

.01 Appellate Services Administration (ASA), Office of Appeals Responsibilities - Hearing Scheduling

REVISION 41
(04/01/16 - 05/31/16)

Hearings must be scheduled to allow for a decision to be rendered within 90 days from the hearing request. Hearings are scheduled between 20 and 45 calendar days from the date the request is filed.

The Office of Appeals is responsible for providing notification of the hearing to everyone involved at least 20 calendar days prior to the hearing date. This allows time to prepare for the hearing.

The Notice of Hearing is an advance notice and is mailed to the appellant. The Office of Appeals also sends a copy of the notice by email to the Appeals Processing Unit.

The appellant or representative may request less than 20 calendar days' notice in order to expedite the hearing.

Hearings are scheduled to be held over the phone. The Office of Appeals informs the appellant that the hearing was scheduled by phone, but they have the right to request to appear in person.

NA EXCEPTION

Both of the following must occur within 60 calendar days from receipt of the hearing request:

- The hearing is conducted
- A decision is rendered

Scheduling and conducting hearings are given priority for budgetary units that plan to move from the jurisdiction of the hearing office location before a decision would normally be reached. This enables the appellant to receive a decision and restored benefits (as applicable) before leaving the area.

When requested, the Office of Appeals is responsible for obtaining professional language interpreters to assist in the hearing proceedings.

NA WARNING

The time limits for completion of the disqualification hearing are applied when both of the following are combined into one hearing:

- Appeal
- Administrative Disqualification Hearing

The Office of Appeals notifies the appellant that the hearing issues were combined.

The budgetary unit loses the right to a subsequent appeal when the hearings are combined for the purpose of settling a dispute for either of the following:

- Amount of an overpayment claim
- Whether an Intentional Program Violation (IPV) occurred