

FAIR HEARING SPECIALIST

DISTINGUISHING FEATURES OF THE CLASS: This is professional administrative work involving responsibility for a variety of duties related to the preparation and presentation of fair hearing cases related to the determination of eligibility for the Department of Social Services public assistance programs (e.g., Medicaid, Temporary Assistance, Supplemental Nutrition Assistance Program (SNAP), Home Energy Assistance Program (HEAP), etc.) in an administrative hearing setting. The work is performed under the direct supervision of a higher-level administrator. Does related work as required.

TYPICAL WORK ACTIVITIES:

Reviews and prepares all arguments in support of public assistance programs eligibility determinations by reviewing case files in support of agency decisions;

Presents and advocates Fair Hearing cases for the Department of Social Services in support of agency eligibility determinations before an Administrative Judge by presenting evidence as well as witnesses to support decisions;

Conducts direct and cross-examinations of witnesses presented during Fair Hearings;

Researches laws and regulations as it relates to Fair Hearing cases, actions and eligibility determinations;

Records all requests for Fair Hearings from recipients or applicants for public assistance for Social Services programs including Medicaid, Personal Care, Child Care, Temporary Assistance, SNAP, HEAP, etc.;

Provides reports to New York State officials on the agency's efforts to comply with all Fair Hearing decisions;

Meets with staff (e.g., Social Welfare Examiners and supervisors) to provide guidance regarding Fair Hearing decisions and provides advice as to the actions that are required to comply with agency regulations and directives;

Meets with Appellants' representatives to review complex cases for possible resolution in advance of the Fair Hearing or to identify outstanding issues;

Notifies appropriate staff when the Appellant has been awarded continuation of benefits pending the Fair Hearing process or when it is determined that the public assistance notice is either legally insufficient or inaccurate, advises appropriate staff to review the case and reissue a proper legal notice to the Appellant;

Receives, reviews, files and distributes all Fair Hearing decisions including objections to the Office of Administrative Hearings on decisions the agency believes were incorrectly decided;

Prepares a variety of administrative summaries providing factual advice in making eligibility determinations including citations of applicable laws and regulations.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Good knowledge of federal, New York State and local social services laws, rules and regulations as they affect eligibility for assistance in various social services programs; good knowledge of legal terminology, documents and forms; good knowledge of notices, documents, procedures and routines associated with a social services agency; ability to prepare and present fair hearing cases; ability to perform legal research; ability to independently prepare legal documents appropriate to various aspects of a social services agency; ability to understand and carry out complex oral and written instructions; ability to establish and maintain cooperative working relationships with others.

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MINIMUM QUALIFICATIONS:

1. A Bachelor's degree in Legal Studies, Paralegal Studies, Criminal Justice, Criminology and three (3) years of experience that involved the preparation of documents for the determination of program eligibility for Social Services benefits as a major function of the work (major function of the work is defined as 50% or more of the day-to-day work experience); or
2. A Master's degree in Legal Studies, Law, Science in Laws, Criminal Justice, or Criminology and one (1) year of experience that involved the preparation of documents for the determination of program eligibility for Social Services benefits as a major function of the work (major function of the work is defined as 50% or more of the day-to-day work experience); or
3. Possession of a license to practice law in New York State.

NOTE: Must provide a current certificate of good standing applies to the license to practice law in New York State.