

Appeal Rights

The Maryland Department of Human Resources (DHR) oversees each county's Department of Social Services (DSS). You can ask for an appeal of practically any action DSS takes or doesn't take within 90 days of the notice of action.

Here are some examples:

- You already receive assistance (Cash, Food Stamps/ Supplemental Nutrition Assistance, Medical Assistance, Temporary Disability Assistance) and DSS suspends, reduces, or terminates assistance OR DSS gives you notice that this is going to happen;
- DSS denies your application for assistance and gives you notice that this is scheduled to happen;
- DSS has taken too long to decide your case or adjust your benefits based on new information you gave them (usually, they must act on a completed application within 30 days);
- DSS referred you to a work program when you think you should be exempt from work;
- DSS says that they overpaid you or that you violated program rules.

This brochure includes a 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 make a decision.

The hearings are informal and are handled by a different government agency—the Office of Administrative Hearings— independent of DSS. While it is not required that you have an attorney with you at the hearing, you can bring one if you wish. Often, DSS 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 DSS 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.

Depending upon when you file your appeal, 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 within 10 days of the date of DSS' notice of action and you are currently receiving benefits, then you can continue to receive benefits while you wait for the hearing. You may have to pay the benefits back if you lose the appeal. 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.



Maryland Legal Aid Offices

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

Baltimore City
500 E. Lexington Street
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 Avenue
Suite 305
Towson, MD 21204
(410) 427-1800
(877) 878-5920

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

Metropolitan Maryland
Howard, Prince George's
8401 Corporate Drive
Suite 200
Landover, MD 20785
(301) 560-2100
(888) 215-5316

**District Court/
Multi-service Center**
3451 Court House Drive
2nd Floor
Ellicott City, MD 21043
(410) 480-1057

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

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

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

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

Upper Eastern Shore
Caroline, Kent,
Queen Anne's, Talbot
106 N. Washington Street
Suite 101
Easton, MD 21601
(410) 763-9676
(800) 477-2543

Western Maryland
Allegany, Garrett
110 Greene Street
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

Veterans' Hotline
(443) 863-4040

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. Rev. 6.2017

DSS Appeal
Rights

Appealing Department of Social Services Actions

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.

<p>1. Tell us who you are. Fill in the blanks in this box and complete boxes 2-4. Please print clearly.</p> <p>Name: _____ Date of Birth: _____</p> <p>Address: _____</p> <p>City: _____ State: _____ Zip Code _____ Phone Number () _____</p> <p>Your local office name: _____ Last 4 numbers of your Social Security Number _____</p>	<p>2. Which programs do you want to appeal? (Check all that apply)</p> <p><u>Medical Assistance (MA)</u></p> <p>Community MA _____</p> <p>Long Term Care MA _____</p> <p>Your Representative's Name: _____</p> <p>_____ Maryland Children's Health Program (MCHP)</p> <p>_____ Parent or Guardian's Name: _____</p> <p>_____ I receive other benefits _____</p> <p>_____ I do not receive any other benefits _____</p> <p>_____ Qualified Medical Beneficiary (QMB/SLMB) _____</p> <p>_____ Other _____</p> <p><u>Family Investment/Social Services Programs</u></p> <p>_____ Temporary Cash Assistance (TCA) _____</p> <p>_____ Food Supplement Program (FS) _____</p> <p>_____ Child Care Subsidy (CCS) _____</p> <p>_____ Temporary Disability _____</p> <p>_____ Assistance Program (TDAP) _____</p> <p>_____ Foster Care (FC) and/or Adoptions _____</p> <p>_____ Emergency Assistance (EA) _____</p> <p>_____ Public Assistance to Adults (PAA) _____</p> <p>_____ Overpayment of TCA _____</p> <p>_____ Overissuance of Food Supplement _____</p> <p>_____ Other _____</p> <p>3. What are the reasons you want a hearing?</p> <p>_____ I was not allowed to apply. _____ The amount of assistance I receive is wrong.</p> <p>_____ My application was turned down. _____ My assistance has been incorrectly suspended, reduced, or terminated.</p> <p>_____ My application was not handled properly. _____ I do not agree that I should pay back assistance I received.</p> <p>_____ I am not receiving the services that I need.</p> <p>If you received a notice about this, what is the date on the notice? _____</p> <p>Why do you want a hearing? Please tell us what happened. _____</p> <p>_____</p> <p>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.</p> <p><input type="checkbox"/> Check here if you do not want benefits while you wait for your hearing.</p> <p>_____ Signature _____ Date _____</p> <p style="text-align: center;">FOR AGENCY USE ONLY</p> <p>Department: _____ Local Office: _____ Case Number: _____ Date Appeal Received: _____</p> <p>Case Name: _____ Effective: _____ Conference held? Y _____ N _____</p> <p>Appeal based on notice sent: _____ Reason: _____</p> <p>Benefits pending? Y _____ N _____</p> <p>Case record attached? Y _____ N _____ Supervisor's Approval: _____ Date: _____</p> <p>Worker: _____</p> <p>Appeal Rep: _____ Date: _____</p> <p>Category: _____ Transmitted by: _____</p> <p style="text-align: center;">FOR APPEAL UNIT USE ONLY</p>
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DHR/FIA 334 (Revised 1-12)

FIND IT at www.dhr.state.md.us

How To File an Appeal

- To file an appeal, you must do one of the following:
- 1) Complete the form on the inside of this brochure, make a copy for your records, and mail a copy to: Office of Administrative Hearings, 11101 Gilroy Rd., Hunt Valley, MD 21031-1301; or
 - 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 Department of Social Services (DSS) adverse action notice and give the date of the notice; or
 - 3) Take the completed appeal form to your local DDS office and get a receipt showing it was filed.

Maryland Legal Aid: Who We Are

Established in 1911, Maryland Legal Aid provides free civil legal services to low-income individuals and families statewide and serves Baltimore City and Maryland's 23 counties from 12 full-service offices. Maryland Legal Aid is dedicated to providing high-quality legal advocacy to protect and advance human rights for individuals, families, and communities.

Know your rights!

This brochure contains general information about your rights, but is not meant to be legal advice. While every effort is made to keep this information up-to-date, the law sometimes changes. If you want information about your specific situation, or if you have a pending legal case, you should contact Maryland Legal Aid or another legal resource.

