



FAMILY INDEPENDENCE ADMINISTRATION

Matthew Brune, Executive Deputy Commissioner

James K. Whelan, Deputy Commissioner
Policy, Procedures, and Training

Stephen Fisher, Assistant Deputy Commissioner
Office of Procedures

POLICY DIRECTIVE #13-30-OPE

(This Policy Directive Replaces PD #13-24-OPE)

REVISIONS TO THE FAIR HEARING DECISION COMPLIANCE PROCESS

Date: December 3, 2013	Subtopic(s): Fair Hearing
AUDIENCE	The instructions in this policy directive are for Job Center, Non-Cash Assistance Supplemental Nutrition Assistance Program (NCA SNAP) Center, and NCA SNAP Centralized Fair Hearing Unit (CFH) staff involved in processing Fair Hearing compliances. The instructions are informational for all others.
REVISION TO THE PRIOR DIRECTIVE	<p>This policy directive has been revised to:</p> <ul style="list-style-type: none"> • Correct the statement that all Aid To Continue (ATC) benefits must be recouped if the Agency is upheld in a Fair Hearing decision because if the agency action was to impose a sanction, ATC benefits would not be subject to recoupment.
POLICY	Once a Fair Hearing decision is received, the Family Independence Administration (FIA) has 30 calendar days to fully comply with Cash Assistance (CA) decisions including the restoration of child care benefits when applicable, and ten calendar days to comply with SNAP decisions.
BACKGROUND	<p>Based on the decision rendered by the State Hearing Officer, one of the following New York City Work, Accountability and You (NYCWAY) codes will autopost on the CA/SNAP case:</p> <ul style="list-style-type: none"> • 727 Fair Hearing Decision Agency Withdrawal • 728 Fair Hearing Decision Received – Correct When Made • 729 Fair Hearing Decision Received – Other • 729S Fair Hearing Decision Received – Split • 770 Fair Hearing Decision Received – Agency Affirmed • 780 Fair Hearing Decision Received – Agency Reversed/ Remand

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

See [PB #07-47-SYS](#) for instructions on transferring compliance cases.
Revised

The case will then be placed on the daily **FHOUT** (Fair Hearing Outcomes) Worklist. This worklist is used for most compliance cases, including those transferred from one center to another. However, the Supplemental Nutrition Assistance Program (SNAP) Cases Monitoring Report - FH029 (**FIA-1089**) Form is used for SNAP Center SSI Office (**S15**) and Residential Treatment (**S61**), as well as all Fair Hearings requested on application cases that may not be known to NYCWAY.

The NCA SNAP Centralized Fair Hearing Unit is located on the 253 Schermerhorn Street, 2nd Floor, Brooklyn, NY 11201.

Fair Hearing Compliance Units handle all Fair Hearing compliance issues for Job Centers. The NCA SNAP CFH Unit handles all compliance issues for NCA SNAP Offices.

For the NCA SNAP CFH Unit, the Deputy Director or Principal Administrative Associate III (PAAIII) oversees the operation. The PAAI assigns the cases to the PAAI (Unit Supervisors) who assign the cases to the Eligibility Specialist (ES). The review is a manual process using the FHOUT Worklist and the **FH029** Webcoins State report.

The Associate Job Opportunity Specialist II (AJOS II) is in charge of the FH Compliance Unit, and oversees all compliances processed by the Job Center.

Family Independence Administration Operations (FIAO) Regional/Deputy Managers will have citywide oversight responsibility and must monitor the compliance process to ensure timely completion, using Worklist reports and other reports created specifically for this process.

Job Center Directors will be responsible for monitoring the compliance process and ensuring timely completion for their Job Centers. The Director of the NCA SNAP CFH Unit will be responsible for monitoring the compliance process for NCA SNAP Centers.

FHTMRU began handling NCA SNAP cases on August 5, 2013

The Division of Fair Hearing Administration (DFHA) will monitor the Fair Hearing Exception Worklist (FHEXCPT) on a daily basis, and make the necessary changes in New York City Work Accountability and You (NYCWAY) for Job Centers and the NCA SNAP Centers. The NCA SNAP cases are handled by the Fair Hearing Tracking Monitoring and Review Unit (FHTMRU). This enables NYCWAY to capture all Fair Hearing decisions included on the FHOUT Worklist.

Additional worklists that are referenced throughout this procedure include: **COMPA**, which identifies appellants with scheduled interviews, and **COMPL** which indicates the compliance action has been initiated.

Note: Fair Hearings Decisions related to reimbursement of SSI claims of overpayments and SNAP recoupment's and/or Intentional Program Overpayments (IPV) are cleared by the Regional Office and referred to the appropriate unit as follows:

- SSI claims are handled by the Investigation, Revenue and Enforcement Administration’s (IREA)/Division of Reimbursement and Collections, and
- SNAP recoupment’s and IPV violations are handled by HRA’s Office of Fiscal Operations.

Fair Hearing Review

Decisions involving the Bureau of Eligibility Verification (BEV), Bureau of Fraud Investigation (BFI), Fiscal Claims (shown on the FH calendar as Allowed to Pay [ATP]) and Division of Financial Review and Processing (shown on the Fair Hearing calendar as Computer Match Unit [CMU]) program areas must also be completed by the respective Job Center.

The Fair Hearing Tracking, Monitoring and Review Unit (FHTMRU) is responsible for reviewing a statistically significant random sample of completed compliances from either the COGNOS system, or the NYCWAY **FHOUT** Worklist, both of which obtain the information from FHIS. The review will confirm the timeliness, accuracy and completeness of compliances reported as completed.

NCA SNAP decisions are not covered by Piron, but must be completed within 10 days according to State and Federal regulations.

Each week a sample will be drawn from decisions issued the previous week. The sample will contain decisions with the Piron clock (CA decisions requiring a response within 30 days). The FHTMRU will review the cases from the sample to see if Action Code **71CE** was posted in NYCWAY. The first review will be conducted on the 20th day following the decision date. A subsequent review may be conducted on the 25th and 30th days as appropriate.

REQUIRED ACTION

Cash Assistance Fair Hearing Decisions

Compliance Process

To begin the process which results in action codes being posted in NYCWAY, the Job Center’s FH Compliance Unit Clerk must print out the **FHOUT** Worklist in NYCWAY and the Decisions from Webcoins daily.

There must be a decision for every case on the **FHOUT** Worklist.

The FH Compliance Unit Clerk must:

- press the **F7** key or select the **Roster** option from the **Enter Case Data** screen in the Compliance subsystem in NYCWAY;
- enter the current date in the **Roster Date** field, the Center number in the **Office** field, and transmit (the **Compliance Roster** screen will appear and the FH number for each case will appear on the **Compliance Roster**);
- print out the following lists:

- **FH029N**
- **FHOUT** Worklist
- The **Compliance Roster**

Decisions on closed and rejected cases do not appear on the **FHOUT** Worklist, the **FH029N** list must be pulled from Webcoins COLD daily.

Use the Fair Hearing numbers on the **Compliance Roster** to print the decisions from the Computer Output to Laser Disk (COLD) system (Webcoins), and forward the **FHOUT** Worklist and FH decisions to the FH Compliance Unit Supervisor for review.

The FH Compliance Unit Supervisor must:

- access **Section I** of screen **W-186E** in NYCWAY;
- manually enter the case type in the **Program Type** field (i.e., CA, SNAP, Medical Assistance [MA]) (the **Decision Type** field will autopopulate);
- fill in the **Remand** field to indicate whether or not the decision is a remand (see page 5 for the definition of a Remand);
- after annotating **Section I** on the **W-186E**, click **OK**. This will post Action Code **71CA** (Compliance Initiated) in NYCWAY, which will put the case on the **COMPL** Worklist; and
- forward and assign the decisions, as appropriate, to a FH Compliance Unit Worker in the FH Compliance Unit.

See **Attachment A** for instructions on accessing the compliance subsystem.

See **Attachment B** for the complete list of FH Compliance Process Action Codes.

Upon receipt of the decision, the FH Compliance Unit Worker must:

- access the annotated form **W-186E** via the Compliance subsystem;
- review and interpret the FH decision to determine what action(s) are required.
- take the appropriate action.

The supervisor completes **Section III** of the **W-186E**.

Decision Types and Role of Compliance Unit Worker

ATC not granted

No action needs to be taken in the following situations because the Agency won the Fair Hearing and the adverse action remains in place:

- Aid-to-Continue (ATC) was not granted and the Agency was upheld (Affirmed) or if the issue is Moot.
- the Appellant Withdrew at the Hearing.
- the Hearing Officer lacked jurisdiction (Other).

ATC granted

If ATC was granted and the Agency was upheld or the Hearing Officer lacked jurisdiction, the FH Compliance Unit Worker must:

- Prepare the Fair Hearing Update Data Entry form (**LDSS-3722**) to change the Fair Hearing status from Code **2** (Aid Continuing) to Code **5** (Client Lost Fair Hearing Agency Upheld). This will initiate the original action that prompted the Fair Hearing request.

