

- (3) Refer to the hardcopy DSS 457 which is being sent to all parties for the words "Home Hearing" and the appellant's home address in Section F, "Place of Hearing." *

There are many scheduling considerations in trying to get these cases calendared and, while every attempt will be made to accommodate individualized scheduling concerns, the need to schedule Home Hearings promptly is paramount. Home Hearings in NYC will initially consist of approximately 50 non-aid MA and OHC cases. Upstate procedures have yet to be determined for the approximately 25 non-aid cases. Future calendars will be devised for aid-continuing cases that have decisions pending, as well.

It is essential that all inquiries regarding Home Hearings (requests for adjournments, aid-continuing inquiries or redirects, possible withdrawals, etc.) are referred to the Homebound Hearing Unit for proper handling. Channeling all inquiries to either Karen Longale or Doris Flagler will ensure that the directives of the court order are consistently applied.

Further information will be provided as available. Questions can be directed to your supervisor or Sue Fiehl at (518) 473-4779 or via e-mail at 90j029; or to the Homebound Hearing Unit (Karen Longale at 486-6484 or via e-mail 89a681; or Doris Flagler at 473-7055 or via e-mail la0180.)

Mark Lacivita, Director of Administration
Office of Administrative Hearings

Attachment

*Until system changes can be effected, the electronic DSS 457 notification to the agency will continue to indicate Telephone Hearing at the top and will NOT indicate the appellant's home address but will continue to indicate as the hearing location the local agency, or in NYC, the appropriate borough.

NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES

OFFICE OF ADMINISTRATIVE HEARINGS

NOTICE OF HOMEBOUND HEARING

As a result of a preliminary injunction issued in the matter of Varshavsky v. Perales, the Department is required to reopen the above fair hearing, to allow you to present evidence in person at a hearing **to be conducted in your home**. The new hearing will allow the introduction of additional evidence on the issue(s) listed on the Notice of Scheduling, which is the same issue(s) addressed at your first hearing. A Notice of Scheduling is attached which indicates the date and time of the home hearing.

If you have a morning appointment, you must be present at your home from 9:00 am to 12:00 Noon. If you have an afternoon appointment, you must be present at your home from 1:00 pm to 4:00 pm. Between those hours an Administrative Law Judge will arrive at your home to conduct a hearing with your full participation.

If you have any questions, please call 1-800-342-3334 and ask to speak with someone in the Homebound Hearing Unit.

Attachment

HOMEBOUND HEARING
LETTER N (ATTACHMENT TO DSS 457)