

Due Process / Appeal Rights Tip Sheet

(Updated March 2014)
(Reviewed May 2014)

Purpose:

To provide staff with information and tips on providing appeal right information to consumers.

Tips:

When do I provide appeal information?

You must provide appeal rights in writing and supplement when necessary by the individual's preferred mode of communication to all applicants and eligible individuals at various points in the VR process, and whenever we say "no" to, reduce, suspend, or terminate a service an applicant or consumer has requested.

For example, if a good or service is requested and denied during a general conversation about services, you must inform the consumer of his/her appeal rights.

What does this mean?

If an applicant or consumer is dissatisfied with any decision made by DVR, we must let the person know they can discuss it further, go to mediation, or schedule a formal hearing.

This includes but is not limited to:

- Decisions regarding ineligibility, OOS placement, closure
- Services requested prior to IPE development
- IPE services
 - Denial of a service
 - Timeframe for the service – when a service will start or end
 - Length of the service
 - Service provider
 - Frequency of the service
 - Payment method
 - Service setting
 - Progress measures

When should I provide this information?

- Application
- Eligibility
- Ineligibility
- OOS category assignment
- IPE development & amendment
- Case closure
- Whenever a service is denied, reduced, suspended, or terminated
- Whenever requested - including requests by the person's representative