

## .08 Local Office Hearing Request Procedures - Continuing Benefits

Continue benefits at the level received immediately before the [adverse action](#) when the appellant requests both of the following:

- A hearing within TEN calendar days
- Continuation of benefits

### CA EXCEPTION

When the fair hearing is timely filed for a sanction, benefits must be continued, even when the participant has not requested them. End the sanction on DISA and restore CA benefits to 100%. Send the [appropriate notice](#).

When a hearing decision affirms FAA's original determination, see [Hearing Decision Affirmed](#).

### WARNING

DO NOT continue benefits in any of the following circumstances:

- The appellant waives the right to continued benefits. Decision notices have a preprinted waiver request box that, when checked by the appellant, waives the appellant's rights to continued benefits. Benefits may be continued when it is not clear whether continued benefits were waived.
- The hearing request is the result of a [mass change](#) and FAA's fair use of the law is not in question.
- The appellant is requesting continued benefits for a program in which the approval period has ended, such as FS, TPEP, MD, or TMA (after 12 months).
- The hearing request is for a denial.

When a hearing decision is in favor of the FAA action taken on FS.

NOTE Determine whether good cause exists when the hearing request is not received within the TEN day limit and the appellant is requesting continued benefits.