



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY DIRECTIVE #09-12-OPE

(This Policy Directive Obsoletes PB #05-14-OPE and PB #08-106-OPE)

CENTRALIZED FAIR HEARING DEFAULT PROCESS

Date: March 10, 2009	Subtopic(s): Fair Hearing
AUDIENCE	The instructions in this policy directive are for Division of Fair Hearing Administration's Fair Hearing Tracking, Monitoring, and Review Unit (FHTMRU) staff and serves to advise Job Center, and Fair Hearing and Conference (FH&C) staff of the centralized Fair Hearing default process. It is informational for all other staff.
POLICY	An appellant defaults when he/she fails to appear at his/her scheduled Fair Hearing. If aid continuing was directed when the Fair Hearing was requested, the original adverse action that prompted the Fair Hearing request must be carried out.
BACKGROUND An appellant is an applicant/participant who requests a Fair Hearing to contest an adverse action taken against him/her.	Defaults by cases granted Aid to Continue (ATC) status will now be processed by the Division of Fair Hearing Administration's Fair Hearing Tracking, Monitoring, and Review Unit (FHTMRU). These defaults will be reconciled ten (10) calendar days after the date the appellant failed to appear at the Fair Hearing (default date). Currently, NYCWAY auto-posts Fair Hearing disposition codes received from the Fair Hearing Information System (FHIS). When a participant with ATC status defaults at a Fair Hearing, NYCWAY posts one of the following Action Codes: <ul style="list-style-type: none"> • 730 (Fair Hearing Default, ATC, No Employability Status [ES] Change) • 730A (Fair Hearing Default, ATC, Automated ES Code Change) • 730B (Fair Hearing Default, ATC, Select ES Code)

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*

The appropriate Action Code is posted based on the following:

- If the Fair Hearing issue which prompted the original Fair Hearing request is not related to the contesting of employability, NYCWAY posts Action Code **730**. No action is taken to change the participant’s ES code.
- If the Fair Hearing issue which prompted the original Fair Hearing request is related to the contesting of employability, NYCWAY posts either Action Code **730A** or **730B**, as follows:
 - **730A** is posted if NYCWAY is able to determine the participant’s ES code prior to the Fair Hearing request. NYCWAY will also change the participant’s ES code from **70** (Contesting Employability Determination) back to its previous status (e.g., **20** [Employable], **64** [Substance Abuse Employable]).
 - **730B** is posted if NYCWAY is unable to determine the participant’s ES code prior to the Fair Hearing request. The participant’s current ES code of **70** may be manually changed to its previous status by the Worker when making a determination of a true default (see the posting of **730D** [True Default] Action Code section on pages 5-6).

Action Codes **730**, **730A** and **730B** all have a 10 calendar day Future Action Date (FAD), which gives the appellant sufficient time to reschedule a new hearing for the defaulted Fair Hearing.

To support the Fair Hearing default process, the following forms have been developed:

- Fair Hearing Default Reconsideration Action Letter (**W-186Q**)
- Default Worker Daily Log (**W-196E**)
- Default Supervisor Daily Log (**W-196G**)

REQUIRED ACTION

FHTMRU Fair Hearing Default Processing

Assigning Fair Hearing Default Cases

FHTMRU AJOS II

On a daily basis, the FHTMRU AJOS II performs the following:

- generates and reviews the **FHDIS** worklist that lists all ATC cases that defaulted (see the Guide to Generating the Fair Hearing Disposition [FHDIS] Worklist [**Attachment A**] for detailed instructions on generating this worklist in NYCWAY)

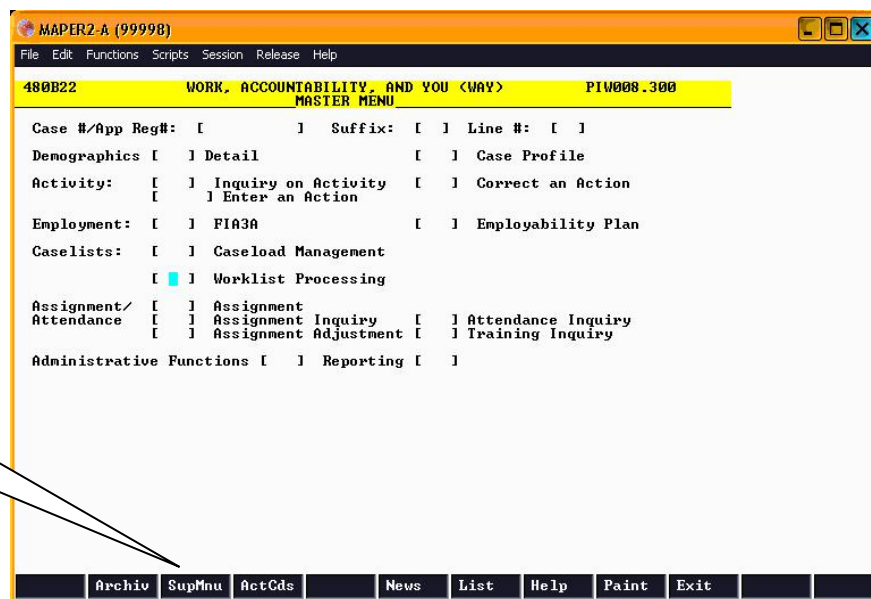
- forwards the **FHDIS** worklist to the FHTMRU AJOS I for processing.

FHTMRU AJOS I

Upon receipt of the **FHDIS** worklist, the FHTMRU AJOS I:

- assigns default cases from the worklist to FHTMRU JOS/Workers for processing and records the case assignment in the NYCWAY Fair Hearing Default Process Subsystem for each case. This is done by performing the following steps:
 - From the NYCWAY **Master Menu**, select the **F3 (SupMnu)** option.

Select **Supplementary Application Menus** option



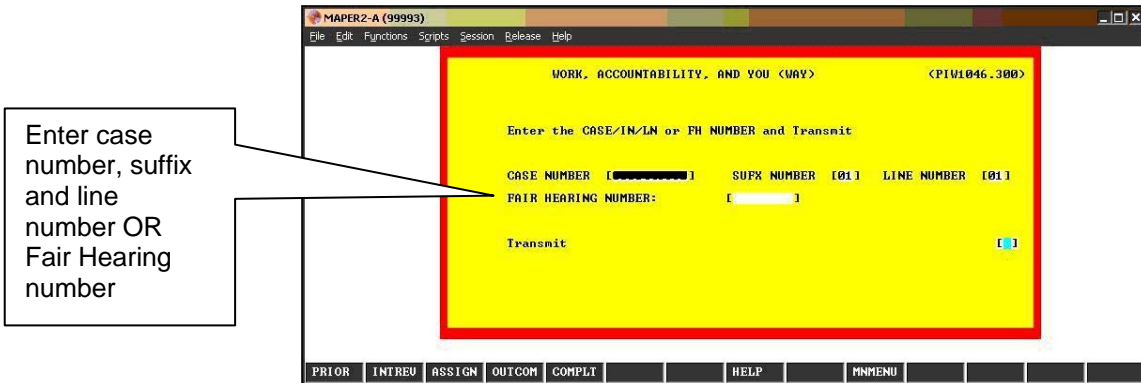
- The **Supplementary Application Menus** screen appears. Select the **FH Default Process** option.

