

Desk Guide Timely Appeals

The transaction processing date is the day the county assistance office makes a change in the Client Information System. The mailing date for all manual or system-generated notices is the next **BUSINESS** day after the transaction processing.

Example: A change is processed Friday, May 23. Monday, May 26 is a holiday. The mailing date is Tuesday, May 27.

Timely Appeals Resulting in Continuation of Benefits Pending Hearing Cash, Food Stamps and Medical Assistance

FOR ALL PROGRAMS

For all notices, the date used to determine when an appeal must be received for benefits to continue pending a hearing decision is **15 calendar days after the notice processing date**. An appeal that is postmarked, received or orally requested on or before the 13th day is considered timely.

EXAMPLE

The processing date is June 3. The mailing date on Mr. T's closure notice (for any benefit) is June 4. If his appeal is received or postmarked by June 18, his benefits will continue pending a hearing decision.

Timely Appeals Without Continuation of Benefits Pending Hearing

CASH

Appeals that are postmarked **OR** received within **30 calendar days from the notice mailing date** are considered timely appeals. If written notice of the action was not sent, because it was not required, the individual has **60 days from the CAO action date** to appeal.

EXAMPLE

The mailing date on Ms. G's notice is May 1. Her appeal request must be received or postmarked by May 31.

MEDICAL ASSISTANCE

An individual has **30 calendar days from the notice mailing date** to appeal, either orally or in writing. Written requests must be postmarked **OR** received within 30 days. An appeal received on the 31st day, but postmarked on the 29th, is valid.

EXAMPLE

The mailing date on Ms. A's notice is May 1. Her appeal request must be received or postmarked by May 31.

FOOD STAMPS

Applicants must appeal within **90 calendar days of the mailing date of the PA/FS 162**. For recipients, the **90-day period begins with the effective date of the change in benefits, which is the first of the month for all food stamp households**. Written requests must be postmarked **OR** received by the 90th day. An appeal received on the 91st day, but postmarked on the 89th day, is valid.

EXAMPLE

On June 6, Mr. B is mailed a notice to explain why he is not eligible for food stamps. The request for appeal must be received on or before September 4. On June 6, Mr. B receives a notice that his benefits will be closing effective July 1. The request for appeal must be received or postmarked on or before September 28.

An appeal due on a weekend or holiday that is received the next business day is considered timely.