- Complete the PA Recoupment Data Entry Form (**LDSS-3573**). All cash benefits received from the date the ATC was initiated must be recouped in accordance with the FH decision. As a result of this recoupment action, the appropriate notice will be generated via the Client Notice System (CNS).

New information

Note: No ATC benefits are recouped if the Agency’s action was to impose a sanction. Since the sanction is being implemented as a result of the decision, there would be no subsequent overpayment; it is a delayed implementation of the action.

- If ATC was initiated by reopening the case with Code **Y43** (Aid Continuing – Case Awaiting Fair Hearing Decision), close the case using the original closing code and enter an **M3E** indicator of **A** (Adequate) in Element **053** of the Turn-Around Document (TAD) to suppress the notice.

Since the appellant has already been informed of the decision via the Transmittal of Fair Hearing Decision (**LDSS-4482/50**), and the completed **LDSS-3573** generates a notice, no further notice is required.

If the Agency agreed at the Fair Hearing to withdraw (Agency Withdrawal) the issue, or if the appellant was upheld (Reversal), the Worker must take all action necessary to restore assistance and benefits lost by the appellant retroactive to the date of the Agency’s adverse action, including child care benefits. If necessary, the appellant’s employability status must be reevaluated.

Remand

A Remand is a subset of a Reversal. If the decision is not a pure Reversal and the agency is directed to re-evaluate the issue(s), screen **W-186E** must be manually annotated to reflect the Remand. If in doubt, check the Fair Hearing Information System (FHIS) – outcomes R **1-7** are Reversals and outcomes R **41-47** are Remands.

Remands are issued on denials and adequacy issues. A Correct When Made decision may be invoked on any issue involved in a fair hearing request. After issuing a Remand or a Correct When Made decision, the Worker must reevaluate the case.

In addition to taking actions required by the Agency Withdrawal, Reversal, Remand or Correct When Made decision, the FH status code must be updated if the case is in receipt of ATC. The Worker must:

- review the Welfare Management System (WMS) for Fair Hearing Status Code **2**.
- If there are any occurrences of Code **2**, determine whether or not the Code **2** is associated with the Fair Hearing in question; and
- If the Code **2** is related to the Fair Hearing in question, prepare the **LDSS-3722** to change Code **2** to Code **6** (Client Won Fair Hearing, Client Upheld).

Note: If the case only involved one issue, WMS should automatically update the Fair Hearing status code. If it does, the **LDSS-3722** will not be necessary.

If the decision contains a combination of outcomes (Split), the FH Compliance Unit Worker must discern which outcome applies to which issue, and process the case according to those determinations.

If an appellant wins one issue and loses another, in order to comply with the Fair Hearing decision, the FH Compliance Unit Worker must determine what actions are necessary in order for the appellant to comply with the losing issue, as well as what actions are necessary for the Agency to comply with the appellant's winning issue. Additionally, if applicable, the Fair Hearing status must be updated with the appropriate code (i.e., Client Won Fair Hearing, Client Upheld [Code 6] or Client Lost Fair Hearing, Agency Upheld [Code 5]).

Appointment for an Interview or Document Return is Not Required

If it is determined that the compliance does not require an appointment for an interview or document return, the FH Compliance Unit Worker must annotate the automated **W-186E** accordingly and click **OK**. This will post Action Code **71CB** (Comp DEC Entered) in NYCWAY. For the rest of the compliance process, proceed to the instructions on page 10 of this procedure. If an appointment was scheduled and it is determined that the appointment is not required, or made in error, Action Code **71CX** must be used to cancel the appointment.

Appointment for an Interview or Document Return is Required

If an appointment is required to either conduct an interview or to request documentation in order to complete the compliance process, the FH Compliance Unit Worker must:

- Select the appointment type (interview or document return) on **Section IIb** of the **W-186E** in NYCWAY;
- Enter the appointment date on the **W-186E**. This will autopost a **71CI** (FH APPT SENT/DOCS) when documentation is required, or **71II** (FH Appt Sent/It) when an interview is required, as appropriate. The case will then be placed on the **COMPA** Worklist with a Future Action Date (FAD) corresponding to the appointment date.

If an appointment is required to complete the compliance, the case will be on the **COMPL** Worklist and the **COMPA** Worklist at the same time.

The **COMPA** Worklist identifies appellants with scheduled appointments for interviews (**71CI**) and document submission (**71II**). The FH Compliance Unit AJOS II will monitor the **COMPA** Worklist on a daily basis to prepare staff for these interviews. FFR (Face to Face Recertification and FTR (Failure to Return/Report) appear on the **COMPA** Worklist and must be acted on within 30 days of the FH decision.

When the fifth/seventh day falls on a weekend or holiday, schedule the appointment for the next business day

- For CA return appointments the appointment must be scheduled ten calendar days from the date of the notice.
- Upon completion of **Section IIa**, click **OK**.

Appointment Kept – Interview

Model Centers Only

Cases that appear on the **COMPA** Worklist will be mapped in Front Door Electronic Reception (FRED) to the CA Appointments and Customer Service and Information Center (CSIC) Express queues. Therefore, when an appellant comes in for this appointment, the Front Door Receptionist will conduct a case search and select the appointment, (Action Code **71II** will map to CA appointment and **71CI** will map to CSIC Express) and give the appellant the corresponding ticket. This will also alert the JOS/Worker that the appellant is to be seen.

Interview appointment for all Job Centers (Non-Model and Model)

In Non-Model Centers when an appellant arrives with a Fair Hearing Compliance Request (**W-186D**) Form or his/her name is on the **COMPA** Worklist and an interview is required, the Receptionist must perform a case search in WMS to determine who the case is caseloaded to and alert the JOS/Worker that the appellant has arrived for his/her interview.

The JOS/Worker must:

- review the case decision directives found in **Section IIa** of screen **W-186E** in NYCWAY to determine the reason for the interview (e.g., initial application, recertification or other) before meeting with the appellant. The JOS/Worker must conduct the appropriate interview and obtain the necessary documentation, and forward the case to the FH Compliance Unit for completion.

See **Attachment A** for information on the FH Compliance System and **Attachment B** for a listing of action codes

The FH Compliance Unit Worker must:

- access the compliance update subsystem in NYCWAY and enter the case name, suffix and line number or the FH number on the **Case Search** screen and click **F6** at the bottom of the screen. This will post Action Code **71CK** (Comp Apt Kept), indicating that the appellant has kept the scheduled appointment. Action Code **71CK** will complete the **71II** and **71CI** appointments but the case will remain on the **COMPL** Worklist (which lists incomplete compliances and decisions that require action). Action Code **71CK** will trigger Action Code **71CH** (FH Review 71CE Not Found) which indicates that a compliance action is required. Once the compliance action is complete, Action Code **71CE** must be posted to close out Action Code **71CH**.

By the close of business each day the FH Compliance Unit Worker must advise the Compliance Unit Supervisor that his/her assigned cases have been completed and are ready for review. The designated Compliance AJOS/PAA II will use the assign functionality in POS to assign the case(s) to the Compliance Unit Supervisor.

The FH Compliance Unit Supervisor will use the assign functionality in POS to assign the case(s) to the appropriate FH Compliance Unit Worker.

Appointment Kept– Document Return Only

Document return (Non Model Centers only)

When the appellant arrives with a form **W-186D** or appears on the **COMPA** Worklist, the Receptionist will contact the FH Compliance Unit to request that someone pick up the documents, and scan and index them into the HRA OneViewer.

The Customer Service Information Center (CSIC) JOS/Worker must:

Model Center

- Review the form **W-186D**, collect the documents from the appellant and give him/her Documentation Receipt (**EXP-76R**) Form, indicating receipt of documents submitted.
- Access the compliance subsystem in NYCWAY to post Action Code **71CK** to indicate the appellant kept the appointment.
- If an additional return appointment is required, make the return appointment as follows:
 - Access **Section IIA** of the automated **W-186E** and enter the new Appointment Type (interview or document return);
 - Enter the new appointment date;
- Ensure that all documents received are scanned and indexed into the HRA OneViewer; and
- Forward the case to the FH Compliance Unit for completion.

CSIC directs the appointment to the FH Compliance Unit Worker.

If the decision requires an application or recertification interview, give the Documentation Requirements (**W-113K**) Form to CA appellants. For all other compliance-related return appointments complete form **W-186D** and give it to the appellant.

- The FH Compliance Unit Worker must annotate FHIS indicating the applicant/participant did not comply, and enters Action Code **100A** (Case Note Entry) in NYCWAY with a comment that the applicant/participant didn't have all the necessary documentation.

Note: The FH Compliance Unit Worker must ensure that the additional appointment date does not go beyond the compliance due date.

Documents Returned Via Fax or Mail

- Documents that are returned to the Job Center by appellants via mail or fax must be forwarded to the FH Compliance Unit AJOS I/Supervisor immediately upon receipt. He/she will distribute the documents to the appropriate FH Compliance Unit Worker, who will complete the compliance accordingly, and scan and index the documents into the HRA OneViewer.

Appointment (Interview or Document Return) Not Kept

The compliance process cannot continue until all of the necessary document(s) and/or appointment requirements are satisfied. If the appellant fails to respond to the **W-186D** or the **W-113K**, the FH Compliance Unit Supervisor must verify that the appellant failed to respond.