Supplementary Application Menus option list

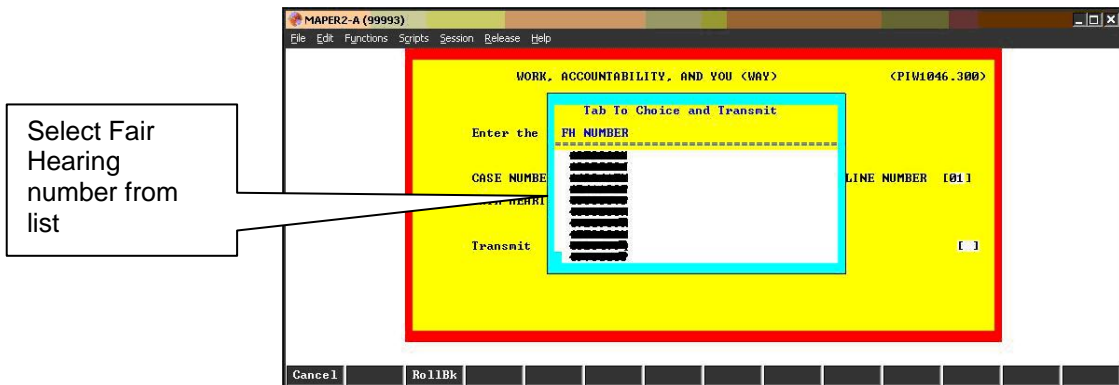
Select **FH Default Process** option



- Enter the case number, suffix and line number or Fair Hearing number and transmit.

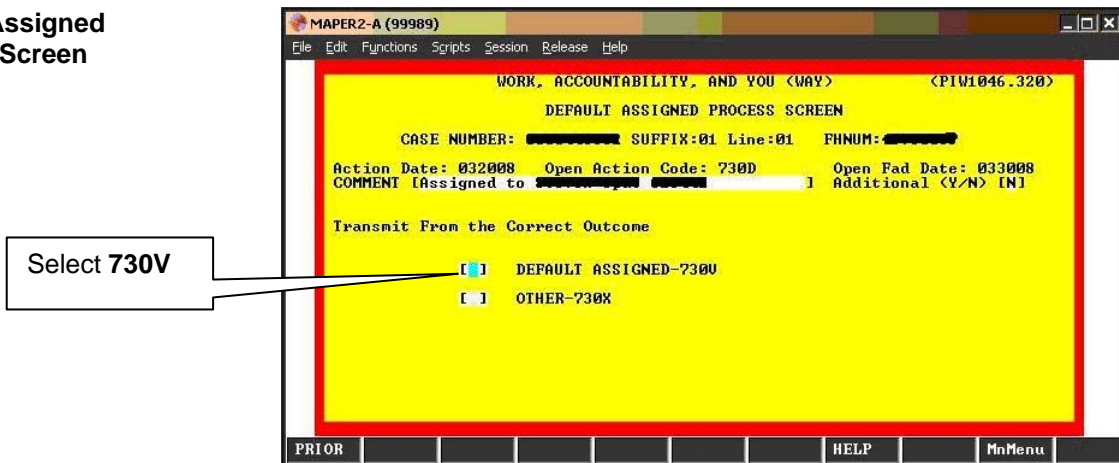


- If case number, suffix and line number were entered, a list displaying all Fair Hearing numbers matching this entry appears. Select the appropriate Fair Hearing number and transmit.



- The **Default Assigned Process Screen** appears. Select Action Code **730V** (Default Assigned) for each case.

Default Assigned Process Screen



The posting of **730V** moves the case from the **FHDIS** worklist to the Fair Hearing Assigned (**FHASG**) worklist.

- generates the **FHASG** worklist and forwards it with the case assignments to the JOS/Workers, who will review each case to determine if the default is a true default.

Determination of True Defaults

A true default occurs when a participant who requested a Fair Hearing was granted ATC until the hearing outcome, failed to appear at the scheduled Fair Hearing and there was no promise of a resolution prior to the hearing.

FHTMRU JOS/Worker responsibilities

Upon receipt of the **FHASG** worklist, the FHTMRU JOS/Worker must review the Fair Hearing information for each assigned case and determine whether the issue was resolved prior to the Fair Hearing at one of the following processes:

- Mandatory Dispute Resolution (MDR)
- Conciliation
- Conference
- Fair Hearing Evidence Packet Preparation

Note: Do not process defaults on HIV/AIDS Services Administration (HASA) cases including the **700**, **800**, and **900** caseload series.

For instructions on reviewing Fair Hearing information in NYCWAY, see the Guide to Reviewing Fair Hearing Information in NYCWAY (**Attachment B**).

The FHTMRU JOS/Worker records the results of the case review determination by performing the following:

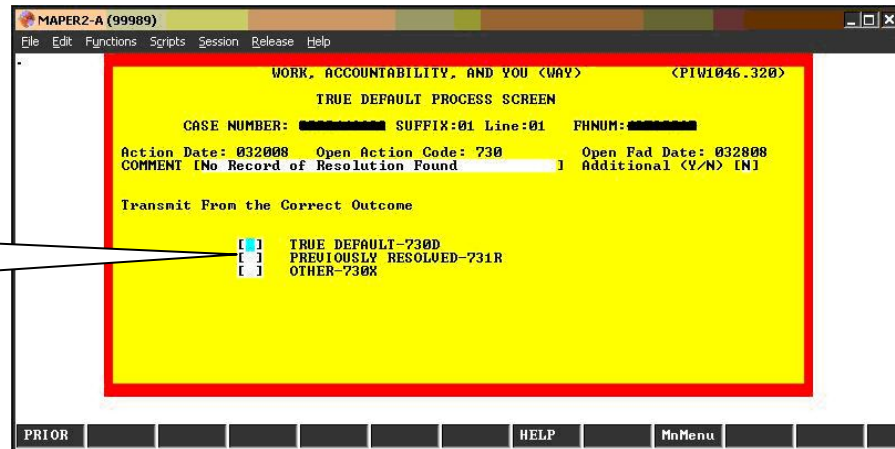
- Access the NYCWAY Fair Hearing Default Process Subsystem (see pages 3-4 for instructions on accessing this subsystem) and select one of the following Action Codes on the **True Default Process Screen**:

Issue not resolved prior to Fair Hearing

- **730D** (True Default) – the case is considered a true default as the issue was not resolved prior to the scheduled Fair Hearing. Further action cannot be taken on the case until the eleventh day of the default period. Action Code **730D** removes the case from the **FHASG** worklist and places it on the **FHDEF** worklist.

True Default Process Screen (for Open Action Code 730)

Select appropriate Action Code

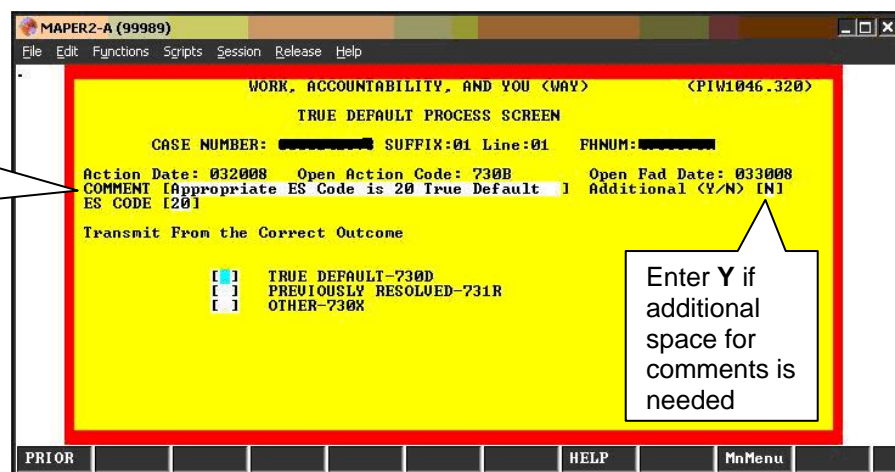


When posting the **730D** on cases where the open default Action Code is **730A** or **730B**:

- If the open default Action Code is **730A**, the system automatically changes the participant's ES code back to its previous status. No further action by the FHTMRU JOS/Worker to determine or enter the previous ES code is necessary.
- If the open default Action Code is **730B**, the FHTMRU JOS/Worker can change the participant's ES code back to its previous status (e.g., **20** [Employable], **64** [Substance Abuse Employable]) by modifying the value in the **ES Code** field on the **True Default Process Screen**, as appropriate. The participant's Employability Status history can be found on the **Client Transaction History** screen in WMS.

