

A Appeal Hearings - Request Requirements

REVISION 49
(01/01/21 - 12/31/21)

A participant, representative, or responsible adult in the budgetary unit has a right to request a formal appeal when they disagree with a decision or action taken by FAA. They have a right to ask for a legal review of their case that may or may not affect the participation of the budgetary unit. This review is called an appeal hearing.

An appeal hearing may be conducted for a reason that includes, but is not limited to, the following:

- An application is denied.
- Action has not been taken on an application within the applicable time frame.
- A request for supplemental or replacement benefits is denied, or action is not taken within the applicable time frame.
- Benefits have been reduced or stopped.
- An overpayment determination or amount of an overpayment is disputed.
- Action has not been taken on a reported change.
- A CA or NA EBT transaction is disputed. See [EBT Account Adjustments](#) for more information on a disputed transaction.

When the [appellant\(g\)](#) receives a notice of benefits reduced or stopped and submits an appeal before the effective date of the adverse action, they are eligible for continued benefits.

NOTE Appellants are not eligible for continued benefits when benefits are reduced or stopped due to a mass change. See [Continuing Benefits](#) for more information.

When the Administrative Law Judge remands the issue back to the FAA office for a new determination, the appellant has the right to file an appeal on the new decision. When the appellant files an appeal

on the new decision, the appellant is entitled to request continued benefits under the new time frame.

Any of the following may be used to request an appeal hearing:

- Hearing form in Health-e-Arizona PLUS (HEAplus)
- Hearing Request form (FAA-0098A) form
- Hearing form printed on the reverse side of any decision notice
- Written statement from the appellant or representative
- Verbal request

When a verbal appeal request is received, FAA completes the Verbal Hearing Request (FAA-0098B) form.

NOTE When none of the options for continued benefits are selected, benefits may continue automatically. The appellant may be required to pay back any benefits for which they are not eligible.

When HEAplus is unavailable, upload the appeal hearing request to OnBase, document the [case file\(g\)](#), and fax the hearing request document to all of the following within two [workdays\(g\)](#):

- [Appeals Processing Unit \(APU\)](#)
- [Appellate Services Administration-Office of Appeals](#)
- [FAA EBT Support](#), via email when applicable

Policy and procedures regarding Hopi Tribal TANF or Pascua Yaqui Tribal TANF appeal hearings are outlined as follows:

- [Appeal Hearings - Hopi Tribal TANF](#)
- [Appeal Hearings – Pascua Yaqui Tribal TANF](#)