

**PUBLIC ASSISTANCE, FOOD STAMP BENEFITS, MEDICAL ASSISTANCE COVERAGE, SERVICES**

NOTICE DATE:		NAME AND ADDRESS OF AGENCY/CENTER OR DISTRICT OFFICE		
CASE NUMBER	CIN NUMBER	GENERAL PHONE NO. FOR QUESTIONS OR HELP _____ ----- OR Agency Conference _____ Fair Hearing information and assistance _____ Record Access _____ Legal Assistance information _____		
CASE NAME (And C/O Name if Present) AND ADDRESS				
OFFICE NO.	UNIT NO.	WORKER NO.	UNIT OR WORKER NAME	PHONE NO.

The action(s) taken on your recertification dated \_\_\_\_\_ is explained below and on Part A, next to the checked boxes :  
**SEE PART A FOR PUBLIC ASSISTANCE, MEDICAL ASSISTANCE AND SERVICES INFORMATION.**

**FOOD STAMP BENEFITS NOT PICKED UP WITHIN 270 DAYS CANNOT BE REPLACED.**

- APPROVED** for continued food stamp benefits from \_\_\_\_\_ to \_\_\_\_\_.
1.  You will get \$ \_\_\_\_\_ for the month of \_\_\_\_\_ because we must figure your first month's benefit from:
- 1a.  The date you applied to the end of the month. You may access your benefit on \_\_\_\_\_.
- 1b.  The latest date you provided proof we needed. This is because you gave us proof after it was due.  
You may access your benefit on \_\_\_\_\_.
2.  You will get \$ \_\_\_\_\_ which is a combined benefit for the months of \_\_\_\_\_ and \_\_\_\_\_.  
This is because you applied after the 15<sup>th</sup> of the month. Your first month's benefit of \$ \_\_\_\_\_ was figured from  
The date you applied to the end of the month. Your second month's benefit of \$ \_\_\_\_\_ is for the entire month.  
You may access your combined benefit on \_\_\_\_\_.
3.  Beginning \_\_\_\_\_ you will get \$ \_\_\_\_\_ monthly in food stamp benefits.  
You may access these benefits on the \_\_\_\_\_ day of each month.
- 3a.  The benefit on Line 3 above reflects a \_\_\_\_\_% reduction (recoupment) of \$ \_\_\_\_\_ in your benefits because:
- 3b.  You or your household got more in food stamp benefits than you should have (overpayment).  
**This decision is based on 18 NYCRR 387.19.**
- 3c.  You or your household were notified before that you got more in food stamp benefits than you should have (overpayment). This recoupment is being used to pay back this overpayment.  
**This decision is based on 18 NYCRR 387.19.**
- 3d.  See separate Demand Letter for more overpayment information.
4.  Beginning \_\_\_\_\_ you will get \$ \_\_\_\_\_ monthly in food stamp benefits.  
You may access these benefits on the \_\_\_\_\_ day of each month.
- 4a.  This also reflects a \_\_\_\_\_% recoupment of \$ \_\_\_\_\_, as described above in Section 3.
5.  So you could get food stamp benefits right away, we calculated your benefit without all the necessary proof. Listed here is the proof you still need to provide: \_\_\_\_\_  
\_\_\_\_\_  
You will **not** be able to get food stamp benefits in the future unless you provide this proof. This proof will be used to determine the benefits you can get. If your food stamp benefits change due to this proof, you will **not** be notified.

**DENIED** for food stamp benefits because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 6a.  You did not give us the proof we need to see if you can get food stamp benefits. If you give us this proof we listed on the above lines by \_\_\_\_\_, you will not have to reapply. After that date, you will have to Reapply for benefits.
- 6b.  We are establishing a food stamp overpayment.      6c.  You currently have a food stamp overpayment.
- 6d.  See separate Demand Letter and Repayment Agreement about what you owe and how you will repay.

The above decision(s) is based on 18 NYCRR: \_\_\_\_\_

Responsibility To Report Changes - See enclosed LDSS-3151: "Food Stamp Change Report Form" for information on when to report changes.

**BE SURE TO READ THE BACK OF THIS NOTICE FOR YOUR RIGHTS ON HOW TO APPEAL THIS DECISION.**

<b>Name:</b>	<b>Address:</b>	<b>Case Number:</b>
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## CONFERENCE AND FAIR HEARING SECTION - DO YOU THINK WE ARE WRONG?

If you think our decision is wrong, you can request a review of our decision. We will correct our mistakes. You can do both 1 and 2:

1. Ask for a meeting (conference) with one of our supervisors
2. Ask for a State fair hearing with a State hearing officer.

