Appeal Rights

You can ask for an appeal of practically any action Social Services takes or doesn't take within 90 days of the notice of action

Here are some examples

- You already get assistance (Cash, TDAP, Food Stamps, Medical Assistance) and Social Services *suspends, reduces, or terminates it OR gives you notice that this is going to happen*
- Social Services denies your application for assistance
- Social Services has taken too long to decide your case or adjust your benefits based on new information you gave them (usually, they must act on an application in 30 days)
- Social Services referred you to a work program when you think you should be exempt from work
- Social Services say they overpaid you or says you violated program rules

The inside of this brochure is an appeal form that you can use to file an appeal

An appeal is a request for an administrative hearing where a third party will hear both sides and decide

The hearings are informal and are handled by a different agency—the Office of Administrative Hearings—independent of Social Services. You don't need a lawyer or advocate at the hearing, but you can bring one if you wish. Often Social Services will try to resolve the case before the hearing. This is fine, as long as you are sure you understand exactly what they are going to do and get it in writing. If you have questions about resolving a case before a hearing, tell Social Services you need more time to think about their offer (and seek legal advice). If you need assistance, you should contact Maryland Legal Aid or another attorney.

If you file your appeal within 10 days you may be able to get your assistance frozen at its current level or restored to its old level until the time of a hearing

Generally, if you file your appeal notice within 10 days of the date you are notified of Social Service's action, you can get benefits while you wait for the hearing if you are currently receiving the benefits. You may have to pay the benefits back if you lose. This right does not exist if the problem arose while recertifying your eligibility for benefits. If you need advice or assistance, call your local Maryland Legal Aid office or contact another attorney.

LSC United Way Maryland Legal Services Corporation

Rev. 03.2014

Maryland Legal Aid Offices

Anne Arundel County
229 Hanover St
Annapolis, MD 21401
(410) 972-2700
(800) 666-8330

District Court Self-Help Center
7500 Gov. Ritchie Highway
Room 206
Glen Burnie, MD 21061
(410) 260-1392

Baltimore City
Main Office
500 East Lexington St
Baltimore, MD 21202

Telephone Intake Lines:
(410) 951-7750
(866) MD LAW 4U
(or 866-635-2948)

Business Line:
(410) 951-7777
(800) 999-8904

Baltimore County
29 W. Susquehanna Ave
Ste 305
Towson, MD 21204
(410) 427-1800
(877) 878-5920

Lower Eastern Shore
Dorchester, Somerset, Wicomico, Worcester
111 High St
Salisbury, MD 21801
(410) 546-5511
(800) 444-4099

Metropolitan Maryland
Prince George's
6811 Kenilworth Ave
Calvert Building, Ste 500
Riverdale, MD 20737
(301) 560-2100
(888) 215-5316

Howard
3451 Court House Dr
2nd Floor
Ellicott City, MD 21043
(410) 480-1057

Midwestern Maryland
Carroll, Frederick, Washington
22 S. Market St, Ste 11
Frederick, MD 21701
(301) 694-7414
(800) 679-8813

Montgomery County
600 Jefferson Plaza
Ste 430
Rockville, MD 20852
(240) 314-0373
(855) 880-9487

Northeastern Maryland
Cecil, Harford
103 S. Hickory Ave
Bel Air, MD 21014
(410) 836-8202
(800) 444-9529

Southern Maryland
Calvert , Charles, St. Mary's
15364 Prince Frederick Rd
P.O. Box 249
Hughesville, MD 20637
(301) 932-6661
(877) 310-1810

Upper Eastern Shore
Caroline, Kent, Queen Anne's, Talbot
Tred Avon Square, Ste 3
210 Marlboro Rd
Easton, MD 21601
(410) 763-9676
(800) 477-2543

Western Maryland
Allegany, Garrett
110 Greene St
Cumberland, MD 21502
(301) 777-7474
(866) 389-5243

Statewide

Farmworker Program
(800) 444-4099

Foreclosure Legal Assistance Project
(888) 213-3320

Long Term Care Assistance Project
(866) 635-2948

Maryland Senior Legal Helpline
(866) 635-2948

TTY Users: Call Maryland Relay, Dial 7-1-1

Visit **www.peoples-law.org** for self-help legal information and community resources.