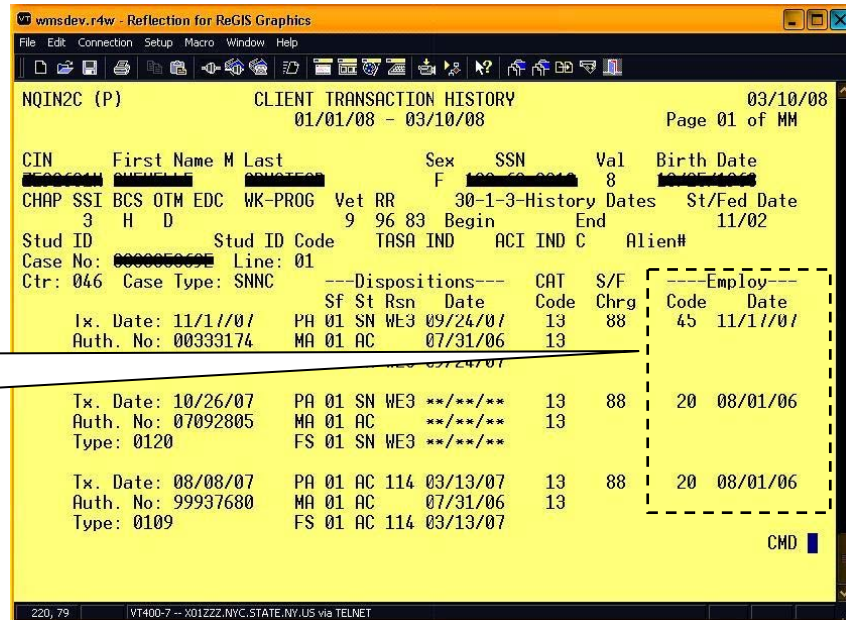
True Default Process Screen (for Open Action Codes 730A and 730B)

If appropriate, change **ES Code** and enter related comments



Client Transaction History screen

View participant's **Employability Status** history



Issue resolved prior to Fair Hearing

Other scenario

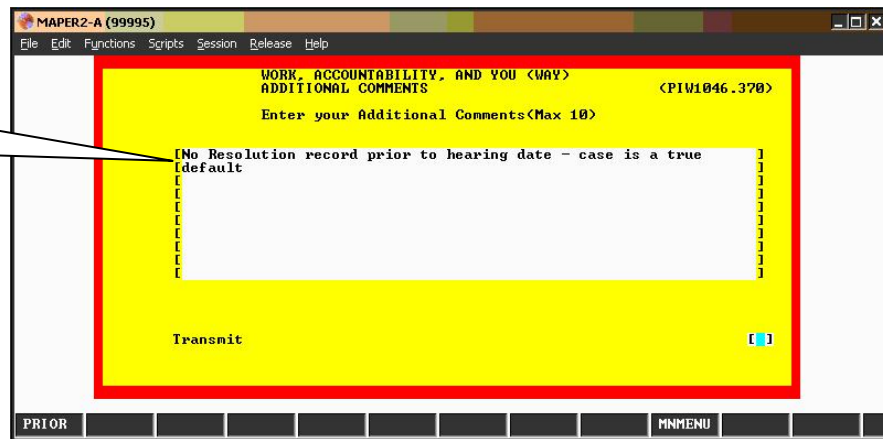
- **731R** (Resolutions) – the contested issue was resolved prior to the scheduled Fair Hearing. Action Code **731R** removes the case from the **FHASK** worklist. No further default related action is required to be taken on the case.
- **730X** (Other) – the participant’s case was closed for an unrelated issue prior to the ATC start date, or no action is to be taken on the case for administrative reasons. A comment is required (with the Fair Hearing number) to describe the closing or administrative reason. Action Code **730X** removes the case from the **FHASK** worklist. No further default related action is required to be taken on the case.

- Enter related comments for the determination. If additional space is needed, enter **Y** in the **Additional** field to access the **Additional Comments** screen after transmitting.

Note: When data entering a Fair Hearing number (including case notes and comments) into any system, please ensure that the correct eleven character format is used, as follows: "FH:" + seven numbers + capital alphabetic character, e.g., **FH:9999999A**.

Additional Comments
screen

Enter additional comments, if necessary



- Indicate the case review determination on the Default Worker Daily Log form (**W-196E**).

FHTMRU JOS/Worker responsibilities

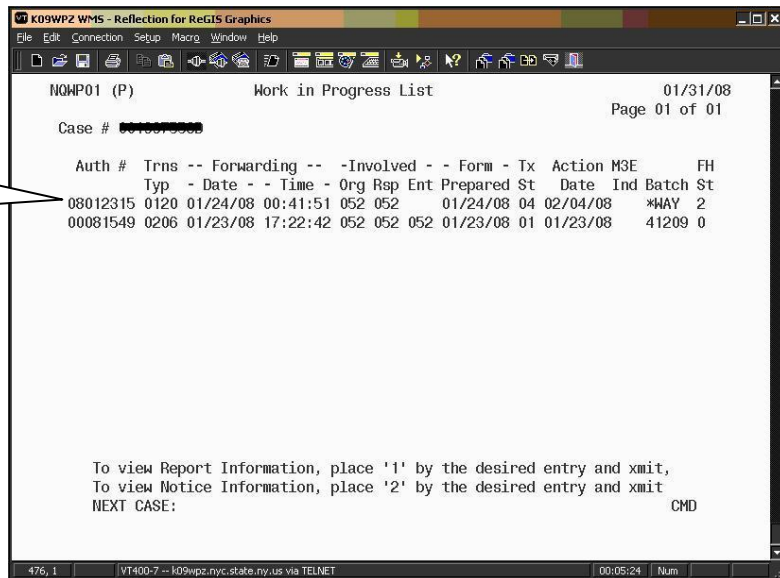
The FHTMRU JOS/Worker performs the following for each case determined to be a true default, starting the first business day following the tenth calendar day after the default date:

- If ATC was implemented through an automated process, prepare the Fair Hearing/Case Update Data Entry Form ([LDSS-3722](#)), as follows:
 - Check the **Close/Change** box.
 - Enter **5** (Client Lost Fair Hearing, Agency Upheld) in the **Aid Status** field.
 - Enter the authorization number associated with the action with a Fair Hearing status of **2** (Aid Continuing) in the **Original Authorization Number** field. This authorization number can be found on the WMS **Work in Progress List (23)** screen. **Note:** Ensure the accuracy of the authorization number by entering a **1** by the desired entry and transmitting to view detailed report information.

Once the information on form **LDSS-3722** is data entered into WMS, the system will automatically initiate the original action (action that prompted the Fair Hearing request).

Work in Progress List (23) screen

Authorization Number and related information



- Complete the PA Recoupment Data Entry Form – WMS ([LDSS-3573](#)) to initiate the recoupment of benefits from the date ATC was initiated to the date the default is being acted upon. Enter code **X** (Contested Reduction) in the **Offense Type** field.
 - If the case is closed on an unrelated issue, initiate the recoupment of benefits from the date ATC was initiated to the date the case was closed. The recoupment will take effect once the case reopens.
- If ATC is implemented with CA opening code **Y43** (Aid Continuing

The original action can

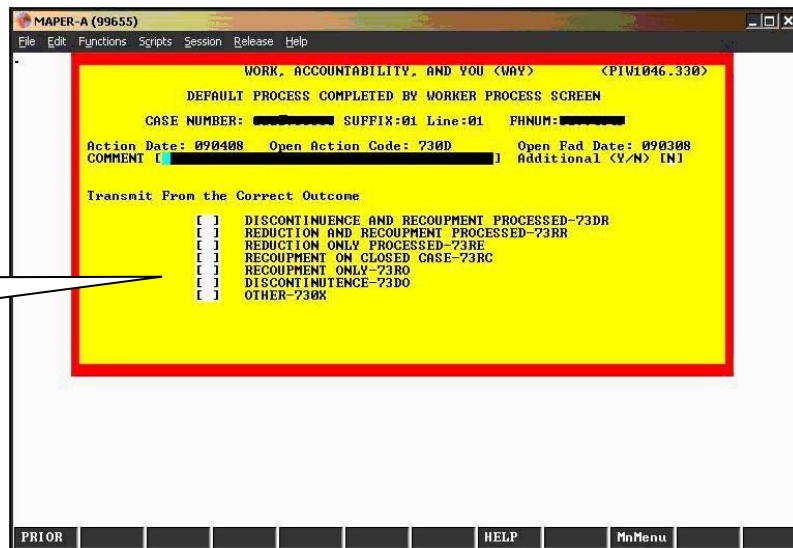
be found on the **All Change Actions (04)**, **Pending Actions and Outstanding Items (08)** or **Work in Progress List (23)** screens in WMS.

