

### 03 Appeals - Overview

**REVISION 46**  
(01/01/18 –12/31/18)

An Appeal Hearing is a process through which certain individuals may request a review of FAA's disposition timeliness or the results of the eligibility determination.

When a participant disagrees with a decision or action taken by DES, they have a right to ask for a legal review of their case. This review is called an Appeal. They may ask for an Appeal on any decisions, actions or inaction, which may or may not affect the participation of the budgetary unit in any program.

An Appeal may be requested by one of the following:

- The PI
- An authorized representative
- An Attorney representing a hospital that is acting as an authorized representative for a hospitalized participant
- Any responsible adult in the budgetary unit

**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 an appeal request.

A Hearing Officer conducts the impartial third party review of the eligibility determination.

FAA staff must not limit or interfere with the participant'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.

#### **CA EXCEPTION**

When the request is regarding a Pascua Yaqui or Hopi Tribal TANF determination, do not refer the appeal hearing request to the Appeals Processing Unit (APU), follow the procedures outlined below:

- [Appeal Hearings - Pascua Yaqui Tribal TANF](#)
- [Appeal Hearings - Hopi Tribal TANF](#)

When a hearing is requested, the individual requesting the hearing, becomes known as an [appellant\(g\)](#), and is referred to as such throughout this section.

Policy and procedures regarding appeal hearings are outlined as follows:

- [Hearing Request Requirements](#)
- [Hearing Request Time Limits](#)
- [Local Office Hearing Request Procedures](#)
- [Appeals Specialist Responsibilities](#)
- [Appeals Request Withdrawals](#)
- [OARC Hearing Request Procedures](#)
- [Appellate Services Administration \(ASA\) 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.)