The FH Compliance Unit Supervisor must:

- On a daily basis, review the previous day's **COMPA** Worklist for all cases without Action Code **71CK** (cases without the **71CK** will have an open **71II** or **71CI**).
- For all cases without a **71CK**, check POS, NYCWAY, WMS and contact the CMU JOS/Worker to whom the case has been assigned and verify whether the appellant failed to keep the scheduled appointment. If the appellant failed to keep the appointment, inform the appropriate FH Compliance Unit Worker to complete the compliance accordingly.

The FH Compliance Unit Worker must:

- Annotate the **W-186E (Section IIb)** accordingly and click **OK**;
- For a missed CA application interview, send the applying appellant the:
 - Action Taken on Your Application: Part A (**LDSS-4013A NYC**)/Action Taken on Your Application: Part B (**LDSS-4013B NYC**) to inform him/her of the Agency's decision to deny the application. To deny the application, the FH Compliance Unit Worker must include the new reason for the denial (even if the new reason is the same reason which prompted the Fair Hearing).
 - Fair Hearing Compliance Statement (**W-186C**), annotated on the bottom of page 2, to indicate the date form **W-186D** or form **W-113K** was sent to him/her.
- For a missed CA recertification interview, the AJOSI must send the recertifying appellant the:

- Action Taken on Your Recertification: Part A (**LDSS-4014A NYC**)/Action Taken on Your Recertification: Part B (**LDSS-4014B NYC**) to inform him/her of the Agency's decision to deny the recertification. To deny the recertification, the FH Compliance Unit Worker must include the new reason for the denial (even if the new reason is the same reason which prompted the Fair Hearing).
- Form **W-186C**

Refer to [PB #08-161-OPE](#) for details on **W-186C** and **W-186D**

- For all other CA compliance situations, send only form **W-186C**, annotated on the bottom of page two of the form, and indicate the date on form **W-186D** or form **W-113K** was sent to him/her.

These actions must be completed for all Fair Hearing compliances

Once all necessary steps have been taken to complete or comply with the Fair Hearing decision, the FH Compliance Unit Worker must:

- Indicate all actions taken, including benefit amounts/dates and employment-related actions (e.g., employment call-in) where applicable, and annotate them in **Section IIb** of form **W-186E**.
- Click **OK** to post Action Code **71CC** (Comp Work Entered) in NYCWAY.
- Complete form **W-186C** and update FHIS with the actions taken on the case; and
- Forward the case to the Supervisor for review and sign-off.

Upon receipt of the compliance work, the FH Compliance AJOS I/Supervisor must:

- Review form **W-186E** in NYCWAY to ensure that all transactions have been properly annotated.
- Review the case record and WMS to ensure that the appropriate actions have been taken;
 - If the compliance work is incomplete, select **NO** to the Compliance Completed question in Section III of form **W-186E**. This will autopost Action Code **71CD** (Comp Work Required) in NYCWAY. The case should be returned to the FH Compliance Unit Worker for correction and completion.
- Complete the information in **Section III** (Supervisor Sign-Off) of form **W-186E**. Any narrative information entered into form **W-186E** will be stored via Action Code **100A** (Case Note).
- Click **OK** and Action Codes **71CE** (Comp Work Completed) and **100A** will post, removing the case from the **FHOUT** and **COMPL** Worklist.

Note: Compliance is complete once the compliance actions show in WMS, having been entered in FHIS and NYCWAY, and Form **W-186C** is found in the HRA OneViewer.

Review for Child Care Benefits (for Job Center staff only)

Once related issues (e.g., reduction of SNAP benefits, etc.) to decisions after a Fair Hearing have been addressed, the FH Compliance Unit Worker must refer the case to the Child Care Liaison to review the Automated Child Care Information System (ACCIS) to determine the current status of any child care benefits the CA family received at the time of the Agency's adverse action.

If an ATC was requested and granted, the childcare benefits should have remained in place. If ATC was granted through the manual process because the request for ATC was made late, the Worker must check to see if childcare was restored. If childcare was in place prior to the adverse action and was not restored through ATC, or the participant won the Fair Hearing and the case was activated, the compliance FH Compliance Unit Worker must restore childcare as part of the compliance process.

To reactive Child Care benefits in ACCIS, the Child Care Liaison must enter Reason Care Code **09** (Between Activities), and update the effective date to the date after the original closing date.

The FH Compliance Unit Worker must determine whether the appellant's child care benefits were also discontinued and if so, for how long. The length of time the authorization for child care was terminated will represent the period of time the childcare authorization must be restored. For example, if the appellant was without childcare for two months and care was provided for his/her child for that period, the FH Compliance Unit Worker must change the effective date of care retroactively to the date of termination to cover the two months worth of childcare assistance provided. The Child care payment will be authorized once the provider submits the required attendance sheet to request payment.

The FH Compliance Unit Worker will review ACCIS to help identify the actions to take on the appellant's Child Care benefits as impacted by the Fair Hearing.

With respect to restoring or not restoring childcare, the FH Compliance Worker must take the following actions:

- If the Agency was upheld (Affirmed), ensure that the CA case closing/sanction cancels the Child Care benefits if they are currently active.
- If the Agency withdrew or the appellant was upheld and the ATC was implemented manually, retroactively reauthorize the Child Care benefits in ACCIS so that ACS will issue the appropriate Child Care payment upon receipt of verification.

See [PB #08-161-OPE](#).

If Child Care benefits were terminated as a result of the Agency's adverse action and not restored during the ATC review process, the FH Compliance Unit Worker must send form **W-186D** indicating that, if the participant was previously in receipt of child care benefits, the Child Care

Provider Enrollment Supplement (**CS-274W**) and/or an Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care (**OCFS-LDSS-4699**) or the Enrollment Form for Provider of Legally-Exempt Group Child Care (**OCFS-LDSS-4700**) must be completed and returned with documentation and form **W186D**.

The completed form **W-186D** will indicate whether the appellant must take the documents to the Center or whether the documents may be mailed/faxed to the Center.

If the appellant **fails to respond** or provide the necessary Child Care related documentation by the required date, the FH Compliance Unit Worker must complete form **W-186C** indicating all the actions taken by the Agency in compliance with the Fair Hearing decision, except restoration of childcare because of the appellant's failure to submit the requested documentation.

Appellant fails to comply with form **W-186D**'s instructions

If the appellant **does provide** the Child Care verification requested in form **W-186D**, the FH Compliance Unit Worker must refer the case to the Child Care Liaison who must:

Appellant complies with form **W-186D**'s instructions

- enter the information into ACCIS to authorize Child Care payment for the relevant period.
- complete form **W-186C**, indicating all of the actions taken by the Agency in compliance with the decision and including instructions to inform the appellant to have the Child Care provider submit verification of Child Care services and/or time-sheets to the Administration for Children's Services Voucher Payment Unit (VPU).
- scan and index the **W-186D** and **W-186C** forms and Child Care related documents into the HRA OneViewer.

The FHTMRU uses form **W-186E** within NYCWAY Supplementary Applications to determine the compliance action taken and to post one of the following action codes:

- **71CG** (Compliance FH Complete),
- **71CF** (Compliance FH Sent Back), and
- **71CH** (FH Compliance Review 71CE Not Found).

See **Attachment A** for instructions on accessing Form **W-186E**.

20th Day Supervisory Review

If Action Code **71CE** was not posted in NYCWAY, the FHTMRU supervisor must post Action Code **700A** (FH CASE NOTE ENTRY) in NYCWAY and indicate in the **Comments** field that Action Code **71CE** was not found on the 20th day review. These cases must be reviewed again on the 25th day following the decision date. If Action Code **71CE** was posted, the FHTMRU supervisor must:

- review the completed form **W-186E** to determine compliance action taken by FIAO staff.
- determine what actions were required as indicated in the “**Discussion**,” “**Decision and Order**” sections of the FH decision.
- determine when, (and if) the appropriate compliance codes and corresponding actions were entered in FHIS.
- determine whether the benefits due as a result of the compliance are actually in the system and review the facts relevant to both the case and the decision via the appropriate screens in WMS.
- review NYCWAY to ensure that appropriate compliance codes were entered.
- compare compliance completion dates in WMS, NYCWAY and FHIS to confirm timeliness.
- determine if the actions required to comply with the decision appear both on the tracking sheet and in the automated systems.
- upon completion of the review, enter Action Code **71CG** (Compliance FH Complete) in NYCWAY for cases that were reviewed and for which the compliance action was timely, accurate and complete.
- enter Action Code **71CF** (Compliance FH Sent Back) in NYCWAY for cases requiring further action. This will place the case back on the **COMPL** Worklist.

After day 20, the case will either **71CF** or **71CG**

25th Day Supervisory Review

The 25th Day review will be conducted on cases where Action Code **71CE** was not found during the 20th Day review.

If Action Code **71CE** is still not posted in NYCWAY, the supervisor must post Action Code **700A** in NYCWAY and indicate in the comments field that Action Code **71CE** was not found during the 25th Day Review process.

