

.08 Local Office Hearing Request Procedures - Continuing Benefits

REVISION 06
(10/01/08 – 12/31/08)

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 filed timely 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. 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 NA, TPEP, MD, or TMA (not after six months of T1 and not after six months of T2).
- The hearing request is for a denial.
- When a hearing decision is in favor of the FAA action taken on NA.
- Determine whether good cause exists when the hearing request is not received within the TEN calendar day limit and the appellant is requesting continued benefits.