

## **ACKNOWLEDGEMENTS**

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We would appreciate any comments you may have about how effectively the guide serves its purpose or suggestions how it might be improved.

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Senior Staff Attorney  
Principal Writer and Editor

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## **INTRODUCTION**

Most people on public assistance have had problems with their benefits at one time or another. There are all kinds of errors which the local Department of Social Services (DSS) can and does make. Those mistakes frequently mean that people who are already getting too little will get even less.

Until 1970, there was very little a person could do to make sure that DSS corrected its mistakes. In that year, however, the United States Supreme Court decided that the United States Constitution gives people the right to appeal decisions of the local welfare department. The Court said that people had the right to have a hearing where they could tell their side of the story and that the hearing must be held in a fair and just manner. In New York State those hearings are called fair hearings.

In this state, fair hearings are run by the New York State Office of Temporary and Disability Assistance – not by the local DSS which might have made the mistakes in the first place. Decisions are often made in favor of the person, not the local DSS. Decisions made by DSS employees should not be considered final. They can be questioned, and in many cases they can be overturned.

People often represent themselves at fair hearings. They do not have lawyers because there are not enough Legal Services or Legal Aid lawyers to go around. This guide was prepared to help those people who represent themselves at fair hearings and for those individuals and community advocates who assist their friends or clients at fair hearings. While the success rate for people who have a fair hearing is very high, we suspect it can be even higher. We also hope to encourage people who have been afraid to try the fair hearing process. After all it can be somewhat frightening . . . but not if you know what you are doing.

This guide will help those people who represent themselves or others at fair hearings by explaining how to request a fair hearing, how to prepare for it, and what to expect along the way. It also will assist in presenting a clear and complete description of the case at the hearing. For the fair hearing system to be helpful, it is important for those using it to be as familiar with its operation as possible.

We do not guarantee success, but we trust the reader will come away with a better understanding of what to expect and how to deal with the problems as they arise. For those who have problems or questions along the way, we advise that they check with a local legal services office. (See the last page of this guide for the telephone numbers and addresses.)

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## **WHAT THE FAIR HEARING IS AND HOW TO REQUEST IT**

### **WHAT IS A FAIR HEARING?**

The right to a fair hearing is very important. The fair hearing gives you an opportunity to challenge a decision made by DSS that may be wrong or unfair to you. It gives you a chance to tell your side of the story and if you win, to have DSS correct its mistakes.

Going to a fair hearing is a little like going to Court, but not as formal. A person called a hearing officer or ALJ (Administrative Law Judge) acts as a judge. He or she will listen to both you and the local DSS representative and decide who is right. The hearing officer works for the New York State Department Office of Temporary and Disability Assistance (OTADA). Several weeks after the fair hearing, the State Office of Temporary and Disability Assistance of Social Services will send you a written decision saying who was right and what action needs to be taken.

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### **WHEN TO ASK FOR A FAIR HEARING**

You have a right to ask for a fair hearing anytime you disagree with an action that DSS takes on your case, such as stopping or lowering the amount of your benefit.

Often a fair hearing can be avoided, especially in simple cases of miscommunication or missing documentation. In these cases, it may be worth it to speak to the caseworker, and if necessary, a supervisor to attempt to resolve simple problems. But even in these cases, protect your rights by immediately requesting a fair hearing while you're trying to work the problem out. If you are successful, you can always cancel the fair hearing later.

You can also ask for a fair hearing if you disagree with DSS about the amount of or your eligibility for:

- Public assistance
- Food Stamps
- Medicaid
- Services such as child care, Homemaker or protective services.

Before DSS can stop or lower your benefits, it must send you a written notice or letter saying what DSS is going to do as well as why and when it is going to do it. This is called a Notice of Intent.

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When you get a notice from DSS saying your benefits will be lowered or stopped, read it carefully. If you do not understand what they are going to do or why, then call your DSS caseworker right away. Ask your caseworker to explain the notice.

