

Office of Administrative Hearings (OAH) Procedures Transmittal			Transmittal Number: 10-06
Distribution:			Date: July 27, 2010
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ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs <input checked="" type="checkbox"/>	Upstate LDSS <input type="checkbox"/>	Subject: New Monroe County (MON) Subcategories
	SUP ALJs <input checked="" type="checkbox"/>	Monroe County Only	
NYC OAH Staff <input checked="" type="checkbox"/>	NYC ALJs <input checked="" type="checkbox"/>	NYC Agencies <input type="checkbox"/>	
	SUP ALJs <input checked="" type="checkbox"/>		

This supersedes the transmittal issued on November 30, 2006 on the same subject (OAH Transmittal 06-16).

Beginning with calendars dated August 2, 2010, in order to more efficiently schedule hearings requested against Monroe County Department of Social Services (MCDSS) and thereby reduce the scheduling backlog, Fair Hearing calendars will be scheduled utilizing a series of new subcategories, based on criteria as indicated below. MCDSS staff will enter the subcategories into the Fair Hearings Information System (FHIS.) MCDSS staff will not be able to override existing subcategories.

The new subcategories and definitions are:

MON1 = Temporary Assistance Eligibility/Intake Issues

MON2 = Employable TA clients—All issues including Employment-related issues, Recertifications, Child Care

MON3 = Temporary Assistance—Substance abuse rehabilitation issues, Disability determinations, Recertifications

MON4 = Community Medicaid—All issues and associated NPA Foodstamps

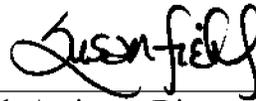
MON5 = Chronic Care, MA/SSI, MA Disabled/Spendedown cases and associated NPA Foodstamps, Home Care cases

The OAH Scheduling Unit will schedule an entire calendar composed of hearings with the same subcategory. Notation of the type of calendar (currently, 1 - 5) will be made on the Daily Upstate Calendar for reference by the liaison staff. Fair Hearings involving issues not indicated above, such as those scheduled against offices of the Department of Health, will be integrated into the calendars by the Scheduling Unit supervisor.

This temporary project will not affect the day-to-day business operations of OAH. Communications Intake Staff (CIU) will continue to process all requests for hearing, supplemental issues, adjournments, etc. following normal procedures. Consideration need not be given to the type of calendar when adding a Fair Hearing involving Emergency Assistance to a calendar, nor for definite-date adjournments. If necessary, the MON# subcategory can be replaced with another subcategory.

When adjourning a fair hearing to a definite date, Administrative Law Judges may take into consideration a Monroe County hearing representative's request that the hearing be rescheduled for a date with the same category of cases, however, this is discretionary.

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.



Susan Fiehl, Assistant Director of Administration
Office of Administrative Hearings