



FAMILY INDEPENDENCE ADMINISTRATION
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POLICY BULLETIN #08-59-SYS
(This Policy Bulletin Replaces PB #05-63-SYS)

**DELETING DURATIONAL SANCTIONS IMPOSED IN ERROR
 OR TO COMPLY WITH A FAIR HEARING DECISION**

Date: June 2, 2008	Subtopic(s): Sanctions
<p> This procedure can now be accessed on the FIAweb.</p> <p>Refer to PD #01-38-EMP for more information on lifting sanctions.</p> <p>CA Case Level Opening Codes</p>	<p>The purpose of this policy bulletin is to inform Job Center staff, Fair Hearing Compliance staff, and the Fair Hearing Tracking Monitoring and Review Unit (FHTMRU) as to which CA opening codes are used to delete durational CA sanctions.</p> <p>Sanctions must be deleted if the sanction is imposed in error or to comply with a Fair Hearing decision. <u>If the sanction was implemented properly it should not be deleted</u>, nor should it be lifted prior to the expiration date. Once the properly imposed sanction has expired, the case/line can be reactivated with the appropriate CA opening code (in this instance, <u>do not</u> use any of the codes listed below).</p> <p>When a sanction is being deleted, staff must determine the type of sanction, e.g., employment, substance abuse, or intentional program violation. They must also determine whether or not the case or line is to be opened. Use of the appropriate code (indicated below) will automatically delete the sanction history, so as not to cause an improper bump up for the next infraction.</p> <p>When a durational sanction is being deleted, use one of the following opening codes where appropriate:</p> <p>Y46 Employment Unit Approved Override with documentation that allows the opening of employment sanctions during the infraction period. There is no notice required and the code should be used for the following:</p> <ol style="list-style-type: none"> 1. Client was incarcerated. 2. Client was hospitalized. 3. There had been a change of address. 4. Fair Hearing decision reversed and OES closing.

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*

CA Individual Line
Opening codes

- Y47** To be used to override an IPV sanction and open a case/suffix during the infraction period. Use of this code is restricted to EPF as the Origination Center. Manual notice is required.
- Y65** To be used to override a Drug and Alcohol Closing or Rejection Code during the infraction period. This removes the last sanction. No notice is required.
- 96** Client Now Willing to Comply with Departmental Policy.
- 97** Aid Continuing – Case Awaiting Fair Hearing Decision (to be used with approval of OES) No notice is issued. This is only used for ATC cases.
- V7** To be used to override a Drug and Alcohol Sanction Code during the infraction period. It removes the last sanction from history. No notice is issued.

Note: CA Opening code **114** (Override Opening Code – Prior Sanction History Remains) was made obsolete on May 27, 2008. Staff must refrain from using opening code **114**.

Reinstating Sanctions after a Fair Hearing Decision

Reminder: in instances where a sanction was lifted due to an Aid To Continue (ATC) directive and the Agency was subsequently affirmed in the hearing, the sanction must be reinstated and the notice must be suppressed by entering an **A** (Adequate) or **T** (Timely) in the **M3E** field on the Turn Around Document. A new notice is not required.

Effective Immediately

References:

[18 NYCRR 352.29](#)

Related Items:

[PB #02-47-EMP](#)

[PB #05-28-SYS](#)

[PD #01-38-EMP](#)