### 1. CONFERENCE (Informal meeting with us)

If you think our decision was wrong or if you do not understand our decision, please call us to set up a meeting. To do this, call the conference phone number on the **front** of this notice or write to us at the address on the **front** of this notice. Sometimes this is the fastest way to solve any problem you may have. We encourage you to do this even when you have asked for a fair hearing.

If you only ask for a meeting with us, we will not keep your benefits the same while you appeal. Your benefits will stay the same only if you ask for a State fair hearing. (See "Keeping your Benefits the Same" below.)

### 2. STATE FAIR HEARING - You have the following number of days from the date of this notice to request a fair hearing:

BENEFIT AREA	TIME LIMIT
Public Assistance, Medical Assistance, Social Services	60 days
Food Stamp Benefits	90 days

**KEEPING YOUR BENEFITS THE SAME:** We will restore your public assistance, medical assistance and social services benefits to the same level they were before this notice, if you ask for a fair hearing before the effective date stated in this notice. However, even if you ask for a fair hearing, your food stamp benefits **cannot be continued in the same amount** as before your recertification, but will be in the new amount shown in this notice. If you lose the fair hearing, you will have to pay back any public assistance benefits you got, but should not have gotten, while you were waiting for the decision. Also, we may recover medical assistance benefits.

If you do not want your benefits to stay the same until the decision is issued, you must tell the State when you call for a fair hearing or, if you send back this notice, check the box or boxes below:

I do not want to "keep my benefits the same" until the Fair Hearing decision is issued:

- Public Assistance     Medical Assistance     Social Services

**HOW TO ASK FOR A FAIR HEARING:** You can ask for a fair hearing in **writing** or by **phone**.

**Writing:** Send a copy of Part A and Part B to the Office of Administrative Hearings, New York State Office of Temporary and Disability Assistance, P.O. Box 1930, Albany, New York 12201. Please keep a copy of each notice for yourself.

- I want a fair hearing. I do not agree with the agency's action. (You may explain why you disagree below, but you do not have to include a written explanation.)

**Phoning:** (PLEASE HAVE THIS NOTICE WITH YOU WHEN YOU CALL.) If you cannot reach the State by phone, please write to request a fair hearing before the deadline. Call the number below for the county you live in:

Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming: **(716) 852-4868**

Allegany, Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates: **(716) 266-4868**

Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tompkins, Tioga: **(315) 422-4868**

Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Orange, Otsego, Putnam,

Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Sullivan, Ulster, Warren, Washington, Westchester: **(518) 474-8781**

Nassau, Suffolk: **(516) 739-4868**

**WHAT TO EXPECT AT A FAIR HEARING:** The State will send you a notice that tells you when and where the fair hearing will be held.

At the hearing, you will have a chance to explain why you think our decision is wrong. You can bring a lawyer, a relative, a friend or someone else to help you do this. If you cannot come yourself, you can send someone to represent you. If you are sending someone who is not a lawyer to the hearing instead of you, you must give this person a letter to show the hearing officer that you want this person to represent you at the hearing.

At the hearing, you and your lawyer or other representative will have a chance to explain why we are wrong and a chance to give the hearing officer written papers that explain why we are wrong.

To help you explain at the hearing why you think we are wrong, you should bring any witnesses who can help you. You should also bring any papers you have, such as: pay stubs, leases, receipts, bills, doctor's statements.

At the hearing, you and your lawyer or other representative can ask questions of witnesses which we bring or which you bring to help your case.

**LEGAL ASSISTANCE:** If you think you need a lawyer to help you with this problem, you may be able to get a lawyer at no cost to you by contacting your local Legal Aid Society or other legal advocate group. For the names of other lawyers, check your Yellow Pages under "Lawyers".

**ACCESS TO YOUR FILE AND COPIES OF DOCUMENTS:** To help you get ready for the hearing, you have a right to look at your case file. If you call or write to us, we will provide you with free copies of the documents from your file that we will give to the hearing officer at the fair hearing. Also, if you call or write to us, we will provide you with free copies of other documents from your file that you think you may need to prepare for your fair hearing. To ask for documents or to find out how to look at your file, call us at the Record Access phone number on the **front** of this notice or write to us at the address on the **front** of this notice.

If you want copies of documents from your case file, you should ask for them ahead of time. They will be provided to you within a reasonable time before the date of the hearing. Documents will be mailed to you only if you specifically ask that they be mailed.

**INFORMATION:** If you want more information about your case, how to ask for a fair hearing, how to see your file, or how to get additional copies of documents, call us at the phone numbers on the **front** of this notice or write to us at the address on the **front** of this notice.