

PUBLIC ASSISTANCE APPEALS PROCESS

THE DEPARTMENT OF HUMAN SERVICES

CONTACT INFORMATION FOR THE HEARINGS COORDINATOR

DHS Appeals Office
69 West Washington Street, 4th Floor
Chicago, Il 60602

(800) 435-0774 (voice)
(877) 734-7429 (TTY)
(312) 793-3387 (fax)

DHS.BAH@illinois.gov (e-mail)
ABE Portal [[hyperlink](#)]

An appeal is a way for you to ask for a review of an action that has been taken by the Department of Human Services (“DHS”) that you disagree with.

If you receive or were denied the receipt of Public Assistance services through any of the following programs, you have the right to appeal an adverse action, or a failure to act, and to request a hearing:

- Aid to the Aged, Blind or Disabled (AABD)
- Child Care
- Supplemental Nutrition Assistance Program (SNAP)
- Refugee Resettlement Program
- Repatriate Program
- Medical Assistance Grant/Medical Assistance No Grant
- Temporary Assistance to Needy Families (TANF)

Actions that you can appeal include the following:

- The denial of your application for Public Assistance services;
- The decision to reduce, suspend, terminate or change the amount of assistance; and
- The Department’s failure to take appropriate action on your request.

If you are appealing more than one issue, the DHS Appeals Office may decide to consolidate your issues into a single hearing.

THE PRE-HEARING MEETING

The local office will schedule a meeting with you within 10 days after a notice of appeal is received. If the issue that you are appealing is the denial of expedited Supplemental Nutrition Assistance Program (SNAP) benefits, the local office will schedule a meeting within 2 business days after the day the appeal request is filed.

If no agreement is reached, the local office will give you a written statement of facts that explains its action or inaction. You must receive that statement at least 2 business days before your hearing.

YOUR APPEAL RIGHTS

- You may have someone represent you at the hearing and exercise any rights on your behalf. It can be a friend, relative or an attorney.
- ❖ Please notify the DHS Appeals Office who you are choosing **in writing** at least three (3) working days in advance of your hearing. If you do not notify the DHS Appeals Office in advance that you have a representative, then you risk delaying your hearing. Please send mail or an e-mail to the DHS Appeals Office with the name, address, telephone number, and e-mail address of your representative and a written consent to the release of confidential information to your representative.
- You have the right to review your case record before your hearing. Upon request, copies of the parts of your case record that are relevant to the hearing will be provided to you free of charge.
- The DHS Appeals Office will record the hearing digitally. This will be the official recording of the hearing. The DHS Appeals Office will provide one copy of the recording to you at no cost if you request it.

YOUR RESPONSIBILITIES

The DHS Appeals Office will be your person to contact regarding the hearing. You should contact the DHS Appeals Office to:

- ✓ identify who will represent you at the hearing;
- ✓ withdraw your appeal;
- ✓ send documents for the Hearing Officer to review for the hearing; or
- ✓ request a different hearing date.

If you (or your representative) are unable to attend the hearing, you must request a new hearing date from the DHS Appeals Office **in writing** by mail or e-mail. In order for your request to be granted, you may be required to show Good Cause. Good Cause is defined as:

- A death in your family;
 - Personal injury or illness that reasonably prohibits you from attending the hearing; or
 - Sudden and unexpected emergency or other circumstances beyond your control that reasonably prevent you from attending the hearing.
- If your appeal involves SNAP benefits, your first request for a new hearing date does not require showing Good Cause. This request can be made at any time prior to the hearing.

- If your appeal does not involve SNAP benefits, your first request for a new hearing date does not require you to show Good Cause; however, you must make this request more than two (2) business days before the hearing.
- If you have previously been granted your request for a new hearing date, any additional request will only be granted if you submit your request more than two (2) business days before the hearing and show Good Cause.

Rescheduling the hearing will delay resolution of your appeal. If the DHS Appeals Office does not notify you that your request has been granted, you are expected to appear on the hearing date.

If you (or your representative) do not come to the hearing or refuse to proceed, your appeal will be dismissed unless you show Good Cause.

THE HEARING

The hearing may last the entire morning or afternoon, depending on the amount of information you and the local office provide during the hearing. If you need a break during the hearing, make sure you let the Hearing Officer know so that the hearing can formally pause.

The hearing will consist of opening statements, witness testimony, admitting documents into evidence, and closing statements.

The Hearing Officer will control the conduct of the hearing to prevent irrelevant or immaterial discussion, decide motions and other matters over the course of the hearing, and ask questions to the witnesses or request additional information from you or the local office. Additionally, the Hearing Officer may request you or the local office to present further evidence like documents, books, paper, and accounts that are relevant to the appeal.

POST-HEARING

After the hearing and upon review of all evidence submitted, the Hearing Officer will recommend a decision to the Secretary of the Illinois Department of Human Services based on the evidence presented at the hearing and the laws that apply. The Hearing Officer could:

- ✓ recommend a finding for you;
- ✓ recommend a finding for the local office;
- ✓ accept a withdrawal of your appeal;
- ✓ accept a settlement agreement between you and the local office; or
- ✓ recommend some other appropriate relief.

If your appeal involves Public Assistance issues or both SNAP and Public Assistance issues, the Final Administrative Decision will be issued within 90 days after the date of your request for a hearing unless additional time is required and allowed by the applicable program's rules. The 90-day timeline will be extended by the length of any continuance that you request or agree to.

If your appeal involves SNAP but not Public Assistance, the Final Administrative Decision will be issued and put into effect within 60 days after the date of your request for a hearing unless additional time is required and allowed by the applicable program's rules. The 60-day timeline will be extended by the length of any continuance that you request or agree to.

The Final Administrative Decision is only reviewable by the Circuit Court. This means that no one at the local office has the power to change the decision once the Final Administrative Decision has been issued.

You are entitled by law to a final decision on your appeal and to full implementation of a decision favorable to you within 90 days from the time you requested the appeal, unless you have requested a delay of your hearing.

LEGAL INFORMATION

You and the local office may call anyone to testify as a witness and ask the witness questions. There may be some facts that you **and** the local office agree for the purpose of the hearing. This is called a stipulation of facts. It means that you and the local office agree that, if called to testify, a specific witness (this could be you, someone from the local office, or anyone else) would state the agreed to facts. to.

The DHS employees who are directly involved in your case will testify and you can ask them questions during the hearing. However, if a person involved in your case is no longer employed by DHS and declines to attend the hearing, an employee who is knowledgeable about your case will attend.