

## Statewide Report of the Number of Fair Hearing Issues Decided by Outcome Reason for the Year 2008

Outcome Reason Code	Category of Assistance									TOTAL
	FA	SNA	HEAP	ADH	EA	MA	FHP	FS	SERV	
<u>Reversal Codes</u>										
01	224	94	0	0	0	135	8	82	7	550
02	243	140	1	3	28	510	31	46	2	1,004
03	2,149	1,411	3	26	14	531	31	303	7	4,475
04	579	226	2	16	81	143	9	208	23	1,287
05	1,403	772	0	0	36	185	8	660	7	3,071
06	4,281	2,317	15	33	193	3,015	56	416	74	10,400
07	6	13	0	1	0	5	0	2	0	27
<u>Affirmance Code</u>										
10	5,742	3,620	214	544	2,492	3,616	260	1,114	309	17,911
<u>Remand Codes</u>										
41	13	20	0	0	1	7	1	0	0	42
42	244	115	4	0	129	503	35	90	10	1,130
43	1,049	425	22	0	28	191	8	429	10	2,162
44	643	255	14	0	575	28	2	244	0	1,761
45	797	289	4	0	61	192	10	845	3	2,201
46	491	252	30	3	53	125	9	223	87	1,273
47	19	7	0	0	0	2	0	6	1	35
<u>Withdrawal Codes</u>										
20	197	94	1	41	2	41	3	77	0	456
21	7,556	5,413	40	24	306	1,526	67	922	240	16,094
22	67	37	1	1	9	57	5	19	7	203
23	9	6	0	1	0	1	0	3	0	20
24	18,540	11,616	12	23	34	257	8	3,286	297	34,073
25	4,007	1,677	49	1	332	88	10	1,533	10	7,707
<u>Other Codes</u>										
30	6	6	1	0	2	5	0	1	1	22
31	1,818	814	11	0	14	316	6	77	20	3,076
32	23	21	0	0	48	12	1	4	0	109
33	107	81	8	0	112	42	2	15	4	371
34	964	400	6	2	131	36	2	82	6	1,629
35	577	221	8	0	32	56	3	167	2	1,066
<u>Correct When Made Codes</u>										
50	2,122	1,223	6	0	55	346	25	73	17	3,867
51	156	94	5	0	9	136	10	42	8	460
<b>TOTAL</b>	<b>54,032</b>	<b>31,659</b>	<b>457</b>	<b>719</b>	<b>4,777</b>	<b>12,107</b>	<b>610</b>	<b>10,969</b>	<b>1,152</b>	<b>116,482</b>
<b>Sub Totals:</b>										
Reversals (Codes 1-7)	8,885	4,973	21	79	352	4,524	143	1,717	120	20,814
Affirmances (Code 10)	5,742	3,620	214	544	2,492	3,616	260	1,114	309	17,911
Remands (Codes 41-47)	3,256	1,363	74	3	847	1,048	65	1,837	111	8,604
Withdrawals (Codes 20-25)	30,376	18,843	103	91	683	1,970	93	5,840	554	58,553
Others (Cods 30-35)	3,495	1,543	34	2	339	467	14	346	33	6,273
Correct When Made (Codes 50-51)	2,278	1,317	11	0	64	482	35	115	25	4,327

