



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY BULLETIN # 12-09-OPE

PENDING FAIR HEARING REQUESTS

Date: February 2, 2012	Subtopic(s): Fair Hearings
<p> This procedure can now be accessed on the FIAweb.</p> <p>For this process, when the 702W is posted a W-270 WILL NOT be forwarded to the Job Center. The W-270 is not necessary for this process.</p>	<p>The purpose of this policy bulletin is to advise Job Center staff of a temporary process for resolving certain fair hearing decisions.</p> <p>The Division of Fair Hearing Administration (DFHA) is involved in a special project whereby fair hearing requests that have not yet been scheduled are identified for possible resolution. DFHA staff will review the list of cases awaiting a fair hearing date to determine if the issue can be resolved and, if so, take the appropriate action to process the resolution. DFHA will then send the list of cases that have been resolved to the Office of Temporary and Disability Assistance's (OTDA) Office of Administrative Hearings (OAH) which will issue a disposition of a fair hearing request. The disposition notice is prepared manually, which means the decision/disposition is not available through Web coins/COLD.</p> <p>Currently, Center staff is made aware of fair hearing decisions by reviewing the FHOUT worklist. Therefore, if a case on the FHOUT worklist has:</p> <ul style="list-style-type: none"> ▪ a disposition code of W29 (Agency Withdrawal), ▪ an indication in the Fair Hearing Information System (FHIS) that the fair hearing aid code 02 (Aid to Continue) was changed to 01(Client has settled in conference) and, ▪ action code 702W (W-270 Request Forwarded to Job Center) and 700A (FH Case Note) in NYCWAY; and ▪ no decision found in COLD (Web Coins and COLD are the same system), <p>then the resolution was processed prior to the fair hearing schedule date and the notice was sent manually.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

The only action required is to update the compliance subsystem.

For these cases the Compliance staff must still process the compliance via the Compliance Subsystem in NYCWAY and in accordance with PD 06-20-OPE. Otherwise the compliance review team at 210 Livingston Street will not be able to post their codes on such cases.

Effective Immediately

Related Item:
[PD #06-20-OPE](#)