

## 4205.00.00 APPEAL REQUEST

An appeal is a request for a fair hearing before a representative of the FSSA Administrative Law Proceedings for the purpose of deciding whether the action taken or proposed by the agency is correct. An appeal is any clear, written **or verbal** expression by the applicant/recipient, or individual authorized to act for him, stating that he wants an opportunity to appeal.<sup>1</sup> If a verbal request is made, ~~the request is to be noted and the applicant or recipient informed that the request must be made in writing.~~ the phone call will be recorded for future reference, and a case note should be made that an appeal request was made over the phone with relevant details. A separate written appeal request is not required.<sup>3</sup>

Appeal requests must be filed with the Division of Family Resources (DFR) in one of the following ways:

- Mail or fax to the FSSA document center
- File in person at the Local DFR Office
- **Verbally by calling the DFR Office**

An Administrative Law Judge (ALJ) of Office of Administrative Law Proceedings will conduct a fair hearing on the action(s) under appeal and will render a decision on the findings of the hearing.<sup>1</sup> This decision is binding on the DFR.

**If an individual wishes to withdraw their appeal request, this can be accepted in all of the same methods as the initial appeal. (42 CFR 432.223).<sup>4</sup>**

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<sup>3</sup> 42 CFR 431.221

<sup>4</sup> I.C. 12-15-28-7