Reopening) or FS opening code **Y45** (Other [Manual Notice Required]), then initiate the original adverse action and suppress the Client Notices System (CNS) notice by entering an **A** (Adequate) in Element **053 (M3E)** on the Turn-Around Document (TAD).

- Access the NYCWAY Fair Hearing Default Process Subsystem and based on the action taken (re-initiation of original adverse action), select the appropriate Action Code on the **Default Process Completed by Worker Process Screen**:
 - **73DO** (Discontinuance Only)
 - **73DR** (Discontinuance and Recoupment Processed)
 - **73RC** (Recoupment on Closed Case)
 - **73RE** (Reduction Only Processed)
 - **73RO** (Recoupment Only)
 - **73RR** (Reduction and Recoupment Processed)

Default Process Completed by Worker Process Screen

Select appropriate Action Code



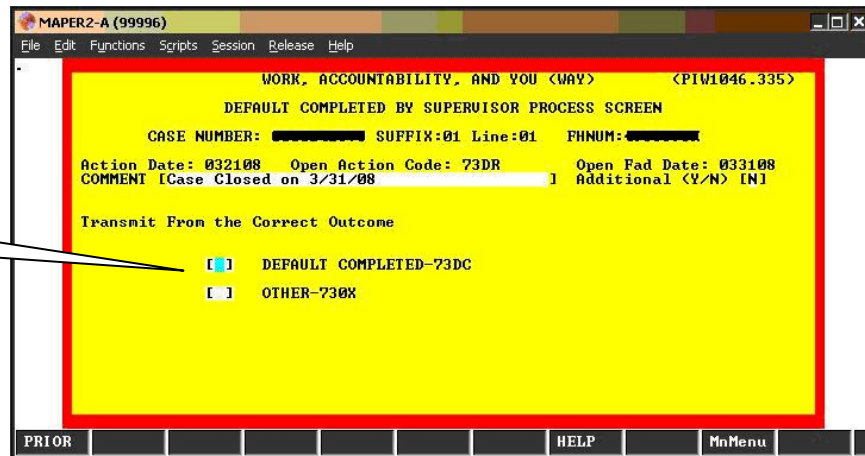
- Indicate the action taken on form **W-196E**.
- Forward all documents to the FHTMRU AJOS I for review and sign off.
- At the end of each business day, forward form **W-196E** to the FHTMRU AJOS I.

The FHTMRU AJOS I must perform the following:

- Review the documentation and forward it to the Control Unit for data entry.
- Access the NYCWAY Fair Hearing Default Process Subsystem and enter Action Code **73DC** (Default Completed) on the **Default Completed by Supervisor Process Screen**. **73DC** completes Action Codes **73DO**, **73DR**, **73RE**, **73RC**, **73RO** and **73RR**.

Default Completed by Supervisor Process Screen

Select 73DC



Default Process

Once the entire default process is complete (case action is reflected)

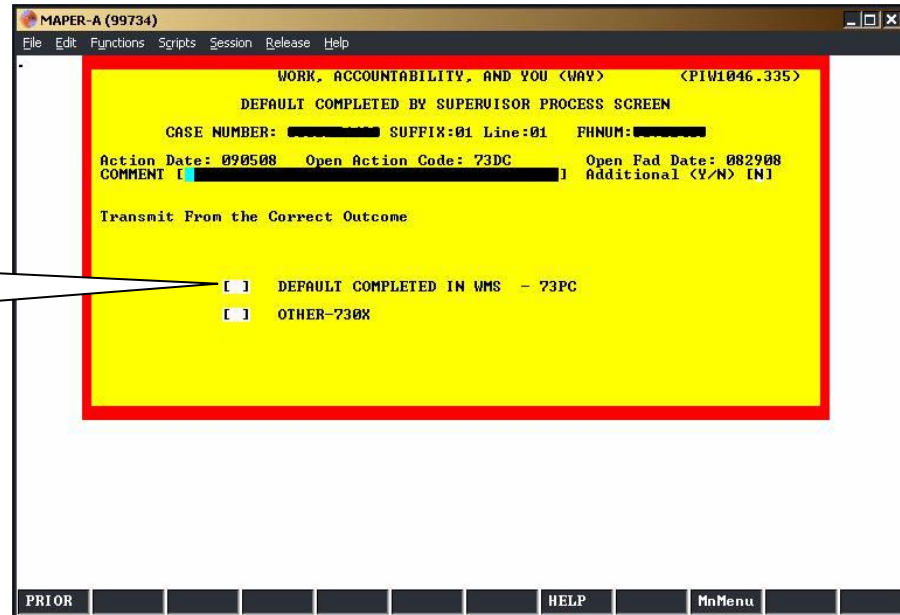
Complete

in WMS), Action Code **73PC** (Default Completed in WMS) is automatically posted by NYCWAY on cases with an open **73DC** Action Code and a case status of Closed or Sanctioned. For cases for which Action Code **73PC** is not autoposted (e.g., Recoupment Only default actions), once the case action is reflected in WMS, the FHTMRU Supervisor must manually post this Action Code on the **Default Completed by Supervisor Process Screen** in the NYCWAY Fair Hearing Default Process Subsystem. **73PC** completes Action Code **73DC**.

Action Code **73PC** autoposts for closing and sanction actions only.

Default Completed by Supervisor Process Screen

Select **73PC** if not autoposted by NYCWAY



W-196E and **W-196G** Processing

The FHTMRU Supervisor is responsible for completing the Default Supervisor Daily Log form (**W-196G**) on a daily basis based on the information collected on the **W-196E** forms.

Servicing Individuals with Default Related Requests at Job/Model

Centers

The individual against whom the Fair Hearing default action was taken may go to his/her Job/Model Center requesting the following:

- To reapply for benefits (for closed cases):

If the individual requests to reapply for benefits, he/she may do so per current procedure for closed cases. At Job Centers, the Receptionist must refer him/her to a Case Management Unit (CMU) JOS/Worker for application processing. At Model Centers, this referral should be made at Front Door Reception (FDR) to CMU via a **CA Application/Addn** ticket. The CMU JOS/Worker must review NYCWAY for Action Code **73PC** in the case history. If the **73PC** is present, the CMU JOS/Worker must not issue retroactive benefits (to cover benefits lost due to the Fair Hearing default) when processing the application.

- Information regarding the reason for the adverse action:

If the individual requests information regarding the adverse action taken on his/her case, he/she should be referred to a CMU JOS/Worker at Job Centers or to the Customer Service and Information Center (CSIC) with a **CSIC General** ticket from FDR at Model Centers.

The CMU or CSIC JOS/Worker must review NYCWAY for Action Code **73PC** in the case history and if present, explain to the individual that the adverse action was taken as a result of his/her failure to attend his/her scheduled Fair Hearing.