If Action Code **71CE** is posted, the FHTMRU supervisor must conduct a review and post an action code as appropriate (see 20th Day Review).

30th Day Supervisory Review

A 30th Day Review will be conducted on cases where Action Code **71CE** was not found during the previous 20th and 25th day reviews.

If Action Code **71CE** is still not found in NYCWAY, FHTMRU must notify FIAO of the outstanding incomplete decisions by posting Action Code **71CH** in NYCWAY. This will place the case on the **COMPL** Worklist.

If Action Code **71CE** is posted in NYCWAY, the FHTMRU supervisor must conduct a review and post Action Code **71CF** or **71CG** as appropriate.

Compliances Identified as Requiring Further Action by the Fair Hearing Compliance Review Process

Job Center/Fair Hearing
Unit staff

The FH Compliance Unit Worker must immediately handle those cases determined by the Fair Hearing Compliance Review Process to be incomplete. He/she must check the **COMPL** Worklist daily for cases with Action Code **71CF**. If any cases are found, he/she must print the Worklist and:

- Access form **W-186E** to determine the missing action required.
- Take the necessary action to complete the compliance process.
- Enter the new compliance action taken and sign off on case completion.
- Make a compliance entry in the Fair Hearing Information System (FHIS).

The FH Compliance Unit AJOS I is responsible for retrieving, assigning and ensuring timely compliance of cases based, either on the **71CF** listed on the **FHTMRU** Worklist, or on the complaints from OTDA listed on the **WINRO 5473/5474**.

The FH Compliance Unit Supervisor is responsible for:

- reviewing and signing off on the case actions.
- completing the information in **Section III** (Supervisor Sign-Off) of the automated form **W-186E** in the Compliance System which will autopost Action Code **71CE** in NYCWAY, and remove the case from the **COMPL** Worklist in NYCWAY.

Noncompliance Complaints

The noncompliance complaint report comes from OTDA via the DEPCON printer on a daily basis.

All noncompliance complaints, including those from the Office of Temporary and Disability Assistance (OTDA) Office of Administrative Hearings (OAH), will appear on the Noncompliance Complaint Report (**OAH 5472**). The **OAH 5472** will be sent to the respective Center Director's/Manager's Office (with a copy sent to the Regional Office), who must track and monitor complaints to ensure a timely response. For these types of complaints, the Center Director's/Manager's Office should respond to the OTDA in FHIS. Non compliance complaints must be responded to within 30 days from the date that OTDA received the complaint.

Noncompliance complaints received from sources other than OTDA must be addressed and resolutions must be entered in FHIS.

If there is no response to a complaint on the Noncompliance Complaint Report within 30 calendar days of the date the complaint was registered with OTDA, the case is placed on the Withhold list. The Withhold list is a report generated by OTDA and the placement of cases on this list may result in fiscal sanctions against the Agency.

NCA SNAP Fair Hearing Decisions

SNAP FH compliances must be completed 10 days from the Action Date on the FHOUT List.

Compliance Process

The SNAP Compliance Fair Hearing (CFH) Compliance Unit Clerk must conduct the following actions:

- Print out the following which are used in a manual process to review Fair Hearing compliance issues:
 - **FH029N Webcoins report**
 - **FHOUT Worklist**
 - **Fair Hearing Compliance Decisions from Webcoins**
- Submit the reports and the decisions to the SNAP Center's PAA II who gives them to the PAA I for distribution to the appropriate staff.

Upon receipt of the decision from the PAA I, the Eligibility Specialist (ES) in the CFH Compliance Unit must:

- review and interpret the FH decision to determine what action(s) are required.
- process the action in POS and issue any applicable benefits.
- update the Agency Tracking Sheet screen in FHIS.
- access the annotated form **W-186E** via the Compliance subsystem.

Note: For every action, all Fair Hearing decisions must be scanned and indexed into the HRA OneViewer and have comments entered into POS.

The Supervisor is responsible for:

- reviewing decisions and signs off case in POS.
- checking FHIS to insure that case corresponds to POS.
- completing **Section III** of the **W-186E**.

Decision Types and Compliance

Affirmed or Other
ATC Not Granted

If an ATC was not granted and the Agency was upheld (Affirmed) or the Hearing Officer lacked jurisdiction (Other), no action is requested because the Agency won the FH and the adverse action remains in place. The Fair Hearing decision must be scanned and indexed into the HRA OneViewer and a comment must be made in POS.

ATC Granted

If an ATC was granted and the Agency was upheld or the Hearing Officer lacked jurisdiction, the ES must:

Refer to [PB #02-65-ELI](#)
regarding Code 5

- Prepare the (**LDSS-3722**) to change the Fair Hearing status from Code 2 (Aid Continuing) to Code 5 (Client Lost Fair Hearing Agency Upheld). This will initiate the original action that prompted the Fair Hearing request.
- For recoupment of SNAP benefits, the Worker must complete the Discrepant Information Tracking Form (**W-140M**) if the household was overpaid more than \$500 in SNAP benefits as a result of the Aid to Continue, and forward it and supporting documentation to the SNAP Claims Recovery Unit as per current procedure.
- If ATC was initiated by reopening the case with Code **Y43** (Aid Continuing – Case Awaiting Fair Hearing Decision), close the case using the original closing code and enter an **M3E** indicator of **A** (Adequate) in Element **053** of the TAD (Turn-Around Document) to suppress the notice.

Refer to [PD #07-11-ELI](#)
for details on SNAP
claims

Agency Withdrawal

If the Agency agreed at the Hearing to withdraw (Agency Withdrawal) the issue or the appellant was upheld (Reversal), the Worker must take all actions necessary to restore any assistance and benefits lost by the appellant, retroactive to the date of the Agency’s adverse action.

Remand

A Remand is a subset of a Reversal. If the decision is not a pure Reversal and the agency is directed to re-evaluate the issue(s), the automated **W-186E** must be manually annotated to reflect the Remand. If in doubt, check the Fair Hearing Information System (FHIS) – outcomes for codes **R 1-7** are Reversals and outcomes for **R 41-47** are Remands.

If the issue needs to be reevaluated (Remand) or, if circumstances have changed in the appellant's case causing the Agency to reevaluate the original decision (Correct When Made), the ES must reevaluate the case,

In addition to taking actions required by the decision, if the case is in receipt of ATC the FH status code must be updated.

If the case only involved one issue, WMS should automatically update the Fair Hearing status code. If it does, preparation of the **LDSS-3722** will not be necessary.

If the decision contains a combination of outcomes (Split), the Worker must discern which outcomes were determined and process the case according to those determinations. For example:

If an appellant wins one issue and loses another, in order to comply with the Fair Hearing decision, the ES must determine what actions are necessary for the appellant to comply with the losing issue, as well as what actions are necessary for the Agency to comply with the appellant's winning issue.

Additionally, if applicable, the Fair Hearing status must be updated with the appropriate code (i.e., Client Won Fair Hearing, Client Upheld [Code 6] or Client Lost Fair Hearing, Agency Upheld [Code 5]).

Participant Default Process

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.

PAA II/III

- Accesses the FHDIS (Defaults) Worklist in NYCWAY and categorize as SNAP.
- Enters Action Code **730** (Fair Hearing Disposition – Def) in NYCWAY and assigns the default worklist to ES.

ES Staff

- Reviews FHIS, WMS and POS to determine the appropriate WMS code to update the system and the ATC Code **2**.
- Upon completion of the case review, prepares the **LDSS-3722** to change the Fair Hearing Status of **2** (Aid Continuing) to either;
 - Code **1** (Settled in Conference) – the issue was resolved prior to the Fair Hearing.
 - Code **5** (Client Lost Fair Hearing) – initiates the original action that prompted the Fair Hearing.

Supervisor/PAAI

- Reviews, signs-off and forwards the **LDSS-3722** to the clerk for data entry.
- Once the action appears in WMS, instructs the ES Worker to enter Action Code **73ST** (SNAP - True Default) in NYCWAY to complete the action and remove the case from the FHDIS Worklist.

Document Return

If documentation is required in order to complete the compliance process, the NCA SNAP CFH Compliance ES must:

- complete and send the appellant a **W-186D**. The appellant has up to seven calendar days to respond as follows:
 - send the documentation in the prepaid return envelope; or
 - fax the documentation to Fax number 718-722-4902; or
 - bring the documents to SNAP Center **S15**, at 253 Schermerhorn Street, First Floor, Brooklyn, NY.
- scan and index the documents into the HRA OneViewer that were mailed or faxed, review the form **W-186D** and proceed with processing of the compliance action as indicated below.

When the appellant brings in the documents to SNAP Center **S15**, the SNAP Center **S15** ES must:

- scan and index the documents into the HRA OneViewer, review the form **W-186D**, collect any documents provided, give the appellant the **EXP-76R**, and place the documents in the appropriate basket awaiting FH review.

To complete the compliance action, the NCA SNAP CFH Compliance ES must:

- Complete the (**W-186D or W-113K**) to include any outstanding documents including those placed in the basket awaiting FH review.
- Scan and index any additional documents in accordance with current procedure.
- Complete the processing of the compliance action.