For more information visit **www.mdlab.org.**

Appeal Rights

Social Services Appeal Rights

Advancing Human Rights and Justice for All in Maryland since 1911

Maryland Legal Aid

REQUEST FOR HEARING

Fill out this form ONLY if you disagree with a decision concerning your benefits.
If you disagree with the action of the local department, you are entitled to discuss it with a supervisor.
We will help you fill out this form or you can ask for a hearing by calling 1-800-332-6347.

1. Tell us who you are. Fill in the blanks in this box and complete boxes 2-4. Please print clearly.

Name: _____ Date of Birth: _____

Address: _____

City: _____ State: _____ Zip Code_____ Phone Number ( ) _____

Your local office name: _____ Your Social Security Number: _____

2. Which programs do you want to appeal? (Check all that apply)

Medical Assistance (MA)

_____ Community MA
_____ Long Term Care MA
Your Representative's Name: _____

_____ Maryland Children's Health Program (MCHP)
Parent or Guardian's Name: _____
___ I receive other benefits
___ I do not receive any other benefits

___ Qualified Medical Beneficiary (QMB/SLMB)

_____Other _____

Family Investment/Social Services Programs

_____Temporary Cash Assistance (TCA)
_____Food Stamps (FS)
_____Purchase of Care (POC – Child Care)
_____Transitional Emergency Medical and Housing Assistance (TEMHA)
_____Foster Care (FC) and/or Adoptions
_____Emergency Assistance (EA)
_____Public Assistance to Adults (PAA)
_____Overpayment of TCA
_____Overissuance of Food Stamps
_____Other _____

3. What are the reasons you want a hearing?

____I was not allowed to apply.
____My application was turned down.
____My application was not handled properly.
____I am not receiving the services that I need.
____The amount of assistance I receive is wrong.
____My assistance has been incorrectly suspended, reduced, or terminated.
____I do not agree that I should pay back assistance I received.

If you received a notice about this, what is the date on the notice? _____

Why do you want a hearing? Please tell us what happened. _____

_____

4. I understand if I ask for a hearing within 10 days from the date of the notice and I was receiving benefits, I can still get them while I wait for my hearing unless my benefits period ends. I may have to pay back the benefits if I lose my appeal.

☐ Check here if you do **not** want benefits while you wait for your hearing.

_____ _____
Signature Date

FOR AGENCY USE ONLY

Department: _____ Local Office: _____ Date Appeal Received: _____
Case Name: _____ Case Number: _____
Appeal based on notice sent: _____ Effective: _____ Conference held? Y_____ N_____
Benefits pending? Y____ N_____ Reason: _____
Case record attached? Y _____ N _____ Reason: _____
Worker: _____ Supervisor's Approval: _____ Date: _____

FOR APPEAL UNIT USE ONLY

Appeal Rep: _____ Date: _____
Category: _____ Transmitted by: _____

DHR/FIA 334 (Revised 04/02) **FIND IT at www.dhr.state.md.us/fia/doc/hearing.pdf**

To File an Appeal

To file an appeal, you must do one of the following:

1) Fill out the form on the inside of this brochure and mail it to: Office of Administrative Hearings, 11101 Gilroy Rd., Hunt Valley, MD 21031-1301;

2) Call the Department of Human Resources (DHR) at 1-800-332-6347 and tell the customer service representative that you want to appeal a Social Services adverse action notice and give the date of the notice; or

3) Take the completed appeal form to your local Social Services office and get a receipt showing it was filed.

Maryland Legal Aid

Maryland Legal Aid is a private, non-profit law firm that provides free civil legal services to Maryland's most vulnerable residents and communities and is dedicated to protecting and advancing human rights for all.

We want you to know your rights!

This brochure is intended to provide general information rather than specific legal advice. While every effort is made to keep this information current, the law sometimes changes. If you have particular legal questions or a pending legal matter, you are strongly encouraged to contact an attorney for legal advice. You may be eligible for free service from Maryland Legal Aid or a volunteer attorney program.

www.mdlab.org

MARYLAND LEGAL AID