

August 2, 2000

GENERAL RELIEF PROGRAM GUIDE LETTER NO. 31

SUBJECT: CHANGE IN TIME LIMIT TO APPEAL FAIR HEARING DECISION

Effective Date: Upon Receipt

1. Purpose

This General Relief Program Guide (GRPG) Letter is to notify staff of a revision in the length of time in which an individual can file an appeal of a fair hearing decision for General Relief (GR).

2. Background

A GR applicant or recipient has the right to appeal decisions made by eligibility staff concerning his or her application for assistance or for continuing assistance. Because GR is 100% County-funded and County administered, the Health and Human Services Agency performs and adjudicates GR fair hearing decisions as an Administrative Hearing process rather than the State Hearing process. If the applicant or recipient disagrees with the GR Hearing Officer's decision, his or her administrative remedy is to file an appeal of the fair hearing decision in Superior Court. County Counsel represents the County at the Superior Court hearings.

The time limit for an applicant or recipient to file an appeal of a GR fair hearing decision, known as Administrative Remedy, was previously one year. Since the time limit is governed under the Code of Civil Procedure, Section 1094.6, the GR Administrative Remedy filing time limit has been revised from one year to 90 days to bring it into conformity with other programs and the Code of Civil Procedure.

3. Changes

Section	Change
90-901.4 Eligibility Supervisor (ES)	Redundant language removed in next to last dot point. Added "lack of documentation" to second dot point.
90-904.4 Administrative Remedy	The time limit to appeal a GR fair hearing decision has been changed to meet the Code of Civil Procedure, Section 1094.6.
Appendix E	General Relief Hearing Determination Form – <u>Appeal Rights</u> section has been changed.

4. Automation Impact

None

5. Quality Control Impact

None

6. Filing Instructions

Remove the following pages of Chapter 90-900:	Replace with the following revised pages of Chapter 99-100:
5-6, 11-12	5-6, 11-12
Appendix E	Appendix E

ORIGINAL SIGNED BY:

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