

D District Fair Hearing Specialist Responsibilities

When the district fair hearing specialist receives a fair hearing packet, the specialist reviews the packet and the [case file\(g\)](#). When the fair hearing specialist identifies issues that need resolution prior to the hearing, the specialist notifies the local office via e-mail, of the issues within one work day to discuss the issues.

When the local office and the fair hearing specialist cannot resolve the issue, the following are completed:

- The fair hearing specialist notifies the Policy Support Team via e-mail or telephone (see [PST](#) for the e-mail address and phone number) within one work day hours to discuss the issue with a policy specialist.

- When the issue cannot be resolved within one work day, the policy specialist MUST complete the following:

Notify the Local Office Manager (LOM) via e-mail or telephone that an issue needs resolution prior to the fair hearing.

Review the issue with the LOM and schedule a conference call for 9 a.m. the following day, to include the fair hearing specialist.

- The LOM reviews the issues with designated local office staff. When the local office agrees with the fair hearing specialist's findings, they contact the policy specialist, via telephone the same day, to cancel the conference call.

When the local office disputes the findings, the conference call is conducted to resolve any outstanding issues. The following staff must participate in the conference call:

- The LOM
- Designated local office staff
- The district fair hearing specialist
- The policy specialist
- Upon resolution of the issue, the following occur:

The case is corrected and the appellant is requested to withdraw the fair hearing.

The appeal continues to fair hearing, unless the withdrawal is received. When a withdrawal is received, see [Hearing Request Withdrawals](#).

EXCEPTION

DO NOT request a withdrawal when one of the following occurs:

- The case file cannot be located (See [Lost Cases](#))
- The overpayment is incorrect

NOTE Accept a withdrawal on overpayment issues ONLY when the appellant agrees with the overpayment as indicated on the notice sent by OARC to the budgetary unit. (See [Collection Notices-Recoupment](#))