

**Statewide Report of Fair Hearing Decisions by Outcome Reason for the Year 2012**

| Outcome Reason Code             | Category of Assistance |               |            |            |              |               |            |               |              | TOTAL          |
|---------------------------------|------------------------|---------------|------------|------------|--------------|---------------|------------|---------------|--------------|----------------|
|                                 | FA                     | SNA           | HEAP       | ADH        | EA           | MA            | FHP        | SNAP          | SERV         |                |
| <u>Reversal Codes</u>           |                        |               |            |            |              |               |            |               |              |                |
| 01                              | 98                     | 96            | 0          | 3          | 4            | 194           | 3          | 122           | 11           | 531            |
| 02                              | 94                     | 55            | 1          | 2          | 26           | 356           | 21         | 106           | 9            | 670            |
| 03                              | 1,287                  | 744           | 2          | 17         | 85           | 878           | 18         | 1,188         | 9            | 4,228          |
| 04                              | 250                    | 84            | 0          | 1          | 13           | 102           | 3          | 161           | 3            | 617            |
| 05                              | 545                    | 365           | 0          | 0          | 112          | 134           | 3          | 440           | 4            | 1,603          |
| 06                              | 1,985                  | 1,029         | 13         | 16         | 169          | 2,718         | 28         | 1,247         | 70           | 7,275          |
| 07                              | 42                     | 25            | 0          | 0          | 0            | 16            | 0          | 15            | 1            | 99             |
| <u>Affirmance Code</u>          |                        |               |            |            |              |               |            |               |              |                |
| 10                              | 3,997                  | 2,776         | 136        | 440        | 2,253        | 3,803         | 255        | 3,175         | 242          | 17,077         |
| <u>Remand Codes</u>             |                        |               |            |            |              |               |            |               |              |                |
| 41                              | 16                     | 14            | 0          | 0          | 1            | 3             | 0          | 6             | 1            | 41             |
| 42                              | 86                     | 43            | 2          | 0          | 58           | 86            | 7          | 86            | 9            | 377            |
| 43                              | 476                    | 222           | 4          | 0          | 61           | 99            | 4          | 801           | 4            | 1,671          |
| 44                              | 263                    | 151           | 3          | 0          | 376          | 33            | 2          | 388           | 1            | 1,217          |
| 45                              | 418                    | 205           | 3          | 0          | 119          | 39            | 1          | 383           | 4            | 1,172          |
| 46                              | 365                    | 186           | 4          | 0          | 58           | 175           | 4          | 503           | 291          | 1,586          |
| 47                              | 20                     | 14            | 0          | 0          | 0            | 0             | 0          | 55            | 0            | 89             |
| <u>Withdrawal Codes</u>         |                        |               |            |            |              |               |            |               |              |                |
| 20                              | 60                     | 21            | 0          | 39         | 1            | 31            | 0          | 18            | 2            | 172            |
| 21                              | 6,500                  | 4,663         | 38         | 27         | 186          | 1,650         | 75         | 2,653         | 91           | 15,883         |
| 22                              | 27                     | 17            | 0          | 0          | 2            | 15            | 0          | 21            | 0            | 82             |
| 23                              | 5                      | 5             | 0          | 0          | 0            | 1             | 0          | 4             | 0            | 15             |
| 24                              | 13,490                 | 8,485         | 5          | 31         | 31           | 947           | 18         | 9,686         | 158          | 32,851         |
| 25                              | 4,551                  | 2,532         | 14         | 0          | 1,004        | 438           | 7          | 7,711         | 60           | 16,317         |
| 29                              | 1,071                  | 912           | 0          | 0          | 0            | 54            | 0          | 425           | 0            | 2,462          |
| <u>Other Codes</u>              |                        |               |            |            |              |               |            |               |              |                |
| 30                              | 11                     | 9             | 0          | 0          | 1            | 14            | 0          | 1             | 2            | 38             |
| 31                              | 1,195                  | 734           | 11         | 0          | 23           | 595           | 21         | 360           | 13           | 2,952          |
| 32                              | 37                     | 16            | 0          | 0          | 36           | 34            | 0          | 17            | 2            | 142            |
| 33                              | 96                     | 56            | 2          | 0          | 77           | 83            | 1          | 35            | 7            | 357            |
| 34                              | 958                    | 453           | 1          | 0          | 121          | 63            | 0          | 302           | 9            | 1,907          |
| 35                              | 465                    | 253           | 2          | 0          | 43           | 88            | 1          | 492           | 2            | 1,346          |
| <u>Correct When Made Codes</u>  |                        |               |            |            |              |               |            |               |              |                |
| 50                              | 1,091                  | 538           | 3          | 0          | 24           | 401           | 17         | 538           | 13           | 2,625          |
| 51                              | 113                    | 143           | 3          | 0          | 18           | 236           | 16         | 143           | 12           | 684            |
| <u>Settlement</u>               |                        |               |            |            |              |               |            |               |              |                |
| 60                              | 0                      | 0             | 0          | 0          | 0            | 1             | 0          | 0             | 0            | 1              |
| <b>TOTAL</b>                    | <b>39,612</b>          | <b>24,846</b> | <b>247</b> | <b>576</b> | <b>4,902</b> | <b>13,287</b> | <b>505</b> | <b>31,082</b> | <b>1,030</b> | <b>116,087</b> |
| <b>Sub Totals:</b>              |                        |               |            |            |              |               |            |               |              |                |
| Reversals (Codes 41-47)         | 4,301                  | 2,398         | 16         | 39         | 409          | 4,398         | 76         | 3,279         | 107          | 15,023         |
| Affirmances (Code 10)           | 3,997                  | 2,776         | 136        | 440        | 2,253        | 3,803         | 255        | 3,175         | 242          | 17,077         |
| Remands (Codes 41-47)           | 1,644                  | 835           | 16         | 0          | 673          | 435           | 18         | 2,222         | 310          | 6,153          |
| Withdrawals (Codes 20-29)       | 25,704                 | 16,635        | 57         | 97         | 1,224        | 3,136         | 100        | 20,518        | 311          | 67,782         |
| Others (Cods 30-35)             | 2,762                  | 1,521         | 16         | 0          | 301          | 877           | 23         | 1,207         | 35           | 6,742          |
| Correct When Made (Codes 50-51) | 1,204                  | 681           | 6          | 0          | 42           | 637           | 33         | 681           | 25           | 3,309          |
| Settlement (Code 60)            | 0                      | 0             | 0          | 0          | 0            | 1             | 0          | 0             | 0            | 1              |

### Report of Fair Hearing Decisions by Outcome Reason for the Year 2012

| <b>Category of Assistance Code</b> | <b>Explanation of Codes</b>  |
|------------------------------------|--|
| 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   |
| SNAP                               | Supplemental Nutrition Assistance Program (SNAP) [previously known as Food Stamps]   |
| SERV                               | Social Services funded through the New York State Department of Family Assistance  |

## Report of Fair Hearing Decisions by Outcome Reason for the Year 2012

| 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   |
| 29                             | Agency Reevaluated Position Prior to Scheduling of Hearing   |
| <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.   |
| <u>Settlement</u>              |  |