- Reversal of the adverse action taken and/or issuance of retroactive benefits:

If the individual requests the reversal of the adverse action and/or restoration of his/her benefits, the JOS/Worker must review NYCWAY for Action Code **73PC** or **73DC** in the case history. If either code is present, the JOS/Worker must refer him/her to the Fair Hearing & Conference (FH&C) Unit for further review and investigation. FH&C staff will review the case to determine if it may be appropriate to undo the default action. Such reasons include:

- New York State (NYS) Office of Temporary and Disability

- Assistance (OTDA) granted good cause for the default
- Fair Hearing was rescheduled
- Issue was settled in Conference prior to the scheduled Fair Hearing date

If the FH&C Worker determines there is insufficient cause to undo the default action, he/she will advise the individual of such and take no further default related action on the case. If the individual would like to reapply for benefits, the FH&C Worker must refer him/her to a CMU JOS/Worker at Job Centers or issue a **CA Application/Addn** ticket to route him/her to CMU at Model Centers for application processing.

If the FH&C Worker determines there is sufficient cause to undo the default action, he/she will route the case to FHTMRU for further review by posting Action Code **73DF** (Request to Reconsider Default Action) in NYCWAY. **73DF** places the case on the **FHDFC** worklist. FHTMRU will make the final determination of whether to undo the default action.

FHTMRU will review the **FHDFC** worklist daily. For each case on the worklist, the FHTMRU Worker will perform the following:

- Investigate the case history to determine if it is appropriate to reverse the adverse action and/or restore benefits.
- Within 5 business days of the posting of Action Code **73DF**, post the appropriate Action Code in NYCWAY based on his/her determination, as follows:
 - **73DD** (Request to Reconsider Default Action Denied)
 - **73DG** (Fair Hearing Default Case Restored)

If **73DG** is posted, the FHTMRU Worker must also perform the following:

- Take all necessary steps to undo the default action (e.g., reopen the closed case, restore assistance and benefits lost by the participant retroactive to the default date) and if necessary, reinstate the ATC status.

- If the individual is to receive retroactive benefits, notify

him/her of the amount of the benefit, the date the benefit becomes available and the time period it covers by mailing either the Notice of Special Cash Assistance and/or Food Stamp Benefit (**EBT-23**) for benefits issued by Electronic Benefit Transfer (EBT) or the Notice of Special Grant (**W-636**) for benefits issued by check.

Action Codes **73DD** and **73DG** complete Action Code **73DF** and are also self-completing.

- For both decisions, mail the individual the Fair Hearing Default Reconsideration Action Letter (**W-186Q**) notifying him/her of the Agency’s determination.

Good Cause Not Granted by OTDA, Fair Hearing Not Rescheduled

If the participant attempts to reschedule the Fair Hearing but OTDA does not grant good cause, NYCWAY will autopost Action Code **760F** (Fair Hearing Reopen Denial). This case will remain on the **FHDIS**, **FHASG** and/or **FHDEF** worklist until a **73DC** is posted. **Note:** Action Code **760F** does not complete Action Code **730D**.

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications

There are no POS implications.

Food Stamp Implications

Food Stamp benefits may be subject to discontinuance or reduction as a result of a Fair Hearing Default.

Medicaid Implications

Medical Assistance benefits may be subject to discontinuance as a result of a Fair Hearing Default.

**FAIR HEARING
IMPLICATIONS**

If a Fair Hearing is requested as a result of actions taken in the default process, any aid continuing directive must be challenged. The supporting documents are the FHIS screens showing a default on the previous hearings, as well as the documents supporting what was done in response to the default.

If an appellant defaults on a fair hearing she/he has 10 days after the date of the hearing to request a new hearing date. If OTDA determines that the applicant/participant had a good cause reason for missing the scheduled fair hearing a new hearing date will be issued with the same fair hearing number, the default directive must be rescinded and ATC status restored.

If OTDA determines that the appellant did not have a good cause reason for missing the scheduled fair hearing a new hearing date can be issued with a new fair hearing number. In this instance, the default action remains in place and ATC is not granted.

Avoidance/
Resolution at Job
Centers

If the default action results in a recoupment challenged by a Fair Hearing, the documents to defend are the above-stated. In addition, documents supporting the resulting budget change (as affected by the recoupment) and case note entries explaining why the recoupment is being processed can be used to defend the action.

Conferences at Job
Centers

If an appellant seeks a conference involving action taken as the result of a default, confirm that there was no resolution and that ATC was granted. This is a true default. If no resolution occurred, then there is no settling in conference, other than to explain that the action resulted from the appellant's failure to attend the scheduled Fair Hearing and that he/she must reapply for benefits if he/she believes he/she is eligible.

The FH&C AJOS/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS/Supervisor I will explain the reason for the Agency's action(s) to the applicant/participant.


Evidence Packets

All Evidence Packets must contain a detailed history (e.g., copies of POS "Case Comments" and/or NYCWAY "Case Notes" screens, History Sheet form [\[W-25\]](#)), copies of relevant WMS screen printouts, notices sent and other documentation relevant to the action taken.

REFERENCES

- [18 NYCRR 358-2.23](#)
- [18 NYCRR 358-3.6\(a\)\(1\)](#)
- [18 NYCRR 358-5.5\(a\),\(b\)](#)

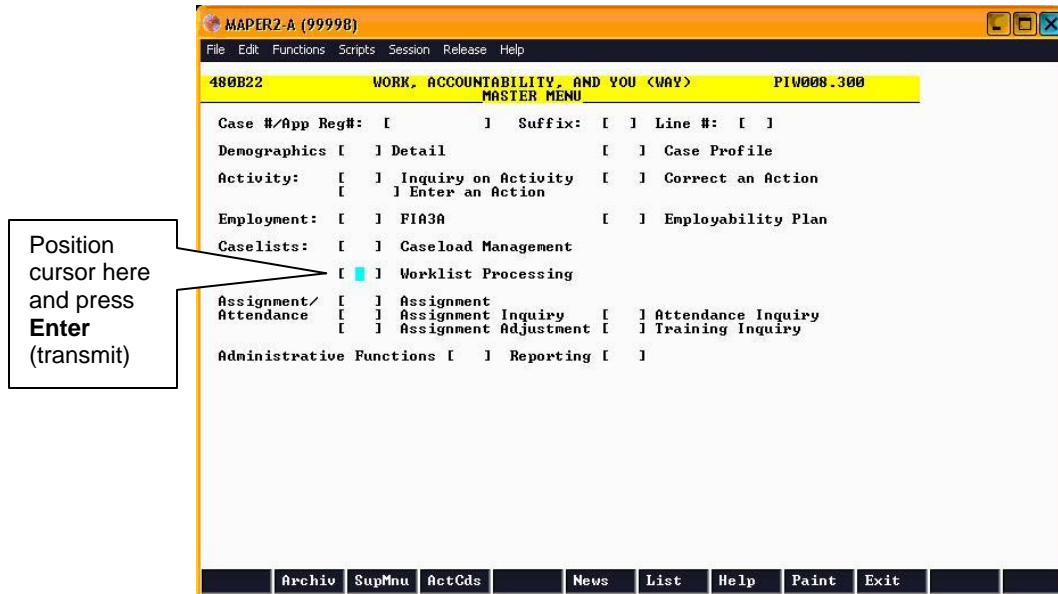
ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

- Attachment A** Guide to Generating the Fair Hearing Disposition (FHDIS) Worklist
- Attachment B** Guide to Reviewing Fair Hearing Information in NYCWAY
- W-186Q** Fair Hearing Default Reconsideration Action Letter
- W-186Q (S)** Fair Hearing Default Reconsideration Action Letter (Spanish)
- W-196E** Default Worker Daily Log
- W-196G** Default Supervisor Daily Log

