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   Office of Administrative Hearings (OAH) !	Transmittal   Number: 97-20
Procedures Transmittal	Date: June 11, 1997
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Distribution:	!
ALB OAH Staff [X] UPS ALJs/ [ ] Upstate LDSS [ ]	Subject: Elimination
	' '
SUP ALJs [ ]	of the Use of OHC2
	and OHC3 as Subcat-
NYC OAH Staff [X] NYC ALJs/ [ ] NYC Agencies [X]	gories for PERS
	' '
SUP ALJs [ ] NOHC Only	Monitor Cases
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It is no longer necessary to use the subcategories OHC2 or OHC3 to denote issues related to the PERS (Personal Emergency Response) Monitor for cases involving the New York City Office Of Home Care (NOHC). Since the NOHC has agreed to withdraw all outstanding notices of intent to reduce home care hours for clients with PERS devices in accordance with the order in  $\underline{\text{DeLuca at al. v.}}$   $\underline{\text{Hammons and Wing,}}$  there should no longer be new requests requiring segregation onto separate NOHC PERS calendars by the use of OHC2 or OHC3.

All cases previously subcategorized with OHC2 or OHC3 are in the process of being disposed of through the Disposition process described in OAH Transmittal 96-36. Communications Intake staff should, therefore, have no need to utilize OHC2 or OHC3 as a subcategory in the future. If new issues related to PERS do arise, please bring them to the attention of your supervisor so that the NOHC can be notified. The NOHC will in turn withdraw any new PERS cases brought to their attention.

It is still possible to have issues related to the Personal Emergency Response Monitor (issue code 291 or 292) for cases involving the New York City Cluster Care Program (NCCP).

If there are questions with respect to this transmittal, please bring them to the attention of Sue Fiehl at (518) 473-4779 or via e-mail 90j029. Supervisors with examples of new requests that contain PERS issues, should also bring them to Ms. Fiehl.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings