

CalFresh Beneficiary Rights and Overview of the State Hearings Rights of CalFresh Beneficiaries

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CalFresh Entitlement

- Goldberg v. Kelly, 397 U.S. 254 (1970)
- State State Hearing Statute- Welfare & Institutions Code §10950 et.seq
- State regulations – Eligibility Assistance Manual (EAS) 22-100 et. Seq
- ccwro.org

CalFresh Beneficiary Rights

- Right to accommodations for the disabled
- Right to ask for help with completing the application
- Right to forms in your primary language
- Right to a county paid interpreter
- Right to expedited service if eligible
- Right to be promptly interviewed within 7 working days
- Right to see you case
- Rights to get any document from your case free of charge if you want to ask for a state hearing
- Right to a State Hearing

County Actors

- County Appeals Unit
- County Appeals Supervisor
- County Appeals Representatives

Reasons For Requesting a State Hearing

- What issues are covered in SH
- What issued are not covered- ADA, worker treatment, etc.

How to File for a State Hearing

- Fax the request to
- **916-651-2789** or
- ccwro.org & and file an on-line hearing on the DSS webpage

What to Put on the Request

- **“County action is wrong”**

Aid Paid Pending

- Filing a request before the effective date of the NOA
- APP is due within five (5) working days
- APP Appeals to DSS
- No APP for recertification

Adequate NOA

- What is an adequate NOA
- Language issues
- Notice at Issue

What Happens At the Hearing

- Hearing is tape recorded
- ALJ explains the hearing process
- CWD and claimant and witnesses take the oath
- Who can come to the hearing
- County goes first
- Claimant can cross examine the county
- Claimant presents case
- CWD can cross examine the claimant
- Leaving the record open

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Interpreters

- State provides interpreters
- You must identify the language when asking for the hearing
- ALJ is suppose to examine the interpreter

Postponements & Continuances

- First postponement requires no verification
- Second time must have doctor verification
- Position Statement not available timely
- Time Waivers - King and Ball

How to Get a Postponement

- **Call 1-800-743-8525**
- **Fax a request to 916-651-2789**

No Shows

- If the claimant does not appear at the hearing but asks to reopen the hearing with good cause within 10 days, then APP will be restored
- A rehearing is routinely granted for hearing dismissed.

Hearing Decision timelines

- Food Stamp issues-60 days

Hearing Record

- You can request a copy of the hearing tapes - It is free
- If you file for judicial review you must request a transcript

Expedited Hearings

- History
- Who may ask for an ESH
- How to ask for the hearing
- What issues are covered by ESH
- Hearing to be held within 5 days
- Decision in 10 days

- *Questions
& Answers
The
End*