

Office of Administrative Hearings (OAH) Procedures Transmittal		Transmittal 16-05
Distribution:		Date: June 14, 2016 Page: 1 plus attachment
Albany OAH Staff <input checked="" type="checkbox"/>	Rest of State Hearing Officers <input checked="" type="checkbox"/>	Subject: Fair Hearing Decision Transmittal and Summary Page
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On October 6, 2011, Governor Andrew M. Cuomo signed Executive Order 26, requiring executive state agencies providing direct public services to offer language assistance (translation and interpretation) to people with Limited English Proficiency (LEP). In response to the Governor's order, the Office of Temporary and Disability Assistance (OTDA) implemented the OTDA Language Access Plan for LEP individuals providing meaningful access to agency services, programs, and activities.

In compliance with the Governor's Order and the OTDA Language Access Plan, effective April 2016, the Office of Administrative Hearings (OAH) implemented a new Fair Hearings Decision Transmittal (OAH-4482) including a Summary Page in the required languages for appellants who identified the need for interpretation. Summary pages are being provided in the following languages: English, Spanish, Russian, Chinese, Korean, French (Haitian) Creole, Italian, and Arabic.

The Summary Page is now mailed out with decisions sent to appellants. The purpose of the Summary Page is to assist LEP individuals in understanding the outcome of the hearing. The Summary Page lists the issue in controversy including a description based on the Fair Hearing Information System (FHIS) issue code, the notice date, the outcome of the hearing, and the description of the outcome.

The description of the outcome on the Summary Page is dependent on the outcome code entered in the Fair Hearing Decision Management System (FHDMS) by Hearing Officers during the decision drafting process. Therefore, Hearing Officers and Supervising Hearing Officers must ensure that the outcome code is accurately entered in FHDMS.

A sample of the Summary page is attached and will be stored on the OAH intranet. If you have any questions regarding this transmittal, you may contact your supervisor or James Ryan III at (518)486-5479 or at James.RyanIII@otda.ny.gov.



Samuel L. Spitzberg, Director,
Office of Administrative Hearings

SUMMARY OF ENCLOSED FAIR HEARING DECISION

APPELLANT: ██████████
 FAIR HEARING NUMBER: ██████████

This is a summary of the decision for the fair hearing that you attended on February 29, 2016. Please see the enclosed State Fair Hearing Decision for complete details. If you need help understanding the Fair Hearing Decision, you may call 1 (800) 342-3334.

Action	Issue	Notice Date	Outcome*	Reason
SNAP - DISCONTINUANCE	DISC/REDU/DENY BASED UPON EXCESS INCOME	01/27/2016	AFFIRM	AGENCY AFFIRMED

*What do the Outcomes Mean?	
REVERSE	This means that the agency's action was wrong. The State Fair Hearing Decision may order the agency to take an action to correct its mistake. It may also order it to repay benefits that you lost because of the action.
REMAND	This means that the agency didn't give the hearing officer enough evidence to prove that it was correct. The State Fair Hearing Decision may order the agency to go back and look at its action again. It may also order it to repay benefits that you lost because of the action.
AGENCY AGREEMENT	This means that the agency decided not to take the action it had originally wanted to take. The State Fair Hearing Decision may order the agency not to take the action. It may also order it to repay any benefits that you lost because of the action.
CORRECT WHEN MADE	This means that there were facts that the agency didn't know about when it took its action. Now that it knows them, it shouldn't take the action. The State Fair Hearing Decision may order the agency not to take the action. It may also order it to repay any benefits that you lost because of the action.
AFFIRM	This means that the State Fair Hearing decision has found that the agency's action was correct.
OTHER	This means that the State can't review the action. This may be because too much time has passed, it was already reviewed, it's an action the State isn't allowed to review or you asked the State not to review it.