If you disagree with the reasons, ask for a fair hearing right away. **You have a right to a fair hearing anytime you disagree with an action that DSS takes on your case.** For public assistance and Medicaid, you must ask for a fair hearing within 60 days of the date of the notice. For Food Stamps, you must ask for a fair hearing within 90 days of the date on the notice. **If you want to request a fair hearing to challenge a determination that you are able to work, you must request a hearing within 10 days of the date of the notice.**

If you do not make your request on time, you may lose your right to have a fair hearing.

### HOW TO ASK FOR A FAIR HEARING

You may ask for a fair hearing by:

1. Calling 1-800-342-3334  
This number is often busy. Keep trying. Ask for the name of the person to whom you speak. **Always keep a record of the name and the person to whom you spoke and the date you called.**  
OR  
OR
2. Fax your request to:  
(518) 473-6735  
OR
3. Request a fair hearing online:  
[www.otda.state.ny.us/oah/oahforms/erequestform.asp](http://www.otda.state.ny.us/oah/oahforms/erequestform.asp)
4. Writing to:  
New York State Office of Temporary & Disability Assistance  
Fair Hearing Section  
40 North Pearl Street  
Albany, NY 12243

If you ask for a fair hearing by mail or fax, keep a copy of your letter. A sample letter looks like this:

Date \_\_\_\_\_

New York State  
Office of Temporary & Disability Assistance  
Fair Hearing Section  
40 North Pearl Street  
Albany, NY 12243

Dear Sir or Madam:

*I would like to ask for a fair hearing for the following reasons:*

(List all the reasons why you want a fair hearing here. For example, “The Welfare office sent me a notice saying that they were going to stop sending me a check because they say I make too much money from my job. I disagree. My earnings have not changed in any way.

The notice is dated February 11, 2004 and I have enclosed a copy.”)

*Very truly,*

Your Name  
Address  
Case Number

(Attach a copy of your Notice if you have one)

**KEEPING YOUR BENEFITS THE SAME UNTIL  
THE FAIR HEARING DECISION**

You have the right to have your public assistance or Medicaid continue if you ask for a fair hearing before the effective date of your notice or letter (the date DSS will close your case or lower your benefits.

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It is a good idea to call or write for a fair hearing as soon as you get the notice or letter. When you make your request for a hearing, ask that your benefits continue. This is called “aid continuing.” “Aid Continuing” should be requested within 10 days of the notice date or before the effective date of the notice. If the notice doesn’t give you at least 10 days before the action becomes effective, you can still request aid continuing, if done within 10 days of the mailing of the notice (save the envelope). “Aid Continuing” will allow you to keep your assistance coming at the same level, at least until a decision

is made on your hearing. "Aid continuing" does not apply to denials of applications or requests for increased benefits.

A problem may arise if you received "Aid Continuing" yet lose the fair hearing. You may have to pay back the assistance you received while you waited for the fair hearing decision. DSS can recover the money by reducing your benefits each month. This is called a recoupment. However, DSS cannot take more than 10% of your standard of need. This recoupment can be reduced to 5% if you show undue hardship.

### **REQUESTING AN EMERGENCY FAIR HEARING**

You can get a hearing quickly when you have an emergency and DSS will not help. Some examples of emergencies are:

- You are close to being evicted.
- You are homeless.
- You have no lights or heat or food
- You have lost your belongings in a fire..

If your application for help is denied by local DSS, you can ask for an EMERGENCY FAIR HEARING.

If you have an urgent need, be sure to ask for an EMERGENCY FAIR HEARING. When you request a hearing, explain why you need an early hearing date. Get the name of the person you speak to.

