



PO 220.12: The Appeal Hearing

PR 220.12.

An appeal hearing will be conducted by a Public Aid Committee.

The client or their representative must appear at the scheduled hearing. If a client dies before the hearing is held, the representative may continue with the appeal even if there is no signed statement from the client.

a. Postponement

The client or their representative may ask for a postponement of the hearing. The request must be in writing to the GA Unit or Public Aid Committee before the scheduled hearing date. After the hearing starts, a verbal request for a postponement can be made.

The Public Aid Committee may postpone the hearing for any length of time based on the judgment of the hearing officer. If the Committee approves a postponement, the Committee sends the client and/or their representative and the GA Unit a letter rescheduling the hearing. If the hearing is postponed, extend the 90-day time limit of the appeal process by the number of days of the allowed postponement.

b. Dismissal Due to Nonappearance

The appeal can be dismissed by the Public Aid Committee if the client or representative:

- fails to appear at the time and place set for the hearing and a hearing postponement has not been requested in writing, or
- refuses to proceed with the hearing.

The Committee sends a written notice to the client and/or their representative advising that the appeal has been dismissed due to nonappearance. A copy of the notice is sent to the GA Unit.

Dismissal of an appeal is a Final Administrative Decision. Make any planned change in benefits which had been delayed pending the outcome of the appeal *immediately*. Do not wait for written notification from the Committee.

c. Rescheduled Appeal Hearing

Within 10 calendar days after the date of the dismissal notice, a client or their representative can request to reschedule the appeal. The request must be in writing and sent to the Public Aid Committee by mail or fax. The date of the request is the postmark date or fax transmittal date. If the 10th day is on a weekend or holiday, the request must be postmarked by the next workday.

If the appeal is rescheduled, the Committee sends a notice with the new date of hearing to the client and/or their representative. A copy of the notice is sent to the GA Unit. Restore any benefits due the client which were canceled or reduced because of the dismissal.

