

Lilia Teninty

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Number: APD-AR-15-013

Issue date: 3/20/2015

Topic: Developmental Disabilities

Due date: upon release

Subject: DD Hearing requests and processing

Applies to (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services(ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> ODDS Children's Residential Services | <input checked="" type="checkbox"/> Other (<i>please specify</i>): Brokerage Directors; personal agents; service coordinators |
| <input type="checkbox"/> Child Welfare Programs | |

Action required:

This transmittal should be referenced along with [AR-14-064](#).

Issuance of Notification of Planned Actions:

When a service is being denied, terminated, reduced or suspended, a Notification of Planned Action must be issued in accordance with OAR 411-318-0020 and by following guidance identified in SDS0947A instructions. These same requirements apply when a service is being voluntarily reduced, terminated or suspended.

Form SDS0947 must be completed by using the form directly on the following website:

https://aix-xweb1p.state.or.us/es_xweb/FORMS/?-db=FormTbl.fp5&-lay=Main&-format=Findforms_FMP.htm&-findany

Do not save the form to your desktop as the form may go through changes in the future.

Hearing Requests:

CDDP or Brokerage employees who work with consumers or answer questions from consumers or their representatives, must be familiar with all the information found on the hearing request form, SDS 0443DD and Notification of Planned Action SDS0947. Specifically, Parts 1-5 of the hearing request form (SDS 0443DD), the Notice of Hearing Rights on the Notification of Planned Action, and instructions on page 7-8 of the Notification of Planned Action include important information related to the consumers rights to a hearing and the process of requesting a hearing.

Should a Notification of Planned Action be issued and the individual or their representative, express a desire for a hearing (verbally or in writing), or sends a hearing request directly to you (or your office), **the service coordinator/personal agent must complete SDS 0443DD and submit it to the DD Administrative Specialist (Part 2 on SDS 0443DD for address and fax number) within 2 business days.** See Part 4 on the Instructions for Notification of Planned Action on how to notify ODDS when the hearing request is received at the CDDP or Brokerage.

Reason for action:

When services are being terminated, reduced or suspended, AND the individual or their representative wants services to continue during the hearing process, there are deadlines that must be met in order for an individual's services to continue to be received at the same level of service during the hearing.

SDS0947A Part 4 includes information about what to do if the Service Coordinator or Personal Agent receives information regarding a request for a hearing.

Resources:

The Notification of Planned Action is available here:

<https://apps.state.or.us/Forms/Served/se0947.doc>

The instructions to the Notification of Planned Action are available here:

<https://apps.state.or.us/Forms/Served/se0947A.doc>

Administrative Hearing Request form (SDS 0443DD) is available here:

English: <https://apps.state.or.us/Forms/Served/se0443dd.doc>

Spanish: <https://apps.state.or.us/Forms/Served/ss0443dd.doc>

Russian: <https://apps.state.or.us/Forms/Served/sr0443dd.doc>

Vietnamese: <https://apps.state.or.us/Forms/Served/sv0443dd.doc>

Field/stakeholder review: Yes No

If yes, reviewed by: CDDP and Brokerage staff.

If you have any questions about this action request, contact:

Contact(s):	Jeanette Baxter, ODDS Complaint Coordinator Chris Munn, Administrative Specialist Chelas Kronenberg, manager		
Phone:	Jeanette = 503-945-5804 Chris = 503-947-1190 Chelas = 971-600-7892	Fax:	503-373-7274
Email:	Jeanette = jeanette.s.baxter@state.or.us Chris = christopher.m.munn@state.or.us Chelas = chelas.a.kronenberg@state.or.us		