### **BEFORE THE FAIR HEARING**

#### **WHAT YOU SHOULD RECEIVE FROM DSS**

##### **The Notice of the Fair Hearing**

You should get a Notice of Fair Hearing about 4 weeks after you ask for a hearing. The notice will tell you the date, time and place of your hearing. Your notice will also tell you if your assistance will continue unchanged until you get your fair hearing decision

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If the notice of Fair Hearing says that your assistance should continue unchanged, but you find that it is not, then you can complain to:

In Nassau:  
Fair Hearing Supervisor 516-227-7799

In Suffolk:  
Fair Hearing Supervisor 631-853-8804  
Commissioner's Hotline 631-854-9935

OR

New York State  
Office of Temporary & Disability Assistance  
(Fair Hearings) 1-800-342-3334

### **Fair Hearing Packet of Documents**

Upon request, DSS is supposed to send to you all the documents it intends to use at your fair hearing within three days of you request as long as you request them at least five business days before the hearing. 18 NYCRR §358-3.7.

This packet of documents should contain written proof to support what DSS is doing on your case. For example, if DSS denied your application for public assistance claiming that you have too much money in the bank, the packet of documents that DSS must send you might contain the Notice of Denial and a statement from the bank reporting the amount in your account.

If you do not receive a packet of documents before your hearing, tell the hearing officer this when your hearing begins. The hearing officer should order DSS to give you all of the documents it intends to use and give you time to review them. This may mean that the hearing officer will adjourn (put off to another day) the hearing. Read the packet very carefully.

## **PREPARING FOR THE FAIR HEARING**

### **Keeping Records**

Preparation is the key to winning your fair hearing. If you go to the hearing and are not able to remember important things (like who you spoke to at DSS about your case and what was said, or you do not have copies off papers you claim you gave your caseworker) then it is less likely that the hearing officer will believe what you say to be true.  
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It is important to keep good records, even a journal. These will help you to remember what happened on your case and to prove it if you have to go to a fair hearing. After all, the fair hearing is usually held several weeks after you requested it; and by the time you get to the hearing, you may forget something that was important about your case.

## **TIPS ON KEEPING GOOD RECORDS**

Keep a notebook for all contacts with DSS and always include the date, the name of the person you speak to about your case and what was said by both of you. If you give any papers to DSS, always keep copies of them and ask for a receipt. Put the copy in an envelope with the receipt and keep it with your notebook. In your notebook, record the date, what you gave to DSS, and who you gave it or if you mailed the papers. If you cannot get a receipt, make a note of that in your books. The same goes for papers you receive from DSS. Save them and the envelope they come in. Note in your book what you received and when you got it. Keeping a journal like this does not take much time, and it will help you prove your case if you have to go to a fair hearing.

### **Reviewing Your Case File**

You have the right to look at your whole case file before your hearing. It is a good idea to do this. The case file usually contains more documents and notes than the packet of documents sent to you by DSS. Looking at your file allows you to see what is in your file and what is missing. It also might help you to understand why DSS is doing what it is and what proof it has to support its position.

To review your case file you must:

#### **In Nassau:**

Call the Fair Hearing Unit at 516-227-7999

#### **In Suffolk:**

Call the Fair Hearing Unit at 631-853-8804

Tell the supervisor that you want to see your case file and when your hearing is. Pick a time and date to see your file. It is best not to wait until the day of your hearing to look at your file. On the day of the hearing you may feel too nervous to study your file carefully.

Look at your file as soon as your hearing is scheduled and write down any information that you find in the file that may help your case.

For instance, DSS may be stopping your benefits because they claim you did not show up at your work project. The fact is, you were too sick on that day and you called your caseworker. There may be some notes in the file that your worker wrote that you can use to prove that you called. Write this down and tell the hearing office at the hearing that your caseworker's notes are important and you want the hearing officer to look at them.

Or suppose DSS has denied your application for assistance because they claim that you failed to give them a letter from your landlord stating the amount of your rent. However, you know that you gave your caseworker a letter from your landlord stating the amount of your rent but you forgot to keep a copy of it. **It is always a good idea to keep a copy of every document you give to DSS or at least get a receipt.** By looking at your file you may discover that the letter was there and your caseworker overlooked it. Make a note of it and tell the hearing officer at the hearing that you saw the letter in your file. Ask him to look at it.

