



Legislation Details (With Text)

**File #:** Res 0155-2004      **Version:** A      **Name:** Use of the fair hearing process to challenge the HRA's use of sanctions on persons who seek and receive public assistance.

**Type:** Resolution      **Status:** Filed

**In control:** Committee on General Welfare

**On agenda:** 2/26/2004

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling on the appropriate committee of the Council of the City of New York to hold an oversight hearing on use of the fair hearing process to challenge the Human Resources Administration's use of sanctions on persons who seek and receive public assistance.

**Sponsors:** Miguel Martinez, Yvette D. Clarke, Erik Martin Dilan, Helen D. Foster, Letitia James, Robert Jackson, Bill Perkins, Leroy G. Comrie, Jr., Melinda R. Katz, Kendall Stewart, Margarita Lopez, Diana Reyna, Eric N. Gioia, Charles Barron, James Sanders, Jr., Philip Reed, Joseph P. Addabbo, Jr., John C. Liu, Gale A. Brewer, Alan J. Gerson, Annabel Palma, Maria Baez, Joel Rivera, Larry B. Seabrook, Jose M. Serrano, Sara M. Gonzalez, Christine C. Quinn, Gifford Miller

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript

Date	Ver.	Action By	Action	Result
2/26/2004	*	City Council	Introduced by Council	
2/26/2004	*	City Council	Referred to Comm by Council	
6/15/2004	*	Committee on General Welfare	Hearing Held by Committee	
6/15/2004	*	Committee on General Welfare	Amendment Proposed by Comm	
6/15/2004	*	Committee on General Welfare	Amended by Committee	
6/15/2004	A	Committee on General Welfare	Filed by Committee	Pass
6/21/2004	A	City Council	Filed by Council	Pass

Res. No. 155-A

Resolution calling on the appropriate committee of the Council of the City of New York to hold an oversight hearing on use of the fair hearing process to challenge the Human Resources Administration's use of sanctions on persons who seek and receive public assistance.

By Council Members Martinez, Clarke, Dilan, Foster, James, Jackson, Perkins, Comrie, Katz, Stewart, Lopez, Reyna, Gioia, Barron, Sanders, Reed, Addabbo, Liu, Brewer, Gerson, Palma, Baez, Rivera, Seabrook, Serrano, Gonzalez, Quinn and the Speaker (Council Member Miller)

Whereas, As of January 18, 2004, over 430,000 New Yorkers were receiving public assistance; and

Whereas, HRA often sanctions persons who miss appointments related to public assistance,

including reducing or denying benefits or terminating applications; and

Whereas, According to information published by the Human Resources Administration in January 2004, 27.5%, or 34,582 of the engageable public assistance caseload was involved in the sanction process; and

Whereas, When HRA notifies applicants for or recipients of public assistance of its intent to impose sanctions or close a file for missing one or more appointments, often their only recourse is to request a fair hearing to challenge the decision; and

Whereas, 1,901 public assistance clients (1.5% of the caseload) were involved in the fair hearing process as of January 18, 2004; and

Whereas, The fair hearing process is burdensome and can cause significant disruption in the lives of public assistance clients, many of whom already face considerable hardships; and

Whereas, Fair hearings are time-consuming and costly for HRA; and

Whereas, Public assistance clients need additional opportunities to reschedule meetings or submit forms before they are subject to the sanctions process at HRA; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the appropriate Committee to hold an oversight hearing on use of the fair hearing process to challenge the Human Resources Administration's use of sanctions on persons who seek and receive public assistance.

LS#325