

MEDICAID FAIR HEARINGS DURING THE COVID-19 EMERGENCY

If you are scheduled to have a fair hearing during the COVID-19 emergency, all fair hearings will now be conducted over the phone until further notice. The Office of Temporary and Disability Assistance (OTDA) is reaching out to people who had fair hearings scheduled prior to the health crisis to arrange for a telephone hearing.

If you are representing yourself or are acting as the designated representative for someone else and would like to submit written evidence in advance of your fair hearing, such as information from a doctor, you may:

- Email to: otda.sm.fhdocuments.submission@otda.ny.gov
- Fax to: 518-473-6735
- Mail to: Office of Administrative Hearings, PO BOX 1930, Albany, NY 12201-1930

Make sure to write your fair hearing number on the subject line of any evidence you send to OTDA. You should try to send in evidence at least one week before the hearing if possible. If the Administrative Law Judge conducting the hearing has not received your evidence, you can ask for an adjournment (rescheduling) of the hearing. You can ask for this even if you did not submit documents in advance.

You are entitled to receive the evidence packet that the Agency will be presenting in the hearing at least one business day before the hearing. If you do not get this evidence with enough time for you to prepare for the hearing, or if you need time to gather your own evidence to respond, you may request an adjournment.

On the scheduled date and time of your fair hearing, if OTDA cannot reach you, your fair hearing will be adjourned and will be rescheduled for a later date. If you have aid continuing (meaning that your services are staying the same until there is a Fair Hearing decision), it will last until at least the final outcome of your hearing. You should receive a new hearing date by mail, but you can always call 877-209-1134 to find out when your hearing has been scheduled and/or to request an adjournment.