If you have not been allowed to look at your case file before the day of the hearing, then tell the hearing officer at the hearing. Usually, you will either be given time to read the file or the case will be adjourned to a later date to give you a chance to prepare. Ask for copies of important papers that you see in your file which you think might help your case. You should not have to pay for the copies.

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### **How to Prove Your Case – Gathering Documents and Witnesses**

At the fair hearing, you have to prove to the hearing officer that what you say is true. Often it is not enough to just say that it is true. You may have to bring papers or witnesses to the hearing to support what you are saying.

For example, you may need to bring:

- rent receipts
- LIPA bills
- paystubs
- a doctor's note
- a list of real estate brokers that you have called.

You may also bring people such as neighbors, relatives or friends to be witnesses at the hearing if they have important information about your case.

The hearing officer has the power to order any person to come to your fair hearing who can help your case. You have to tell the hearing officer if there is someone you want to be at your hearing who will not come. The hearing officer can issue a **subpoena** which will order the person to be there.

If you know someone who has important information about your case, but cannot be at the hearing, ask the person to write a letter explaining what he or she knows about your case. The person should sign the letter and have it notarized, if possible.

An example may be helpful here. Let's say your application for public assistance was denied because DSS claims that a man lives in your home and gives you enough money each month for your family. However, this is not true and you have requested a fair hearing.

At the fair hearing, tell the hearing officer that this is not true. Unfortunately, this may not be enough to win the case. Try to get some other proof. You might try to have the man who DSS claims is living with you come to the hearing or write a letter stating that he does not live with you. If he is not willing to cooperate and you want him to be at the hearing, then you could ask the hearing officer to issue a subpoena which would order him to come to the hearing.

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You could also ask friends or neighbors who visit your home either to come to the hearing or write a letter, stating who lives with you. Maybe you have a lease that lists all of the people who live with you in your apartment. You could bring the lease to the hearing to show the hearing officer.

### **TIPS ON PREPARING FOR THE FAIR HEARING**

1. Think about why you asked for the hearing and why you believe DSS was wrong.

2. Write down what you want to say at the hearing. Bring the paper to your hearing and read from it, if you need to, so you do not forget anything important.
3. Make a list of all the papers you want to give the hearing officer and check off each item when you give it to the hearing officer.
4. Before the hearing, practice telling your side of the story to a friend.

### **If Your Problem is Resolved Before the Fair Hearing**

Sometimes after you have asked for a fair hearing, DSS will decide that you are right and DSS was wrong. DSS may then tell you that it will “resolve” your fair hearing problem. This means that you have won the fair hearing on that particular problem.

Someone from DSS may call or write to you to say that your hearing has been “resolved” and that you do not have to appear at the hearing. You may also be asked to withdraw your request for fair hearing. Ask for the person’s name and job title. You do not have to agree to withdraw your request. Instead, you may still show up at the hearing and speak to the hearing officer.

It is a good idea to go to the fair hearing as scheduled. Although your problem may be “resolved” before your hearing, if you do not show up, you will be marked as having “defaulted” or lost. This could mean that even though DSS admits they were wrong, DSS will take whatever action it intended to take when you requested the fair hearing.

Even if the problem is “resolved”, you still have the right to go to the fair hearing to see the hearing officer and ask him to record that you won. If DSS says that it will do something for you, tell the hearing officer and that will be recorded, too. This will only take a few moments and will protect your rights.

#### **BEWARE**

DSS may send you a new notice on the same problem. If DSS does, you will have to request a new fair hearing if you think it is wrong!

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### **THE FAIR HEARING**

#### **WHEN AND WHERE ARE FAIR HEARINGS?**

In Nassau: Fair Hearings are held in the Department of Social Services at  
60 Charles Lindberg Blvd.  
Uniondale, NY 11553

In Suffolk: Fair Hearings are held at the Department of Social Services at  
200 Wireless Boulevard  
Hauppauge, NY 11788

In special circumstances, hearings can be held by phone or at your home (see page 26)

All hearings are scheduled to begin at either 9:00 A.M. or 1:00 P.M. You must sign in when you get to the fair hearing unit. The hearings are usually heard in the order people sign in. The earlier you get there, the less time you have to wait.

Before the hearing, you must be given copies of all the papers DSS will use at your hearing (see page 11). DSS must also provide a Fair Hearing Summary before the hearing. The summary is different from the packet of documents you should have been sent by DSS. The Fair Hearing Summary explains DSS' reasons for what it is doing. Remember, this is only DSS' side of the story. You will also have a chance to tell your side when the hearing starts.

Read the Fair Hearing Summary carefully before you go into the hearing room. If you do not understand something, ask the hearing officer to explain it once you get inside the hearing room. Don't be embarrassed to ask questions. It is often difficult to understand what is written on those papers. If you do not get a Summary before the hearing, tell the hearing officer. The hearing officer should have DSS give you one and then give you a chance to read it. If you need more time, the hearing can be adjourned by the hearing officer for you to prepare. You can ask for this.

### **THE CASE FILE**

The DSS representative should have your entire case file at the fair hearing. If the entire case file is not available, tell the hearing officer. He or she should order the DSS representative to get the file so it is available for the hearing.

### **WHAT WILL HAPPEN AT THE FAIR HEARING?**

Fair hearings usually take place in a small room with a table and chairs. There are usually three people at the hearing: you, the hearing officer and the DSS fair hearing representative. There can be more people if you or DSS bring witnesses.

Remember, fair hearings are confidential. You can ask the hearing officer to keep anyone, who you do not think should be there, out of the hearing.

The hearing officer acts like a judge and is there to listen and record on a tape recorder what is said in the room. The DSS fair hearing representative is there to tell only DSS' side of the story and why DSS thinks it is correct.

Sometimes, just before the fair hearing begins, the DSS fair hearing representative will want to meet with you informally ( without the hearing officer) to try to resolve the fair hearing problem. This can be advantageous to you as well in order to gather more facts before the hearing, but if you are dissatisfied with the proposed resolution, be persistent about going ahead with the formal hearing. If you do agree to the resolution, make sure this is told to the hearing officer while being taped on the tape recorder.

The hearing officer will sit at the head of the table. He will have a tape recorder and will turn it on at the beginning and record everything. **Speak up and make sure that the tape recorder is on all the time.** You and any of your witnesses will sit on one side of the table, and DSS fair hearing representative and any DSS witnesses will sit on the other side of the table.

Usually, the hearing officer will first state the problem or the issue for the hearing. For example, "Mrs. Smith requested this fair hearing today because she disagrees with the agency's determination to discontinue public assistance and food stamps because she has a bank account with \$5,000 in it." **Ask questions if you do not understand** what the hearing officer says.

Make sure the issue that the hearing officer states is the reason why you asked for the hearing in the first place. Tell the hearing officer right away if it is not. Do not wait to say something. Your objection can prevent the hearing from dealing with other additional or unrelated issues which you did not come prepared to discuss. This is also the time to raise any problems you have about seeing your case file or getting a copy of the summary, or problems with the Notice of Intent that DSS sent you.

Next, the DSS fair hearing representative will present the case for DSS. He or she will give the hearing officer any papers to be used as proof. Ask to the papers and ask for time to read any papers that you have not seen before. If the DSS fair hearing representative gives the hearing officer any papers you never saw before, tell the hearing officer. Again, these should have been included in the fair hearing summary you got beforehand.

The DSS fair hearing representative should explain what was done in your case and why. For example, the representative might say something like, "On February 15<sup>th</sup>, the agency asked Mrs. Smith to bring in copies of her rent receipts to prove what her rent is and copies of her 2003 federal and state tax returns by March 5<sup>th</sup>. Mrs. Smith did not bring in the copies by March 5<sup>th</sup>, and she did not ask her caseworker for more time. Therefore, on March 7<sup>th</sup> the agency denied her application for public assistance, Medicaid and Food Stamps."

