0.00%	0.00%	0.04%	0.04%	0.00%	0.03%	0.08%	0.05%
<u>Affirmance Code</u>										
10	11.18%	11.62%	53.43%	74.04%	57.70%	29.54%	37.24%	9.24%	27.67%	15.78%
<u>Remand Codes</u>										
41	0.02%	0.03%	0.00%	0.00%	0.04%	0.04%	0.30%	0.01%	0.08%	0.03%
42	0.33%	0.29%	0.71%	0.00%	2.75%	2.84%	6.23%	0.42%	1.61%	0.74%
43	1.76%	1.30%	4.73%	0.33%	0.53%	1.29%	2.08%	1.91%	0.77%	1.54%
44	1.00%	0.88%	0.95%	0.00%	7.75%	0.27%	0.30%	2.05%	0.15%	1.29%
45	1.30%	1.04%	1.65%	0.00%	1.62%	0.82%	1.48%	4.70%	0.92%	1.58%
46	1.08%	0.82%	2.13%	0.17%	1.60%	1.01%	1.04%	1.29%	16.99%	1.23%
47	0.04%	0.03%	0.00%	0.00%	0.02%	0.01%	0.00%	0.06%	0.00%	0.04%
<u>Withdrawal Codes</u>										
20	0.42%	0.42%	0.24%	4.83%	0.02%	0.56%	0.30%	0.35%	0.31%	0.43%
21	11.60%	13.31%	14.18%	3.99%	7.14%	19.09%	21.66%	8.08%	15.83%	12.30%
22	0.10%	0.10%	0.00%	0.00%	0.14%	0.32%	0.89%	0.16%	0.38%	0.14%
23	0.01%	0.02%	0.00%	0.33%	0.00%	0.00%	0.00%	0.02%	0.00%	0.01%
24	38.56%	42.25%	1.42%	3.99%	0.63%	2.55%	2.97%	40.71%	21.29%	33.88%
25	8.38%	6.24%	7.80%	1.33%	6.98%	1.62%	3.56%	17.98%	0.23%	8.00%
<u>Other Codes</u>										
30	0.00%	0.01%	0.00%	0.00%	0.06%	0.02%	0.15%	0.01%	0.00%	0.01%
31	3.73%	2.56%	2.13%	0.00%	0.28%	2.75%	2.08%	0.75%	1.46%	2.73%
32	0.05%	0.07%	0.00%	0.00%	1.07%	0.05%	0.00%	0.04%	0.54%	0.11%
33	0.21%	0.28%	1.18%	0.00%	1.48%	0.32%	0.15%	0.34%	0.08%	0.31%
34	1.70%	1.29%	0.24%	0.00%	1.09%	0.41%	0.00%	0.75%	0.77%	1.28%
35	0.92%	0.84%	1.18%	0.00%	0.59%	0.56%	0.74%	1.12%	0.54%	0.86%
<u>Correct When Made Codes</u>										
50	2.98%	2.74%	1.65%	0.00%	0.43%	2.72%	1.93%	0.51%	1.00%	2.43%
51	0.31%	0.43%	0.71%	0.00%	0.26%	1.55%	1.78%	0.41%	1.00%	0.50%
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)	14.33%	13.43%	5.67%	10.98%	7.81%	31.66%	15.13%	9.10%	8.38%	14.78%
Affirmances (Code 10)	11.18%	11.62%	53.43%	74.04%	57.70%	29.54%	37.24%	9.24%	27.67%	15.78%
Remands (Codes 41-47)	5.53%	4.39%	10.17%	0.50%	14.31%	6.28%	11.42%	10.43%	20.52%	6.44%
Withdrawals (Codes 20-25)	59.06%	62.34%	23.64%	14.48%	14.92%	24.14%	29.38%	67.30%	38.05%	54.76%
Others (Cods 30-35)	6.61%	5.05%	4.73%	0.00%	4.57%	4.12%	3.12%	3.00%	3.38%	5.30%
Correct When Made (Codes 50-51)	3.29%	3.17%	2.36%	0.00%	0.69%	4.27%	3.71%	0.93%	2.00%	2.93%

Report of Fair Hearing Issues Decided by Outcome Reason for the Year 2009

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

Report of Fair Hearing Issues Decided by Outcome Reason for the Year 2009

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