Revised
Any returned documents must be brought to SNAP Center **S15** Reception Area.

Telephone Interview

If the NCA SNAP CFH Compliance ES determines that an interview is required based on documentation returned or to make a determination, the ES must contact the appellant and conduct a telephone interview.

If the appellant does not comply with requests made during the application or recertification interview, the NCA SNAP CFH Compliance ES must send the:

- Action Taken on Your Food Stamp Benefits Case (**LDSS-3152 NYC**) form to inform him/her of the Agency's decision to deny the application/recertification case. To deny the application/recertification, the NCA SNAP CFH Compliance ES must include the new reason for the denial (even if the new reason is the same reason which prompted the Fair Hearing).

For All SNAP Fair Hearing Compliances

Once all necessary steps have been taken (either document returns have been satisfied/not satisfied or telephone interview completed) the compliance process continues.

The NCA SNAP Centralized FH Office ES must:

- Indicate all actions taken, including benefit amounts/dates and employment-related actions (e.g., employment call-in) where applicable, and annotate them in **Section IIb** of form **W-186E**.
- Click **OK** to post Action Code **71CC** (Comp Work Entered) in NYCWAY.
- Complete form **W-186C** and update FHIS with the actions taken on the case; and
- Forward the case to the Supervisor for review and sign-off.

Upon receipt of the compliance work, the PAAI Supervisor must:

- Review form **W-186E** in NYCWAY to ensure that all transactions have been properly annotated.
- Review the case record and WMS to ensure that the appropriate actions have been taken.
- Once complete, review the entry in the FHIS indicating the action taken. This must be done prior to any data entry in NYCWAY.
- Complete the information in **Section III** (Supervisor Sign-Off) of form **W-186E**. Any narrative information entered into form **W-186E** will be stored via Action Code **100A**.
- Click **OK** and Action Codes **71CE** and **100A** will post, removing the case from the **FHOUT** and **COMPL** Worklists.

Note: Compliance is complete once the compliance actions such as lost benefits, show in WMS and are entered in FHIS and NYCWAY, and Form **W-186C** is found in the HRA OneViewer.

7th Day Supervisory Review

The PAAI/PAll reviews the **FHOUT** worklist and form **FIA-1089** for cases not completed or not completed by the 7th day, and reassigns them to the NCA SNAP CFH Compliance ES.

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications	Cases are processed in POS in accordance with current procedure.
SNAP Implications	SNAP benefits may increase or decrease depending on the outcome of the Fair Hearing decision.
Medicaid Implications	Continued Medicaid eligibility is based on whether the Fair Hearing issue was related to Medicaid.


LIMITED ENGLISH PROFICIENCY (LEP) AND HEARING IMPAIRED IMPLICATIONS

For Limited English Proficiency (LEP) and hearing-impaired applicant/participants, make sure to obtain appropriate interpreter services in accordance with [PD #11-33-OPE](#) and [PD #08-20-OPE](#).

RELATED ITEMS

PB #08-161-OPE	Forms W-186c and W-186d
PB #07-47-SYS	Changes To The FH Compliance Subsystem
PB #02-65-ELI	Reopening Of Fair Hearing Status 5 (Agency Upheld Case Closing)

ATTACHMENTS

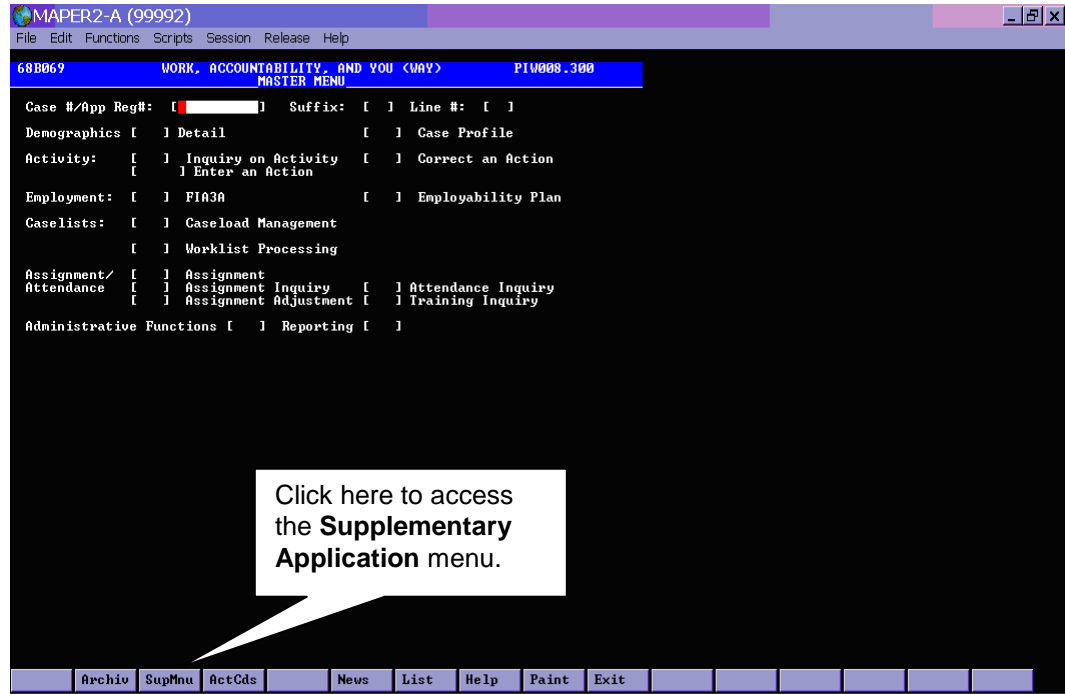
 Please use Print on Demand to obtain copies of forms.

Attachment A	Using the Compliance Subsystem (Rev. 10/29/13)
Attachment B	Action Codes Associated with the Fair Hearing Compliance Process (Rev. 10/29/13)
W-186C	Fair Hearing Compliance Statement (Rev. 8/24/12)
W-186C (S)	Fair Hearing Compliance Statement (Spanish) (Rev. 8/24/12)
W-186D	Fair Hearing Compliance Request (Rev. 12/19/08)
W-186D (S)	Fair Hearing Compliance Request (Spanish) (Rev. 12/19/08)
FIA-1089(E)	Supplemental Nutrition Assistance Program Cases Monitoring Report – FH029

The Fair Hearing Compliance Subsystem in NYCWAY

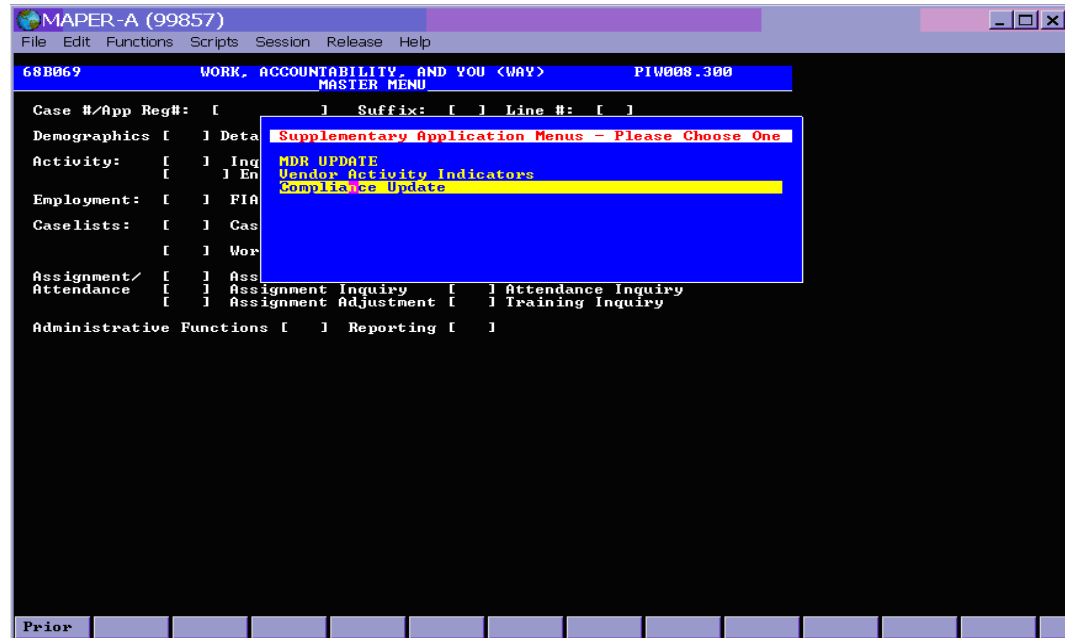
(Refer to PB #07-47-SYS for details on the FH Compliance System).

