

# Eligibility Operations Appeals Overview July 2015

Social Service Advisory Board (SSAB)  
July 9, 2015

# What is Appeals?

- Eligibility Operations (EO) Appeals works with both State-level and County-level appeals
- If a customer disagrees with an action the County has taken on their case, they have the right to request a hearing
- The hearing is conducted by an Administrative Law Judge assigned by California Department of Social Services (CDSS)

# What is Appeals?

- The County assigns a Program Specialist who will represent the County in the hearing process
- Any County action, or inaction can be appealed
- Customers may designate an Authorized Representative (AR) to represent them throughout the Appeal process

# What is a State Hearing?

- Conducted by a CDSS State Hearings Division (SHD) Administrative Law Judge (ALJ)
- The Program Specialist represents the County
- The claimant and his/her Authorized representative present their case.
- All witnesses are sworn in before testimony is taken.
- The hearing is recorded

# State Hearing Requests

- Hearing requests must be received by State Hearing's Division (SHD) within 90 days of the Notice of Action (NOA)
  - Medi-Cal and Covered California hearing requests go to the Affordable Care Act Bureau (ACAB) of SHD
  - All other hearing requests go to SHD
- Customers may request a hearing in several different ways such as by mail, phone, or in-person

# State Hearing Requests

Type	Timeframe
CalWORKs, CalFresh, Welfare-to-Work, In Home Supportive Services, Adoption Assistance, Foster Care, Child Care, CA Children Services, KinGap, Cash Assistance Program for Immigrants	To State Hearing Division within 90 calendar days of NOA mailing date
Medi-Cal	To Affordable Care Act Bureau within 90 calendar days of NOA mailing date

# How to Request a State Hearing

	State Hearings Division	Affordable Care Act Bureau
Phone	1-800-952-5253	1-855-795-0634
Fax	1-916-651-5210	1-916-651-2789
Mail-in	CA Dept of Social Services State Hearings Division PO Box 944243 MS 9-17-37 Sacramento, CA 94244-2430	CA Dept of Social Services Attn: ACA Bureau PO Box 944243 MS 9-17-37 Sacramento, CA 94244-2430
TDD/TTY	1-800-952-8349	1-888-889-4500
Online	<a href="https://secure.dss.cahwnet.gov/shd/pubintake/cdss-request.aspx">https://secure.dss.cahwnet.gov/shd/pubintake/cdss-request.aspx</a>	
E-mail	(n/a)	SHDACABureau@DSS.CA.gov
In person	EO Appeals 1255 Imperial Ave, Suite 300 San Diego, CA 92101	EO Appeals 1255 Imperial Ave, Suite 300 San Diego, CA 92101

# COUNTY HEARINGS

- Conducted by an Eligibility Operations Appeals Representative as the County Hearing Officer
- Programs heard by Eligibility Operations Appeals:
  - General Relief (GR)
  - County Medical Services (CMS)
  - IHSS Provider Overpayments



# County Hearing Requests

- Hearing requests must be received by EO Appeals within the designated timeframe for that program

Type	Timeframe
GR denial	Within 10 calendar days of NOA mailing date
GR discontinuance	Within 10 calendar days after the effective date of proposed action
CMS	Within 14 calendar days of the NOA date
IHSS Provider Overpayment	Within 14 calendar days of the Supervisory Review Notice of Action

# How to Request a County Hearing

	Eligibility Operations Appeals
Phone	1-619-237-8534
Fax	1-619-237-8465
Mail-in	San Diego County HHSA Appeals Section - GR/CMS Calendar Clerk 1255 Imperial Avenue, Suite 300 San Diego, CA 92101
In person	EO Appeals 1255 Imperial Ave, Suite 300 San Diego, CA 92101

# What is Aid Paid Pending?

- Continues benefits at the current level while the hearing outcome is pending
- May be authorized when a hearing is requested before action takes place, or adequate/timely NOA was not issued
- Must be issued within 5 work days of receiving the hearing request
- Does not apply to denial actions

# Appeal's Workflow

- Appeal request are received by EO Appeals and assigned to an Appeals Representative
- Aid paid pending is determined if eligible
- Appeals Representative reviews the hearing request and reaches out to the Customer or Authorized Representative to confirm hearing request issue

# Appeal's Workflow (continued)

- The designated office (FRC, IHSS, etc.) has the opportunity to review the case actions
  - If case actions cannot be supported, the office may take action to correct the case
- Appeals Representative reviews the case record and determines whether to offer a Conditional Withdrawal (CWD), or prepare the case for hearing

# Withdrawals

- Withdrawal
  - The customer withdraws their request for hearing
- Conditional Withdrawal (CWD)
  - The customer withdraws their request for hearing under the condition that the County completes specific actions. The customer/AR and County must agree to the terms of the CWD

# The Hearing Process

- For State Hearings, An Administrative Law Judge is assigned by the state, to conduct the hearing
- For County Hearings, the County assigns a Program Specialist to conduct the hearing,
- For State Hearings, the County prepares a Statement of Position, which is available to the customer/AR two business days prior to the hearing date
- State and County hearings can be conducted in-person or by phone
- State and County hearings are recorded

# Hearing Decisions

- State hearing decisions are issued by State Hearing's Division within 90 days of the request for hearing
- County hearing decisions for GR are issued within 15 calendar days of the hearing date
- County hearing decisions for CMS are issued within 15 work days from the date the record is closed
- County hearing decisions for IHSS Provider Overpayments are issued within 30 days of the request for hearing



# State and County Hearings FY 14/15

Program	Requests	Conditional Withdrawal	Withdrawal
CalFresh	3256	1160	1051
CalWORKs	1298	428	364
Medi-Cal	2266	799	858
GR	289	19	36
CMS	40	3	8
LIHP	20	0	2

# Appeals Video

- Made in partnership with the San Diego Legal Aid Society and CDSS State Hearings Division
- [https://www.youtube.com/watch?feature=player\\_embedded&v=o3ySCldSo64](https://www.youtube.com/watch?feature=player_embedded&v=o3ySCldSo64)

# Questions?

- Carmen Lopez                      619-237-8483
- Anita Rodgers                        619-338-2899