Guide to Generating the Fair Hearing Disposition (FHDIS) Worklist

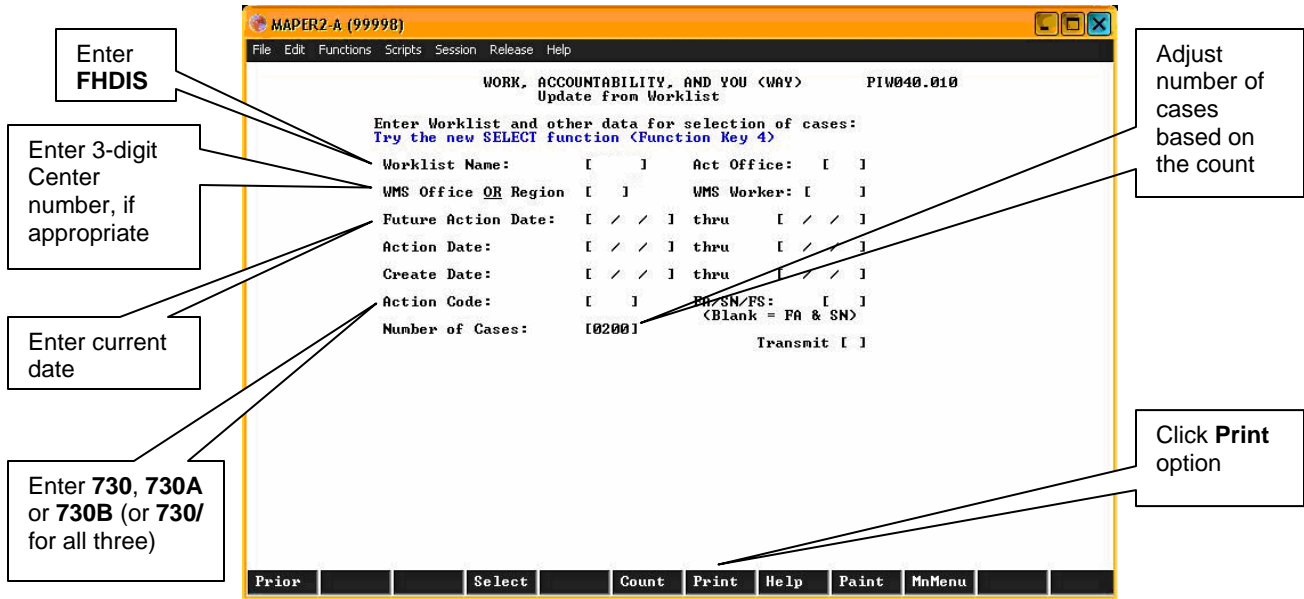
- From the NYCWAY **Master Menu** screen, select the **Worklist Processing** option and transmit.



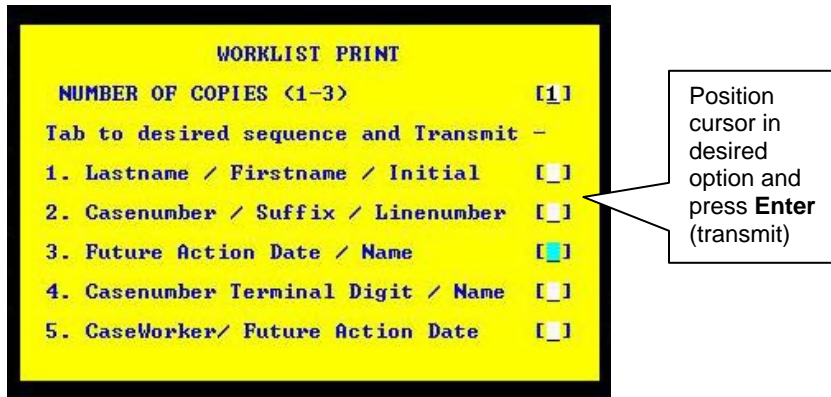
- The **Update from Worklist** screen appears (shown on following page). Enter the following:
 - FHDIS** in the **Worklist Name** field
 - 730, 730A or 730B** in the **Action Code** field

Note: **730/** may be entered to generate a worklist with all three action codes (no other **730** codes currently exist in NYCWAY).

 - the three-digit Center number in the **WMS Office OR Region** field (if necessary)
 - the current date in the **Future Action Date** field.
- Press **F6** (Count) or click the **Count** menu option to obtain the total number of default cases. If necessary, adjust the number of cases to include on the worklist in the **Number of Cases** field.
- Press **F7** (Print) or click the **Print** menu option.

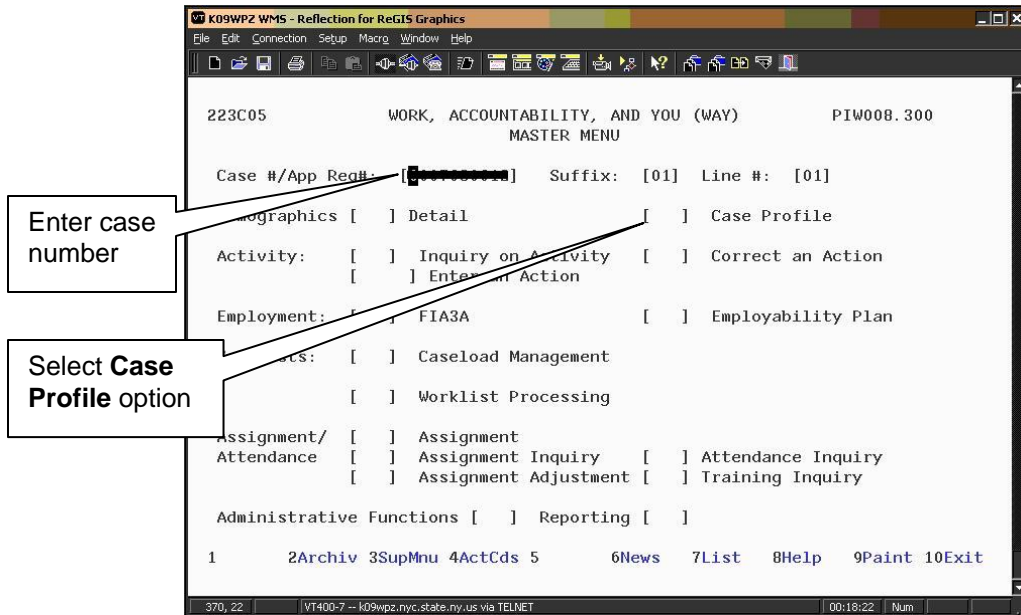


- The **Worklist Print** menu appears. Enter the number of copies desired (up to a maximum of three) in the **NUMBER OF COPIES (1-3)** field (defaults to 1). Select the desired print sequence option (e.g., Last name/First name/Initial or Case number/Suffix/Line number) and transmit.



Guide to Reviewing Fair Hearing Information in NYCWAY

- From the **Master Menu** screen, enter the case number in the **Case #/App Reg#** field, select the **Case Profile** option and transmit.

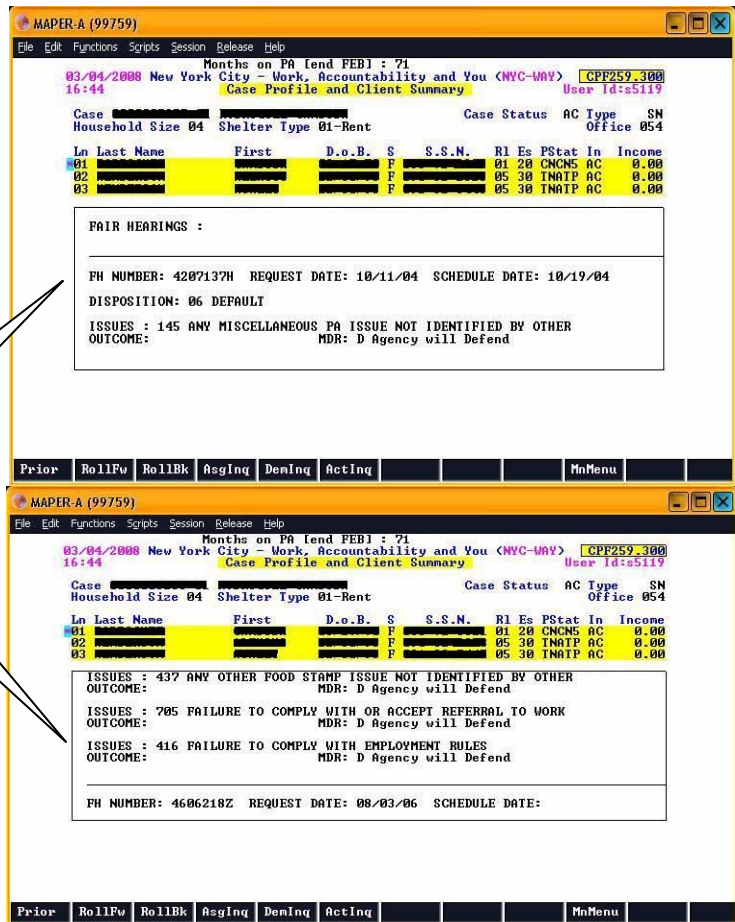


- The **Case Profile and Client Summary** screen appears. It provides a comprehensive profile of the case and all case participants. To view the Fair Hearing related information, it may be necessary to use the **RollFw (F2)/RollBk (F3)** options to scroll through the case profile. The Fair Hearing information is usually displayed on more than one screen and provides the following:

- Fair Hearing Number
- Request Date
- Schedule Date
- Disposition
- Fair Hearing issue(s) with Fair Hearing and MDR outcomes for each issue

Note: As multiple Fair Hearing requests may be present on the case, ensure the correct Fair Hearing information is being reviewed by confirming that the Fair Hearing information on the **Case Profile and Client Summary** screen matches the Fair Hearing information found on the **Activity Record** of Action Code **730, 730A or 730B** posted on the case and the Fair Hearing information found in FHS. The **Activity Record** information is accessed from the **Activity Inquiry** screen by selecting the desired Action Code and transmitting.

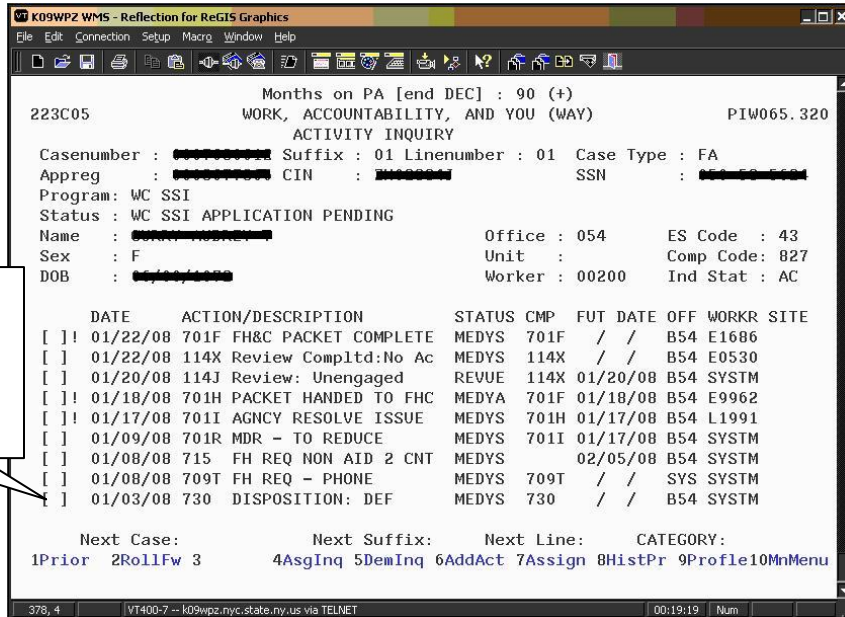
View Fair Hearing information



- To determine whether the Fair Hearing issue was resolved prior to the Fair Hearing, perform the following:
 - From the **Master Menu** screen, enter the case number in the **Case #/App Reg#** field, select the **Inquiry on Activity** option and transmit.
 - The **Activity Inquiry** screen appears. It displays all activities associated with the case (press **F2** to scroll forward/**F3** to scroll backwards through activities, if necessary).

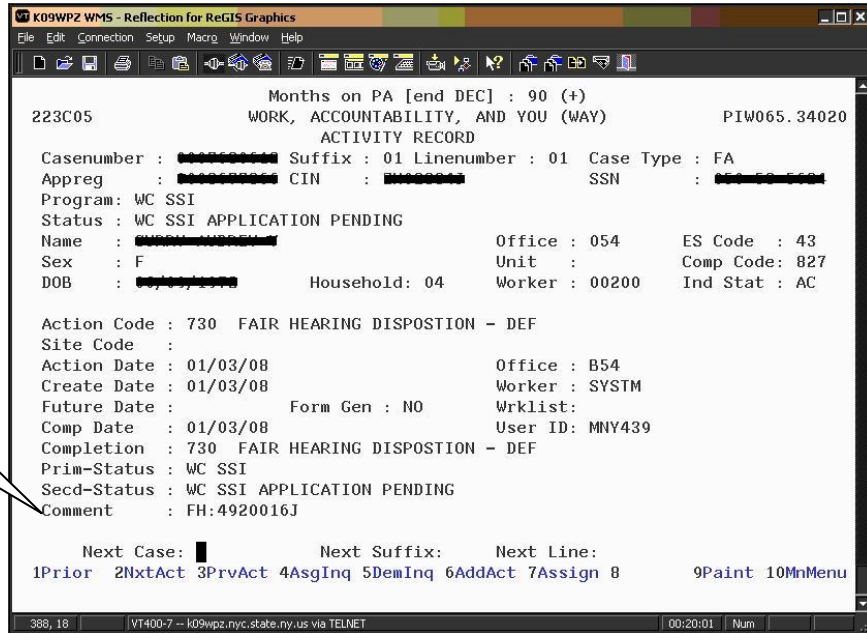
Note: JOS/Workers may use the **Action Category List** function via the **Category** option on the **Activity Inquiry** screen to filter the activities based on categories. Applicable categories include Fair Hearing, Infractions/Good Cause, Automated MDR and Archived Records.

Transmit from selected activity to view action details on the **Activity Record** screen



- View comments entered on a specific activity by selecting the activity and transmitting to view the **Activity Record** screen.

View activity comments



- Press **F8** from the **Activity Inquiry** screen to generate the **Activity History Print** document. This document contains all the actions taken on a case including all related comments (it provides the same information found on the **Activity Inquiry** and **Activity Record** screens in a comprehensive document format).

Note: If archive records are found around the date of the Fair Hearing being reviewed when choosing the **Category** option, **Archived Records** filter criteria, the JOS/Worker should generate an **Activity History Print** to ensure all relevant case actions are included in the review process.

