

Office of Administrative Hearings (OAH) Procedures Transmittal			Transmittal Number: 14-003
Distribution:			Date: November 21, 2014
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ALB OAH Staff <input checked="" type="checkbox"/>	UPS HOs <input checked="" type="checkbox"/>	Upstate SSDs <input checked="" type="checkbox"/>	Subject: New Agency: SSP (State Supplement Program)
	SUP HOs <input checked="" type="checkbox"/>	MCO/MLTC <input type="checkbox"/>	
NYC OAH Staff <input checked="" type="checkbox"/>	NYC HOs <input checked="" type="checkbox"/>	NYC Agencies <input checked="" type="checkbox"/>	New Issue Codes
	SUP HOs <input checked="" type="checkbox"/>		

Effective October 1, 2014, under the new State Supplement Program (SSP), all New York State residents receiving Supplemental Security Income (SSI) will receive the New York State share of their monthly benefit amount separately from the Federal Government portion of their benefit. This program is being administered by the New York State Office of Temporary and Disability Assistance (OTDA) Center for Employment and Economic Support (CEES).

Current recipients whose benefits may be subject to discontinuance or reduction will receive a Notice of Intent from Office of Temporary and Disability Assistance and will have the right to request a Fair Hearing to review the intended action. In addition, applicants for SSI benefits who are denied benefits will receive a Notice of Denial and will also have the right to request a Fair Hearing to review the denial. CEES will provide evidence packets for consideration at the hearings.

These hearings will be conducted as convenience telephone hearings unless the appellant requests an in-person hearing which will be held at the regular hearing sites. Standard convenience telephone hearing coding will be used.¹ The name of the appropriate county or NYC should be entered in the Hearing Location field when a telephone hearing is scheduled for the appellant with a representative appearing at the hearing site.

Effective immediately, coding for these hearings is as follows:

AGENCY: SSP

CATEGORY: SSP

SUBCATEGORY: HOLD

ACTION: Any

ISSUE CODE: See Attached

AID STATUS: As Appropriate*

HEARING LOCATION: For in-person hearings or for telephone hearings where a representative will appear at the hearing site.

COMMENTS: Include the PID number and correspondence number, if available. A payee should be listed as a representative in the hearing record.

*If the reason for SSP discontinuance on a particular notice is due to suspension or discontinuance of Federal SSI benefit, there is no right to Aid to Continue.

¹ Scheduling Status T, Hearing Type H2, Code 998

No other unrelated issues will be included in these requests.

Staff receiving telephonic requests for a hearing regarding SSP should email the name, address and phone number of the client to otda.sm.hear.SSPMail@otda.ny.gov . If available, the PID number and /or correspondence number should also be included.

If staff see an SSP-related entry when processing requests received through the Electronic Request Retrieval System (ERRS), they should type SSP in the language field, click the “change language” button and then click the “return to unprocessed” button. Designated staff will process these requests.

Requests received via the fax server should be moved to the folder identified as “SSP.”

Hearing requests made in person should be processed but not approved. The unit manager should be notified of such requests.

If you have any questions regarding this transmittal, please contact Michael Allen at (518)473-4969 or via e-mail at Mike.Allen@otda.ny.gov.

A handwritten signature in black ink, appearing to read "Samuel L. Spitzberg". The signature is fluid and cursive, with the first name "Samuel" being the most prominent.

Samuel L. Spitzberg
Director
Office of Administrative Hearings