- Access the **Supplementary Application** menu from the **NYCWAY Master** menu:



- Select **Compliance Update** and the **Case Search** screen will follow:

Supplementary Application menu screen

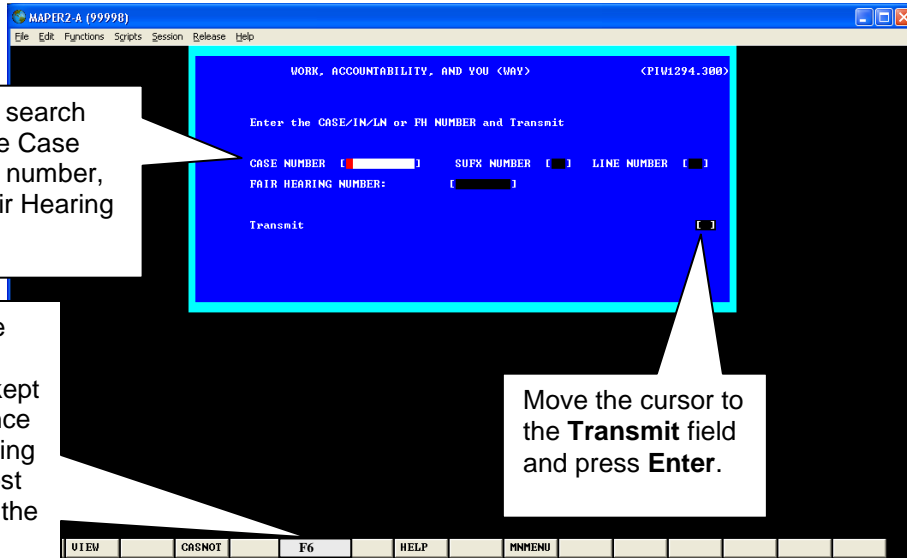


- Enter the **Case Number, Suffix Number and Line Number** OR the **Fair Hearing Number**:

Case Search screen

Enter the case search information: the Case number, Suffix number, and Line or Fair Hearing number.

Staff can also indicate that the applicant/participant kept a scheduled compliance appointment by pressing **F6**. This action will post action code **71CK** on the case.

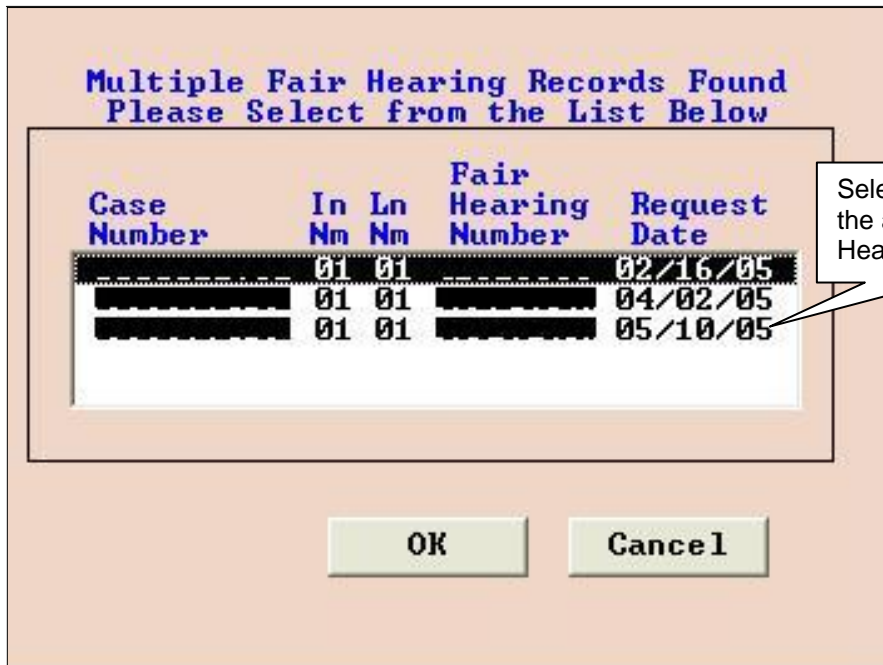


Move the cursor to the **Transmit** field and press **Enter**.

- Move the cursor to the **Transmit** field and press **Enter** and either the **Multiple Fair Hearing Records** screen or the **Fair Hearing Tracking Sheet (W-186E)** screen will appear.

Multiple Fair Hearing Records Found screen

The **Multiple Fair Hearing Records Found** screen will only appear when a search based on case number is done *and* multiple Fair Hearing numbers exist.



Select the case with the appropriate Fair Hearing number.

Once the appropriate Fair Hearing number is selected, the automated

W-186E will appear:

W-186E Section I

Completed by the AJOS I/Supervisor

The AJOS I/Supervisor must complete this section.

The **Decision Type** field will be prepopulated except for remands. In all instances **Yes** or **No** must be selected in the **Remand** field. Action code **71CA** will post when **OK** is clicked.

- The JWS/Worker must respond to all questions in **Section IIa**. The free-form narrative text option is available to answer the questions. Action Code **100A** (Case Note Entry). posts to store the text.

W-186E Section IIa

Free-form text entered on any screen is captured by Action Code **100A**. To view the text, access the NYCWAY **Activity** screen and click on Action Code **100A** to view the text in the **Comment** field.

- Once **Section IIa** is completed, click **OK**. Action Code **71II** will post if an appointment for an interview is required; or Action Code **71CI** will post if a document return appointment is required. Action Code **71CB** will post along with Action Codes **71II** and **71CI**. If no appointment for an interview or documentation is required, Action

Code **71CB** will post.
The system will then proceed to the **Section IIb** screen:

W-186E Section IIb must be completed after an interview has been conducted and/or documentation received.

After completing all relevant questions in **Section IIb**, click **OK** to proceed to **Section III**.

- The JOS/Worker must respond to all relevant questions in **Section IIb**. After **Section IIb** has been completed, click **OK**. Action Code **71CC** will post in NYCWAY and the system will proceed to **Section III**.
- **Section III** is completed by the AJOS I/Supervisor, who must review the entries made by the JOS/Worker and the case record for supporting documentation. The AJOS I/Supervisor then indicates whether or not the compliance is completed and, if necessary, enters free-form narrative text in the space provided.

W-186E Section III

Completed by the AJOS I/Supervisor

Enter the FHIS entry date.

Click **No** if the compliance is incomplete, **Yes** if it is complete.

Supervisor sign-off

Click **OK** to finish.

If any corrections need to be made, the AJOS I/Supervisor can return the case to the JOS/Worker to make corrections. In this case, Action

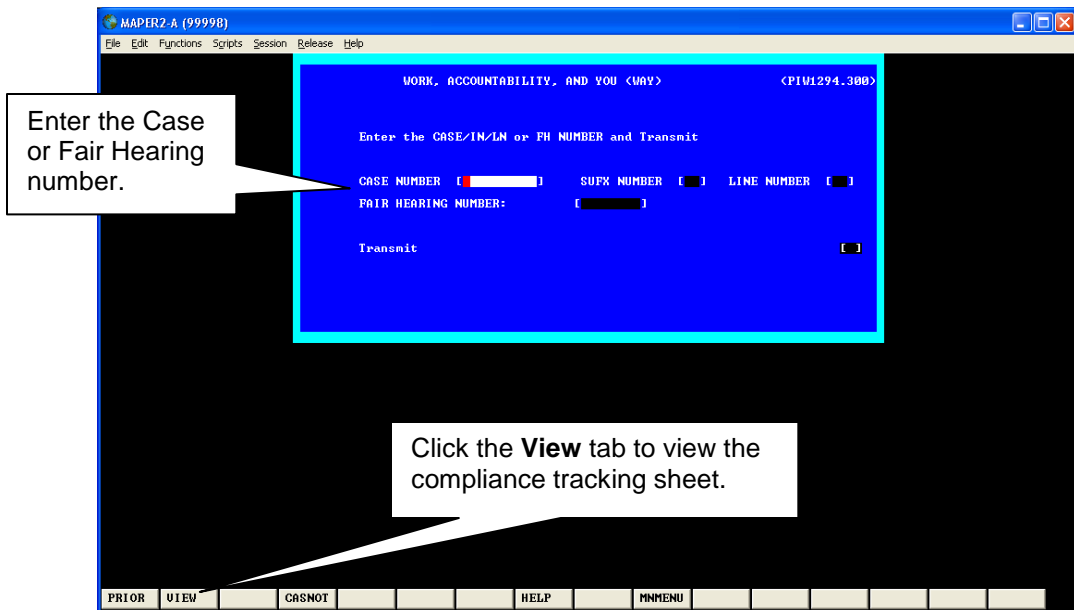
Code **71CD** will post in NYCWAY.

Once the compliance is complete and no further corrections need to be made, the AJOS I/Supervisor must review and sign off on the case, prompting Action Code **71CE** to post in NYCWAY.

Fair Hearing Compliance Review

- The Fair Hearing Tracking, Monitoring and Review Unit (FHTMRU) Worker must select **Compliance Update** from the **Supplementary Application** menu from the **NYCWAY Master** menu. The **Case Search** screen will appear:

The **Case Search** screen



- Enter the appropriate case or Fair Hearing number and then click on **View**.

Attachment A – PD #13-30-OPE

Rev. 10/29/13

The Fair Hearing – View Information screen

The Fair Hearing – View Information screen will appear:

- Click on **Print** to get a printable version of the **W-186E**.
- Click **OK** on the **Fair Hearing Compliance – Print** screen to print the **W-186E**. Clicking on **Cancel** exits the print process without printing the result and returns to the screen titled **Sect. I**.