## Statewide Report of the Number of Fair Hearing Issues Decided by Outcome Reason for the Year 2008

Outcome Reason Code	Category of Assistance									TOTAL
	FA	SNA	HEAP	ADH	EA	MA	FHP	FS	SERV	
<u>Reversal Codes</u>										
01	0.41%	0.30%	0.00%	0.00%	0.00%	1.12%	1.31%	0.75%	0.61%	0.47%
02	0.45%	0.44%	0.22%	0.42%	0.59%	4.21%	5.08%	0.42%	0.17%	0.86%
03	3.98%	4.46%	0.66%	3.62%	0.29%	4.39%	5.08%	2.76%	0.61%	3.84%
04	1.07%	0.71%	0.44%	2.23%	1.70%	1.18%	1.48%	1.90%	2.00%	1.10%
05	2.60%	2.44%	0.00%	0.00%	0.75%	1.53%	1.31%	6.02%	0.61%	2.64%
06	7.92%	7.32%	3.28%	4.59%	4.04%	24.90%	9.18%	3.79%	6.42%	8.93%
07	0.01%	0.04%	0.00%	0.14%	0.00%	0.04%	0.00%	0.02%	0.00%	0.02%
<u>Affirmance Code</u>										
10	10.63%	11.43%	46.83%	75.66%	52.17%	29.87%	42.62%	10.16%	26.82%	15.38%
<u>Remand Codes</u>										
41	0.02%	0.06%	0.00%	0.00%	0.02%	0.06%	0.16%	0.00%	0.00%	0.04%
42	0.45%	0.36%	0.88%	0.00%	2.70%	4.15%	5.74%	0.82%	0.87%	0.97%
43	1.94%	1.34%	4.81%	0.00%	0.59%	1.58%	1.31%	3.91%	0.87%	1.86%
44	1.19%	0.81%	3.06%	0.00%	12.04%	0.23%	0.33%	2.22%	0.00%	1.51%
45	1.48%	0.91%	0.88%	0.00%	1.28%	1.59%	1.64%	7.70%	0.26%	1.89%
46	0.91%	0.80%	6.56%	0.42%	1.11%	1.03%	1.48%	2.03%	7.55%	1.09%
47	0.04%	0.02%	0.00%	0.00%	0.00%	0.02%	0.00%	0.05%	0.09%	0.03%
<u>Withdrawal Codes</u>										
20	0.36%	0.30%	0.22%	5.70%	0.04%	0.34%	0.49%	0.70%	0.00%	0.39%
21	13.98%	17.10%	8.75%	3.34%	6.41%	12.60%	10.98%	8.41%	20.83%	13.82%
22	0.12%	0.12%	0.22%	0.14%	0.19%	0.47%	0.82%	0.17%	0.61%	0.17%
23	0.02%	0.02%	0.00%	0.14%	0.00%	0.01%	0.00%	0.03%	0.00%	0.02%
24	34.31%	36.69%	2.63%	3.20%	0.71%	2.12%	1.31%	29.96%	25.78%	29.25%
25	7.42%	5.30%	10.72%	0.14%	6.95%	0.73%	1.64%	13.98%	0.87%	6.62%
<u>Other Codes</u>										
30	0.01%	0.02%	0.22%	0.00%	0.04%	0.04%	0.00%	0.01%	0.09%	0.02%
31	3.36%	2.57%	2.41%	0.00%	0.29%	2.61%	0.98%	0.70%	1.74%	2.64%
32	0.04%	0.07%	0.00%	0.00%	1.00%	0.10%	0.16%	0.04%	0.00%	0.09%
33	0.20%	0.26%	1.75%	0.00%	2.34%	0.35%	0.33%	0.14%	0.35%	0.32%
34	1.78%	1.26%	1.31%	0.28%	2.74%	0.30%	0.33%	0.75%	0.52%	1.40%
35	1.07%	0.70%	1.75%	0.00%	0.67%	0.46%	0.49%	1.52%	0.17%	0.92%
<u>Correct When Made Codes</u>										
50	3.93%	3.86%	1.31%	0.00%	1.15%	2.86%	4.10%	0.67%	1.48%	3.32%
51	0.29%	0.30%	1.09%	0.00%	0.19%	1.12%	1.64%	0.38%	0.69%	0.39%
<b>TOTAL</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>
<b>Sub Totals:</b>										
Reversals (Codes 1-7)	16.44%	15.71%	4.60%	10.99%	7.37%	37.37%	23.44%	15.65%	10.42%	17.87%
Affirmances (Code 10)	10.63%	11.43%	46.83%	75.66%	52.17%	29.87%	42.62%	10.16%	26.82%	15.38%
Remands (Codes 41-47)	6.03%	4.31%	16.19%	0.42%	17.73%	8.66%	10.66%	16.75%	9.64%	7.39%
Withdrawals (Codes 20-25)	56.22%	59.52%	22.54%	12.66%	14.30%	16.27%	15.25%	53.24%	48.09%	50.27%
Others (Cods 30-35)	6.47%	4.87%	7.44%	0.28%	7.10%	3.86%	2.30%	3.15%	2.86%	5.39%
Correct When Made (Codes 50-51)	4.22%	4.16%	2.41%	0.00%	1.34%	3.98%	5.74%	1.05%	2.17%	3.71%

### Report of Fair Hearing Issues Decided by Outcome Reason for the Year 2008

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 2008

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