You then, have a chance to ask the DSS representative questions about what she has said. In the example above, Mrs. Smith may want to ask if anyone from the agency contacted her landlord or the Internal Revenue Service to obtain the information requested because she told her caseworker that she tried to get the information but could not. If there is another witness for DSS, the hearing officer will hear from him or her and then allow you to ask any questions you may have.

Then, it is your turn to tell the hearing officer your side of the story. Usually, the hearing officer will ask you questions first. Answer carefully and completely. Do not guess if you do not know the answer to the question. If you do not know the answer say, "I don't know" or "I can't remember."

Make sure to tell the hearing officer everything you think is important. Show him any papers that you brought as proof. When you are done, the DSS fair hearing representative will have a chance to ask you question.

Next, any witnesses you brought will speak, one at a time. Your witnesses may have been asked to wait outside the hearing room. Ask each one to tell the hearing officer what he or she knows about the facts of your case. The fair hearing representative will also have a chance to ask your witnesses questions.

Finally, the hearing officer will ask if there is anything else. Tell him anything that you have forgotten to say, or it will be too late. If you forgot to bring any papers to the hearing or did not know you would need them, ask the hearing officer if you can send them to him. Sometimes the hearing officer will give you time to send them. You must ask before the hearing officer stops the tape recorder.

### **TIPS AT THE FAIR HEARING**

1. Be calm and polite.
2. Ask questions and do not be shy.
3. Do not argue or lose your temper. Getting angry does not help.
4. Speak clearly and slowly and loud enough so that what you say will be picked up by the tape recorder.
5. You must tell the truth. In order to receive public assistance, the law requires you to provide accurate, current and complete information on your needs and resources as well as the whereabouts and circumstances of responsible relatives.

### **AFTER THE FAIR HEARING**

#### **WHEN DO YOU GET THE DECISION\**

It usually takes 4 to 6 weeks to receive the decision after the fair hearing is held. If you had an Emergency Fair Hearing, you will usually receive the decision within 2

weeks. If you do not receive the decision within this time, you can call the New York state Office of Temporary & Disability Assistance at 1-800-342-3334.

If you win your fair hearing, DSS must do what the decision says right away.  
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### **WHAT YOU DO IF DSS DOES NOT OBEY THE FAIR HEARING DECISION**

If DSS does not do what the fair hearing decision says you should inform the New York State Office of Temporary & Disability Assistance in writing. Fill in the Request for Compliance paper that came with your decision or write a letter to the New York State Office of Temporary & Disability Assistance, Compliance Unit, 40 North Pearl Street, Albany, New York 12243.

You may also call 1-800-342-3334 and ask the New York State Office of Temporary & Disability Assistance for help to make DSS obey the decision.

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### **WHAT YOU DO IF YOU LOSE THE FAIR HEARING**

You may have grounds to appeal the decision by bringing a lawsuit in court. However, not all decisions can be appealed. You will probably need a lawyer at this point.

A lawsuit must be started within four months from the date you get the fair hearing decision. Be sure to keep the envelope the decision comes in . . . it may be important. It is also important to contact a lawyer as soon as possible after you get the fair hearing decision to see if there are any grounds to appeal it.

If you cannot afford to pay a lawyer, see the last page of this guide for information on how to obtain free legal assistance.

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### **IF YOU CANNOT ATTEND THE FAIR HEARING**

If you cannot go to the fair hearing on the day it is scheduled, and you know this before the hearing date, call 1-877-209-1134 to ask for an adjournment. You need to have a good reason like: you have to work and can't get time off or you can't get a babysitter or your child is sick.

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You also have the right to ask the hearing officer on the day of your hearing for an adjournment, Here again you will need a good reason, such as: DSS did not send the

papers it will use at your hearing in time for you to prepare your case, or your witness is sick and cannot come to the hearing, or you would like to talk to a lawyer about your hearing. Tell the hearing officer why you need an adjournment. Make sure he has turned on the tape recorder. He should tell you right then if he will give you the time you need. Write down what he says, especially if he gives you a new date and time to come back. If he grants you an adjournment, he will either give you a new hearing date while you wait or you will be notified of the new date in the mail. **It is important to find out from the hearing officer whether your assistance will continue until the next hearing date. This may help you decide on whether you want an adjournment.**

If you do not go to your hearing and you do not ask for an adjournment beforehand, then you will lose the hearing. However, you may still ask for another hearing within 15 days if you have a good reason for not appearing, like your care broke down or you were sick. When you ask for a new hearing, you must say that you want the fair hearing “rescheduled” or that you want a new fair hearing date. Mention the fair hearing number in “Box A” on the “Notice of Fair Hearing” that you received at your first fair hearing. You will have to explain why you did not show up at the first hearing.