Attachment A – PD #13-30-OPE

Rev. 10/29/13

FHTMRU
Supervisor

- The FHTMRU Supervisor must review the **W-186E** in its entirety by clicking **OK** on each screen to move to the next screen and enter in **Section III** the review findings and indicate whether or not the compliance is accurate and/or complete.

W-186E Section III

If the compliance is inaccurate or incomplete, click **FH-Return**.

If the compliance is complete, click **FH-Complete**.

- If the compliance is incomplete, the FHTMRU must enter the reason(s) why it is not complete in the **If no, Indicate Reasons Below** field and then click on the **FH – Return** button. This will return the case to Center staff for correction/completion. The system will post Action Code **71CF**.
- After clicking on the **FH – Return** button, the FHTMRU Supervisor will see the following screen:

Fair Hearing – Return
screen

Click **OK** to finish.

- S/he must enter comments in the **Indicate Reason(s) for Return** field and click on **OK**. Action Code **71CH** will post in NYCWAY. This page can now be viewed by Center staff to determine why the case

Attachment A – PD #13-30-OPE

Rev. 10/29/13

- was returned for correction by FHTMRU.
- After clicking on the **FH – Complete** button, the FHTMRU Supervisor will see the following screen:

Fair Hearing – Complete screen

The screenshot shows a software window titled "Fair Hearing - View Information". At the top right of the window are four tabs labeled "Sect. I", "Sect. IIa", "Sect. IIb", and "Sect. III". Below the tabs is a green header bar that says "Fair Hearing - Complete". Underneath the header is a text input field with the label "Comments <Required>". At the bottom of the window, there are five buttons: "Print", "FH - Return", "FH - Complete", "OK", and "Cancel".

- If the case is complete and without error, the FHTMRU Supervisor must enter comments in the **Comments <Required>** field and click **OK**. Action Code **71CG** will post in NYCWAY.

Attachment B – PD #13-30-OPE

Rev. 10/29/13

Action Codes Associated with the Fair Hearing Compliance Process

Action Code	Definition
71CA	Compliance Case
71CB	Compliance Initiated
71CC	Compliance Processed
71CD	Case Requires Further Action
71CE	Compliance Complete
71CF	Fair Hearing Review Return
71CG	Fair Hearing Complete
71CH	Fair Hearing Compliance Completion Required
71CI	Compliance Appointment Sent/Documents
71CK	Compliance Appointment Kept
71II	Compliance Appointment Sent/Interview
700A	Fair Hearing Case Comments
730	Fair Hearing Disposition – Def (Default)

Notice Date: _____
Case Number: _____
Case Name: _____
Center: _____
FH Number: _____
FH Decision Date: _____

NOTE: As of August 29, 2012, any reference to the Food Stamp Program in this notice shall mean the Supplemental Nutrition Assistance Program (SNAP), and any reference to Food Stamps shall mean SNAP benefits.

Fair Hearing Compliance Statement

Dear _____:

Here is how we have complied with your Fair Hearing decision:

Cash Assistance: Food and Other

We are issuing you \$ _____ as a non-recurring or retroactive Cash Assistance grant for _____
_____. This benefit will be available to you on or before _____.
(Period covered) (Date)

Immediately before your Fair Hearing request, your semimonthly Cash Assistance grant was \$ _____.
Effective _____, your semimonthly Cash Assistance grant will be \$ _____.
(Date)

Your restored benefits mentioned above are being offset by recoupment(s) not at issue in this Fair Hearing, reducing your semimonthly Cash Assistance grant.

You did not lose any Cash Assistance benefits because you received aid-continuing Cash Assistance during the Fair Hearing process. Therefore, your Cash Assistance benefits remain the same.

We have re-evaluated your eligibility for Cash Assistance and have determined that you are not eligible. You will be sent a separate notice of our determination.

Your Cash Assistance benefits remain unchanged.

We are not issuing any Cash Assistance benefits at this time because you are currently ineligible for benefits based on reasons not related to the issues addressed in this Fair Hearing.

Shelter Allowance

We are issuing you \$ _____ as a shelter allowance for _____.
(Period covered)

This benefit will be issued directly to your landlord on or before _____.
(Date)

Immediately before your Fair Hearing request, your semimonthly shelter allowance was \$ _____.

Effective _____, your shelter allowance will be \$ _____.
(Date)

Your shelter supplement _____ was restored on _____.
(Examples: Jiggetts, FEPS, etc.) (Date)

We are unable to restore your shelter supplement _____; because
(Examples: Jiggetts, FEPS, etc.)

We are not issuing any shelter benefits at this time because you are currently ineligible for benefits based on reasons not related to the issues addressed in this Fair Hearing.

Other Actions

The Agency's determination to sanction _____ remains unchanged.
(Participant's Name)

The Agency's determination to sanction was reversed and the Cash Assistance and/or SNAP benefits sanction for _____ was deleted/lifted.
(Participant's Name)

The recoupment, RTI # _____ remains unchanged or was deleted.

The recoupment, RTI # _____ remains unchanged or was deleted.

The recoupment, RTI # _____ remains unchanged or was deleted.

Your budget was changed because _____

You did not lose any child care benefits because you received aid-continuing for child care during the Fair Hearing process. Therefore, your child care benefits remain the same.

You may be eligible for child care retroactive to _____
(Date)

- In order to receive retroactive and/or ongoing child care, you or your provider must forward verification of child care services and/or time-sheets to the Administration for Children's Services' Voucher Payment Unit at (212) 227-2257.
- You are not eligible for child care because _____

Food Stamps

- We are issuing you \$_____ in retroactive SNAP benefits for _____
(Period covered)
These SNAP benefits will be available to you after _____.
(Date)
- Immediately before your Fair Hearing request, your monthly SNAP benefits were \$ _____.
Effective _____, your monthly SNAP benefits will be \$ _____.
(Date)
- The restored SNAP benefits mentioned above are being offset by recoupment(s) not at issue in this Fair Hearing, reducing your ongoing SNAP benefit.
- You did not lose any SNAP benefits because you received aid-continuing during the Fair Hearing process. Therefore, your SNAP benefits remain the same.
- We have re-evaluated your eligibility for SNAP and have determined that you are not eligible. You will be sent a separate notice of our determination.
- Your SNAP benefits remain unchanged.

SAMPLE

Medical Assistance

- If your Medicaid benefits were interrupted, they will be restored along with your Cash Assistance benefits.

Miscellaneous

- The Agency's determination that found you to be employable or employable with limitations remains unchanged.
- Based on the decision of your Fair Hearing, we are required to review/re-evaluate your medical claim.
You received an appointment on _____ for a medical evaluation.

Appointment Scheduled/Information Requested/Documentation Required

We have been unable to determine if you are eligible for the benefits that were the subject of your Fair Hearing. We mailed you a letter on _____, asking you to come in for an interview and/or submit the following: _____ by _____ (Date)

Because you have failed to respond to our letter, we cannot complete any compliance action until you come in and/or supply the requested information. If you come in and/or bring the information to your Center within ten (10) days from the date of this notice, we will consider the information in accordance with the Fair Hearing decision. Documentation/information returned after ten (10) days will be used to determine your eligibility for the benefits at issue from the date of receipt.

Comments (Optional):

Worker's Name

Date

Supervisor's Name

Date

SAMPLE

Fecha del Aviso: _____

Número del Caso: _____

Nombre del Caso: _____

Centro: _____

Número de la Audiencia Imparcia (FH): _____

Fecha de la Decisión de FH: _____

NOTA: A partir del 29 de agosto, toda referencia al Programa de Cupones para Alimentos en este aviso se denominará el Programa de Asistencia de Nutrición Suplementaria (SNAP), y toda referencia a Cupones para Alimentos se denominará beneficios de SNAP.

Declaración de Cumplimiento de la Audiencia Imparcial

Estimado(a) _____:

Hemos tomado la(s) siguiente(s) medida(s) en cumplimiento de la decisión de la Audiencia Imparcial:

Asistencia en Efectivo: Alimentos y Otros Beneficios

Le hemos asignado una concesión quincenal de Asistencia en Efectivo de \$ _____ no recurrente o retroactiva para el _____ Este beneficio estará disponible para usted a más tardar el _____
(Período de cobertura)
(Fecha)

Inmediatamente antes de su solicitud de Audiencia Imparcial, su concesión quincenal era de \$ _____. A partir de _____, su concesión quincenal de Asistencia en Efectivo será de \$ _____.
(Fecha)

Sus beneficios restituidos mencionados más arriba han sido reducidos debido a compensaciones no relacionadas con esta Audiencia Imparcial, lo que reduce su concesión quincenal de Asistencia en Efectivo.

Usted no perdió beneficios de Asistencia en Efectivo dado que durante el trámite de la Audiencia Imparcial usted recibía Asistencia en Efectivo continua (aid-continuing). Por lo tanto, sus beneficios de Asistencia en Efectivo permanecerán sin cambios.

