

03 *Fair Hearings - Overview*

REVISION 07
(01/01/09 – 03/31/09)

A Fair Hearing (FH) is a process through which the following may request review of FAA's timeliness, or results of the eligibility determination, is requested by the one of the following:

- The PI
- A representative
- Attorneys representing a hospital acting as a representative for a hospitalized participant

NOTE Whenever possible the local office **MUST** attempt to resolve the participant's questions or concerns about an eligibility decision **PRIOR** to the participant submitting a FH request.

The review is completed by a Hearing Officer who conducts the impartial third party review of eligibility determination.

FAA staff must **NOT** limit or interfere with the PI's right to request a hearing.

When requested, FAA staff may help the participant to complete the request.

NOTE When the reason for the request is unclear, ask the PI to clarify the reason for the request.

When a hearing is requested, the PI becomes known as an appellant (g), and is referred to as such throughout this section.

Policy and procedures regarding fair hearings are outlined as follows:

- [Hearing Request Requirements](#)
- [Hearing Request Time Limits](#)
- [Local Office Hearing Request Procedures](#)
- [Region Fair Hearing Specialist Responsibilities](#)
- [Fair Hearing Request Withdrawals](#)
- [Hospital Fair Hearing Procedures](#) - FAA MA Only local offices
- [OARC Hearing Request Procedures](#)
- [Office of Appeals Responsibilities](#)
- [Appeals Board Responsibilities](#)
- [Judicial Review](#)

(See [Inform the Participant](#) for information FAA is required to provide participants regarding hearing rights. All [adverse action](#) notices also contain hearing rights and procedures.)