#### **IF YOU ARE DISABLED OR TOO SICK TO TRAVEL TO THE FAIR HEARING.**

If you cannot travel to the Department of Social Services for your hearing, you may ask for a phone hearing or a hearing in your home. Ask for this when you ask for your hearing. You will probably need a letter from a doctor stating why you cannot travel to the hearing. Home hearings usually take longer to schedule. If your benefits are going to continue, this may not be a problem for you.

#### **IF YOU CANNOT TAKE PUBLIC TRANSPORTATION TO THE FAIR HEARING**

If you cannot take public transportation (a bus or train) to your hearing, you can ask DSS to pay for a taxi or ambulette (whichever is needed) to bring you to the hearing. You must ask this before your hearing date. To do so call the Fair Hearing Supervisor to arrange the details:

**In Nassau: 516-227-7999**

**In Suffolk: 631-853-8804**

#### **IF YOU WANT TO GET TRAVEL OR CHILD CARE EXPENSES FOR GOING TO THE FAIR HEARING**

You have the right to be paid for your travel expenses (and those of your witnesses) to go to and from the fair hearing.

Also, if you had to pay someone to care for your children while you were at your fair hearing, you have the right to receive child care money. As proof, bring a letter from

your babysitter stating that he or she cared for your child(ren) during the hearing and how much she charged.

At the end of the hearing, tell the DSS fair hearing representative what your expenses have been and give that person any written proof you might have. If you are reimbursed for your expenses, tell the hearing officer.

### **FOR PEOPLE WHO DO NOT SPEAK ENGLISH OR ARE DEAF**

For people who do not speak English or are deaf, and need an interpreter, the New York State Department of Social Services will provide one. A request for an interpreter should be made when asking for the fair hearing.

### **HOW TO GET FREE LEGAL ASSISTANCE**

**Nassau/Suffolk Law Services** provides free legal help to eligible individuals. Call the office listed below that is closest to you to find out if you qualify and whether someone can assist you.

NASSAU: 1 Helen Keller Way, Hempstead, New York 11550  
516-292-8100

SUFFOLK: 1757 Veterans Highway, Suite 50, Islandia, NY 11749  
631-232-2400

313 West Main Street, Riverhead, NY 11901  
631-369-1112

If you have been in a psychiatric hospital or have a long history of psychiatric problems, you may qualify for free legal help from **Nassau/Suffolk Law Services Mental Health Law Projects**.

NASSAU: 1 Helen Keller Way, Hempstead, NY 11550  
516-292-8100

SUFFOLK: 1757 Veterans Highway, Suite 50, Islandia, NY 11749  
631-232-2400

For the staff of community agencies, call:  
**Law Services' Center for Advocates.**

1757 Veterans Highway, Suite 50, Islandia, NY 11749  
631-232-2400, Ext. 3369

### **IMPORTANT PHONE NUMBERS**

**DSS CASEWORKER**

**NEW YORK STATE OFFICE OF TEMPORARY & DISABILITY ASSISTANCE  
1-800-342-3334**

**NASSAU COUNTY FAIR HEARING UNIT  
516-227-7999**

**SUFFOLK COUNTY FAIR HEARING UNIT  
631-853-8804**

**NASSAU COUNTY DSS COMMISSIONER'S OFFICER  
516-227-7405 or 7474**

**SUFFOLK COUNTY DSS COMMISSIONER'S RESPONSE UNIT  
631-854-9938 or 9935**