

C Fair Hearings - Local Office Hearing Request Procedures

Policy and procedures regarding local office responsibilities in the hearing process are outlined as follows:

- [Hearing Documentation and Preparation](#)
- [Notifying the Office of Appeals](#)
- [Pre-hearing Scheduling a Conference](#)
- [Pre-hearing Conducting a Conference](#)
- [Hearing Packet](#)
- [Continuing Benefits](#)
- [Adjusting Benefits](#)
- [Hearing Request Withdrawals](#)
- [Hearing Decision Actions](#)
- [Submitting a Petition to Review](#)

WARNING

When an appeal is filed at any local office, but the eligibility determination was completed at an [FAA MA Only local office](#), the following apply:

- DO NOT route the request back to the hospital.
- Process the appeal at the local office that serves the residential address of the participant.

When an appeal is filed by an attorney representing a hospital that is acting as a representative for a hospitalized participant who resides in Maricopa county or Apache Junction, the following apply:

- The [district fair hearing specialist\(g\)](#) processes the appeal.
- The district fair hearing specialist uses procedures in [Local Office Hearing Request](#) to process the appeal.

FAA staff must complete the following:

- Provide the appellant or representative with the phone number and address of any legal services available.
- Copy and provide the appellant or representative materials needed to prepare for the hearing, including copies of pertinent documents in the [case file\(g\)](#).

NOTE When an appeal is filed by a hospital acting as a representative, FAX the hospital's attorney the following:

- AZTECS screen prints of budget calculation
 - Income screen prints
 - Notice screen prints
 - Any documentation in CADO that relates to THIS eligibility decision
 - Advise the appellant or representative of the right to request a [continuation of benefits](#).
 - Schedule a pre-hearing conference. (See [Pre-hearing Scheduling](#))
 - Conduct a pre-hearing conference. (See [Conducting the Pre-hearing Conference](#))
 - Authorize and [arrange medical exams](#) when required for the CA determination and requested by the [Office of Appeals](#).
 - Send the General Medical Evaluation (FA-193) form to the [District Medical Consultant](#) or physician, as applicable. Forward the completed FA-193 along with any medical reports to the Office of Appeals when it is returned.
- Determine whether an interpreter or alternative form of communication is needed.
 - Notify the following of the time, date and place of the fair hearing when they were involved in the action:
Office of Special Investigations (See [OSI PH#](#))
Pre-Determination Quality Control (PDQC) in Maricopa and Pima counties only
Jobs case manager for appeals arising from a Jobs sanction

WARNING

DO NOT copy and provide to the appellant or representative, materials that contain any of the following:

- Confidential information received from any source that provides information about the appellant without the appellant's knowledge.
- Information received from the [Office of Special Investigations](#).
- [IRS BEER](#) reports.

Information that might be psychologically harmful.

NOTE These documents cannot be introduced in the hearing process. (See [Conducting Hearings](#))

FAA is responsible for advising a participant of their appeal rights when they disagree with any action taken or decision made on their case. (See [Fair Hearings](#))