Tras reevaluar su elegibilidad de Asistencia en Efectivo hemos determinado que usted no es elegible. Le enviaremos por separado un aviso de dicha determinación.

Su Asistencia en Efectivo permanecerá sin cambios.

En este momento no estamos expediendo beneficios de Asistencia en Efectivo, debido a que usted actualmente es inelegible para beneficios por razones no relacionadas con la Audiencia Imparcial.

Concesión de Albergue

Le estamos expediendo \$ _____ como concesión de albergue por _____
(Período de cobertura)

Este beneficio se expedirá directamente a su casero a más tardar el _____
(Fecha)

Inmediatamente antes de su solicitud de Audiencia Imparcial, su concesión quincenal de albergue era de \$ _____.

A partir de _____, su concesión de albergue será de \$ _____.
(Fecha)

Su suplemento de albergue _____ se restituyó el _____.
(Ejemplos: Jiggetts, FEPS.) (Fecha)

No podemos restituir su suplemento de albergue _____; porque
(Ejemplos: Jiggetts, FEPS, etc.)

En este momento no estamos expediendo beneficios de albergue, debido a que usted actualmente es inelegible para beneficios por razones no relacionadas con la Audiencia Imparcial.

Otras Medidas

La determinación de la Agencia de sancionar _____ sigue sin cambio.
(Nombre del Participante)

La determinación de la Agencia de sancionar fue revocada y la sanción de Asistencia en Efectivo y/o beneficios de SNAP _____ fue borrada/levantada.
(Nombre del Participante)

El reembolso, # RTI _____ sigue sin cambios o fue borrado.

El reembolso, # RTI _____ sigue sin cambios o fue borrado.

El reembolso, # RTI _____ sigue sin cambios o fue borrado.

Su presupuesto se cambió porque _____

Usted no perdió beneficios de cuidado infantil porque recibió asistencia continua para cuidado infantil durante la Audiencia Imparcial. Por lo tanto, sus beneficios de cuidado infantil permanecerán sin cambios.

Usted puede ser elegible para cuidado infantil retroactivamente a _____.
(Fecha)

Para recibir cuidado infantil retroactivo y/o continuo, usted o su proveedor tienen que presentar comprobante de servicios de cuidado infantil y/o horarios de asistencia a la Unidad de Comprobantes de Pago de la Administración de Servicios al Niño al (212) 227-2257.

Usted no es elegible para cuidado infantil porque _____.

Beneficios de SNAP

Le hemos otorgado una concesión retroactiva de beneficios de SNAP por la cantidad \$ _____ por _____.
(Período de cobertura)

Esta concesión de beneficios de SNAP estará a su disposición después del _____.
(Fecha)

Inmediatamente antes de su petición de Audiencia Imparcial, su beneficio mensual de beneficios de SNAP era de \$ _____.

A partir del _____, la cantidad de sus beneficios de SNAP será \$ _____.
(Fecha)

Los beneficios restituidos de SNAP mencionados más arriba han sido reducidos debido a compensaciones no relacionadas con esta Audiencia Imparcial lo que reduce su beneficio continuo de SNAP.

Usted no perdió beneficios de SNAP porque recibió asistencia continua durante la Audiencia Imparcial. Por lo tanto, sus beneficios de SNAP permanecerán sin cambios.

Tras reevaluar su elegibilidad para beneficios de SNAP hemos determinado que usted no es elegible. Le enviaremos por separado un aviso de dicha determinación.

Sus beneficios de SNAP permanecerán sin cambios.

Asistencia Médica

Si sus beneficios de Medicaid fueron interrumpidos, dichos beneficios serán restituidos junto con sus beneficios de Asistencia en Efectivo.

Beneficios Variados

La determinación de la Agencia que le juzgó empleable o empleable con limitaciones sigue sin cambios.

Según la decisión de la Audiencia Imparcial, nosotros tenemos que repasar/reevaluar su reclamo médico. Usted recibirá una cita el _____ para una evaluación médica.

Cita Programada/Información Solicitada/Documentación Solicitada

No hemos podido determinar si usted es elegible para los beneficios que fueron objeto de su Audiencia Imparcial. Le enviamos una carta el _____, pidiéndole que se presente a una entrevista y/o traiga lo siguiente: _____
(Fecha)
_____ para el _____
(Fecha)

Debido a que usted no contestó a nuestra carta, no podemos llevar a cabo ninguna medida de cumplimiento hasta que usted se presente y/o proporcione los datos necesarios. Si usted se presenta y/o trae dichos datos a su Centro dentro de diez (10) días de la fecha de este aviso, tomaremos los datos en cuenta, conforme a la decisión de la Audiencia Imparcial. La documentación/información devuelta después de diez (10) días se utilizará para determinar su elegibilidad para los beneficios en cuestión desde la fecha de recibo.

Comentarios (Opcionales):

SAMPLE

Nombre del Trabajador

Fecha

Nombre del Supervisor

Fecha

Notice Date: _____
Case Number: _____
Case Name: _____
Center: _____
FH Number: _____
FH Decision Date: _____

Fair Hearing Compliance Request

In order to comply with your Fair Hearing decision, you must provide the documentation listed below. Please follow the instructions provided in the check marked sections.

An in-person interview is necessary, please report to:

Location Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Appointment Date: _____ Time: _____ Telephone Number: _____

SAMPLE
OR

An in-person interview is notnecessary. Please mail, fax, or drop-off in-person all requested documents to the following address:

Location Name: _____
Attention: _____
Address: _____

City: _____ State: _____ Zip Code: _____
Due date: _____ Fax: _____

Please bring/provide the following documents:

If you were in receipt of child care benefits prior to your Fair Hearing request and your child care was interrupted, please follow the instructions provided in the check marked section that applies to your current situation:

If your child care provider has not changed, please provide a completed Child Care Provider Enrollment Supplement form (**CS-274W**).

If you need a new provider, you and your provider must complete the Child Care Provider Enrollment Supplement form (**CS-274W**) and if you are using a legally-exempt (informal) child care provider you must also submit the Enrollment Form For Provider Of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care (**LDSS-4699**), or the Enrollment Form For Provider Of Legally-Exempt Group Child Care (**LDSS-4700**).

Worker's Name

Date

Supervisor's Name

Date

SAMPLE

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

Petición de Cumplimiento de la Audiencia Imparcial

Para cumplir con la decisión de su Audiencia Imparcial, usted tiene que proveer los documentos indicados más abajo. Favor de seguir las instrucciones que aparecen en las secciones marcadas más abajo.

Se necesita una entrevista en persona, favor de presentarse a:

Nombre del Local: _____
Dirección: _____
Ciudad: _____ Estado: _____ Código Postal: _____
Fecha de la cita: _____ Hora: _____ Número de Teléfono: _____

SAMPLE

No se necesita una entrevista en persona. Favor de enviar por correo, fax, o entregar en persona todos los documentos necesarios a la siguiente dirección:

Nombre del Local: _____
Dirección: _____
Ciudad: _____ Estado: _____ Código Postal: _____
Fecha Límite: _____ Fax: _____

Favor de traer/proporcionar los siguientes documentos:

- Si usted recibía beneficios de cuidado infantil antes de su petición de Audiencia Imparcial y su cuidado infantil se vio afectado, favor de seguir las instrucciones de la casilla seleccionada que corresponde a su situación:
- Si su proveedor de cuidado infantil no ha cambiado, favor de proporcionar el Suplemento de Inscripción del Proveedor de Cuidado Infantil (**CS-274W-S**) llenado.
- Si necesita un nuevo proveedor, usted y su proveedor tienen que llenar el formulario Suplemento de Inscripción del Proveedor de Cuidado Infantil (**CS-274W-S**) y si usted se sirve de un proveedor de cuidado infantil legalmente-exento (informal) también tiene que presentar el Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care (**LDSS-4699**), o el Enrollment Form for Legally-Exempt Group Child Care (**LDSS-4700**).

Nombre del Trabajador

Fecha

Nombre del Supervisor

Fecha

SAMPLE

**Supplemental Nutrition Assistance Program (SNAP) Cases
 Monitoring Report - FH029**

BRONX SITES	OPEN 0-10	OPEN 11+	TOTAL
Melrose S40			
Concourse S45			
Crotona S46			
Total:	0	0	0
QUEENS SITES	OPEN 0-10	OPEN 11+	TOTAL
Queens S53			
Jamaica S54			
Rockaway S79			
Richmond S99			
Total:	0	0	0
BROOKLYN SITES	OPEN 0-10	OPEN 11+	TOTAL
Fort Greene S20			
Bushwick S21			
Coney Island S22			
Dekalb S26			
East New York S28			
Total:	0	0	0
MANHATTAN SITES	OPEN 0-10	OPEN 11+	TOTAL
East End S02			
Dyckman S13			
St. Nicholas S14			
Waverly S19			
Total:	0	0	0
SPECIAL POPULATION SITES	OPEN 0-10	OPEN 11+	TOTAL
SSI Office S15			
Residential Treatment S61			
Total:	0	0	0
CITY WIDE	OPEN 0-10	OPEN 11+	TOTAL
TOTAL	0	0	0

SAMPLE