



## **PO 220.13: The Appeal Decision**

**PR 220.13.**

Following the hearing, a Final Administrative Decision is made by the Committee. The decision is made by applying policy to the particular case situation. The decision applies only to the case under appeal and to no other case. A decision in an appeal is not general policy.

The Decision either:

- upholds the action, or
- does not uphold the action, or
- determines a lack of jurisdiction.

The Decision instructs the GA Unit to take appropriate action, including the authorization of retroactive cash and medical benefits, if necessary.

The Committee sends a Final Administrative Decision to the client, or the client's representative, if appropriate, and to the GA Unit. Take the appropriate action as soon as possible and no later than 90 calendar days from the date the appeal request was received by the Committee, unless the client requested a delay (postponement) in the hearing process.

**a. Action Upheld**

Take action as soon as possible after being notified of the decision. Do not send any additional notice to the client unless the decision tells you to make a new determination. The notice of the appeal decision is enough if you are only taking the action that was appealed.

If benefits were continued in the previous amount during the appeal process, report an overpayment for any excess benefits received during the continuation.

If benefits were not continued in the previous amount and a new determination is not required, no action is needed.

Be aware of changes in case status or benefit amounts that happened while the appeal was pending. Consider these changes when taking any action in response to the Final Administrative Decision.

**b. Action Not Upheld**

When the Final Administrative Decision does not affirm the GA office action:

- Take the action directed by the hearing decision.
- Restore benefits for the first possible fiscal month, if the client qualifies for them.
- Review the case facts to see where the error was made and correct the error.
- Refigure or document, as necessary.
- Notify the client and the Public Aid Committee in writing of your action, the correct benefit amount, and any benefits owed.

If the negative action notice was not timely or accurate, documentation was missing or incorrect, or calculations were incorrect or for the wrong period of time, send a corrected notice of action and proceed with the negative action.