NYCWAY ACTIVITY HISTORY PRINT - Created on 01/23/2008 @ 11:31									
WORK, ACCOUNTABILITY, AND YOU (WAY) PIW065.320									
ACTIVITY INQUIRY									
Casenumbr :	██████████	Suffix :	01	Linenumber :	01	Case Type :	FA		
Appreg :	██████████	CIN :	██████████	SSN :	██████████				
Program :	WC SSI								
Status :	WC SSI APPLICATION PENDING								
Name :	██████████	Office :	054	ES Code :	43				
Sex :	F	Unit :		Comp Code :	827				
DOB :	██████████	Worker :	00200	Ind Stat :	AC				
DATE	ACTION/DESCRIPTION	STATUS	CMP	PUT	DATE	OFF	WORKR	SITE	
01/22/08	701F FH&C PACKET COMPLETE	MEDYS	701F	/	/	B54	E1686		6A
	FH:4944156P mdr reviewed								
01/22/08	114X Review Compltd:No Ac	MEDYS	114X	/	/	B54	E0530		7A
01/20/08	114J Review: Unengaged	REVUE	114X	01/20/08		B54	SYSTEM		8A
	Updated thru System - 22:12 080120								
01/18/08	701H PACKET HANDED TO FHC	MEDYA	701F	01/18/08		B54	E9962		9A
	FH:4944156P PACKET GIVEN TO FH&C								
01/17/08	701I AGNCY RESOLVE ISSUE	MEDYS	701H	01/17/08		B54	L1991		10A
	FH:4944156P client budget is correct she was explai ned her budget and agreed also she will not proceed to FH case r esolved								
01/09/08	701R MDR - TO REDUCE	MEDYS	701I	01/17/08		B54	SYSTEM		11A
	FH:4944156P FHRQDT:071219 NOTICE:080108								
01/08/08	715 FH REQ NON AID 2 CNT	MEDYS		02/05/08		B54	SYSTEM		12A
	FH:4944156P								
01/08/08	709T FH REQ - PHONE	MEDYS	709T	/	/	SYS	SYSTEM		13A
	FH:4944156P								
01/03/08	730 DISPOSITION: DEF	MEDYS	730	/	/	B54	SYSTEM		14A
	FH:4920016J								
12/27/07	169N WC SSI APPL COMPLTD	MEDYS		12/26/09		Y54	y0697 Y54		15A
	Client reported today as scheduled. Client complying with the program at this time. Client completed a Supplemental application for SSI/SSDI today.								
12/21/07	730N DISPO: DEF Non-Aid	MEDYS	730N	/	/	SYS	SYSTEM		16A
	FH:4915572J								
12/20/07	702X W-270 EXPIRED	MEDYS	702X	/	/	B54	SYSTEM		17A
	FH avoidance due to agency error closing because case was SIC in								
12/20/07	100a CASE NOTE	MEDYS	100a	/	/	Y81	y0886		18A
	client appeared for sched crt appt on 12/20/07. original appt was for 12/14/07. client and sw reviewed csp and wrp info and fco. client prev activity was SSI/SSD . client did report change in condition, prescription seen no pcp letter. sw rec Return to SSI/SSD unit. appt given. CProsper, LMSW								
12/20/07	119U EP BARRIER: EXEMPT	MEDYS	119U	/	/	B54	y0886		19A
	BAEP closed down by systemor								
12/20/07	168H WC DISAB BEN RPRL	MEDYS	169N	12/27/07		Y54	y0886 Y54		20A
12/20/07	168S WC UNABLE TO WRK	MEDYS	168H	12/20/07		Y52	y0886 y81		21A
	RCO Autoposted by CRT vendor								

- Using the Fair Hearing number indicated in the activity record's comments, identify all actions that may indicate the Fair Hearing issue was resolved. Possible actions include:
 - 701I** (Agency Resolved Issue)
 - 702W (W-270)** Forwarded to Job Center Operations)
 - 810/ and 820/** (Good Cause Granted – Conference/ Conciliation) related codes
 - 995** (Infraction Settled: Applicant)

- As multiple Fair Hearing requests may be present on the case, ensure that the resolution action is associated with the Fair Hearing in question by linking the Fair Hearing number to the Fair Hearing number entered in the action's comments. The comments section may also provide information on whether action(s) was/were promised to restore the case status and/or participant's benefits. This information may also be found in a case note entry (**100A**) or Fair Hearing case comment (**700A**).

Identify resolution action.

DATE	ACTION/DESCRIPTION	STATUS	CMP	FUT	DATE	OFF	WORKR	SITE
01/22/08	701F FH&C PACKET COMPLETE FH:4944156P mdr reviewed	MEDYS	701F	/	/	B54	E1686	6A
01/22/08	114X Review Compltd:No Ac	MEDYS	114X	/	/	B54	E0530	7A
01/20/08	114J Review: Unengaged Updated thru System	REVUE	114X	01/20/08		B54	SYSTEM	8A
01/18/08	701H PACKET HANDED TO FHC FH:4944156P PACKET GIVEN TO FH&C	MEDYA	701F	01/18/08		B54	E9962	9A
01/17/08	701I AGENCY RESOLVE ISSUE FH:4944156P client budget is correct she was explained her budget and agreed also she will not proceed to FH case resolved	MEDYS	701H	01/17/08		B54	L1991	10A
01/09/08	701R MDR - TO REDUCE FH:4944156P FHRQDT:071219	MEDYS	701I	01/17/08		B54	SYSTEM	11A
01/08/08	715 FH REQ NON AID 2 CNT FH:4944156P	MEDYS		02/05/08		B54	SYSTEM	12A
01/08/08	709T FH REQ - PHONE FH:4944156P	MEDYS	709T	/	/	SYS	SYSTEM	13A
01/03/08	730 DISPOSITION: DEF FH:4920016J	MEDYS	730	/	/	B54	SYSTEM	14A

Date: _____
Case Number: _____
Case Name: _____
Center: _____
Fair Hearing Number: _____

Fair Hearing Default Reconsideration Action Letter

This is in response to your request received on _____, to reconsider actions taken on your case as a result of a Fair Hearing default. You defaulted when you failed to attend the Fair Hearing (Fair Hearing number indicated above) scheduled for _____. When you requested the Fair Hearing on _____, you were granted the continuation of your benefits (aid to continue) until the decision.

After a careful review, we have determined that:

- Your request to reopen the defaulted Fair Hearing was denied by the New York State (NYS) Office of Temporary Disability and Assistance (OTDA) but a new Fair Hearing was granted without aid to continue.
- The action(s) taken on your case is (are) correct. No further actions will be taken.
- The action(s) taken as a result of your failure to attend the Fair Hearing has (have) been reversed. Therefore, your case has been restored to its previous aid to continue status and all lost benefits have been restored to \$ _____ effective _____.

Fecha: _____
Número del Caso: _____
Nombre del Caso: _____
Centro: _____
Número de la Audiencia Imparcial: _____

Carta de Medida de Reconsideración de Incomparecencia a la Audiencia Imparcial

La presente es una respuesta a su petición recibida el _____, de reconsiderar medidas tomadas respecto a su caso a raíz de incomparecencia. Usted no compareció como debido a la Audiencia Imparcial (número de Audiencia Imparcial indicado más arriba) programada para el _____. Cuando usted solicitó la Audiencia Imparcial el _____, se el otorgó la continuación de sus beneficios (aid to continue) hasta la decisión.

Tras un cuidadoso repaso, hemos determinado que:

- Su petición de que se vuelva a abrir la Audiencia Imparcial a la cual usted no asistió fue denegada por la Oficina del Estado de Nueva York (NYS) para Incapacidades Temporarias y Asistencia (OTDA), pero se concedió una nueva Audiencia Imparcial sin beneficios continuos.
- La medida(s) tomada respecto a su caso es correcta. No se tomarán medidas adicionales.
- La medida(s) tomada a raíz de su incomparecencia a la Audiencia Imparcial ha sido cancelada. Por lo tanto, su caso ha sido restablecido a su estado anterior de asistencia continua y todos los beneficios perdidos se han restablecido a \$ _____ en vigor el _____.

Default Worker Daily Log

Name: _____

Date: _____

Case Name	Case Number	Suff. No.	Line No.	Fair Hearing No.	Review Outcome		Scheduled/ Rescheduled (725/726)	Other (730X)	Case Processed						Comments
					True Default (730D)	Resolution (731R)			Discontinuation and Recoupment (73DR)	Discontinuation Only (73DO)	Reduction and Recoupment (73RR)	Reduction Only (73RE)	Recoupment on Closed Case (73RC)	Recoupment Only (73RO)	
SAMPLE															
TOTALS:															

No. of Cases Received: _____ No. of Cases Completed: _____ No. of Cases Remaining to be Completed: _____ No. of Cases Carried Over: _____

Default Supervisor Daily Log

Name: _____

Date: _____

Worker Name	No. of Cases Assigned	No. of Cases to be Processed	Cases Processed					No. of Resolutions (731R)	No. Scheduled/ Rescheduled (725/726)	Other (730X)	No. of Cases Processed	No. of Cases Outstanding
			Disc. and Recoupment (73DR)	Discontinuance Only (73DO)	Reduction And Recoupment (73RR)	Reduction Only (73RE)	Recoupment On Closed Case (73RC)					
TOTALS:												

No. of Staff: _____