

1. The Hearings Officer will swear in all witnesses.
2. FSD will tell why they took the action. They must present documents to show the reasons for the action.
3. You and/or your representative (a lawyer, friend or family member) will tell why you disagree with FSD's action. You'll need to give facts or documents showing why you think their action was wrong.
4. You'll have time to question all witnesses. To make sure all the evidence is presented and discussed, the Hearings Officer will also question the witnesses.

How will I find out about the hearing decision?

FSD will mail you a written notice of the hearing decision, which tells if FSD's action was right or wrong.

FSD will send you a separate notice showing any changes that affect you, such as a change in your benefits.

If you or your representative don't agree with the hearing decision, you will have 90 days to fill out forms and ask for another decision from the Circuit Court. Your hearing decision notice will tell you how to do this.

How can I learn more?

Contact the Family Support Division:

- **By phone:**
1-855-373-4636
- **Online:**
dss.mo.gov/fsd/know-your-rights.htm
- **In person:**
Visit your local FSD office. To find out where it is, go to: dss.mo.gov/dss_map/

CIVIL RIGHTS LAW

In accordance with Federal civil rights laws and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form letter to USDA by:

Mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
Fax: (202) 690-7442; or
Email: program.intake@usda.gov.

This institution is an equal opportunity provider.

IM-4 Hearings _____ 06/16



Hearings Information

Do you disagree with an action the Family Support Division (FSD) made when you applied for, or took part in, an assistance program in Missouri?

You can ask for a hearing to tell your side of the story

What is a hearing?

A hearing is a meeting where you get a chance to tell your side of a story.

Why would I ask for a hearing?

You can ask for a hearing if you think the Family Support Division (FSD) took a wrong action when you applied for, or got benefits from, an assistance program. You'll find out about the action when FSD mails you an Action Notice about your Financial Assistance, MO HealthNet, or Food Stamp benefits.

Here are some actions that may cause you to ask for a hearing:

When you applied for a program:

- FSD determined that you didn't qualify for the program, but you think you did.
- FSD refused to accept your application.

While you were taking part in a program:

- FSD lowered or stopped your benefits and you think their reason was wrong.
- You disagree with your benefit amount or with information FSD used to determine your benefit amount.
- You don't think FSD took action within the program's timeframes.

When can I ask for a hearing?

If the action has already happened:

- You must ask for a hearing **within 90 days** of the date FSD took the action.

If the action hasn't happened yet:

- Ask for a hearing **within 10 days** from the date FSD sent you a written notice about the action. If the proposed action will change or stop your benefits, you may be able to keep getting the same benefits until you get a hearing decision.

How do I ask for a hearing?

To ask for a hearing, contact FSD and tell them why you disagree with the action:

- **By phone:** Call **1-855-373-4636**
- **In person:** Visit your local FSD office. To find out where it is, go to: dss.mo.gov/dss_map/
- **In writing:** Write a letter that asks for a hearing and explains why you disagree with the action. You can mail your letter to the address on the Action Notice you got, or bring it to your local FSD office.

Once you contact FSD, they will fill out a Hearing Request form for you.

How will I find out about my hearing?

The Administrative Hearings Unit will send you a written notice showing:

- The date and time of your hearing at a local FSD office
- The number to call if you can't attend your hearing at the time shown, or if you have a reason you can't do a hearing by telephone

How can I get ready for my hearing?

Sometime before your hearing, FSD will have a pre-hearing conference meeting with you to help get ready for the hearing.

➤ Before the meeting:

1. Write down why you think FSD's action was wrong.
2. Gather papers or witnesses that help prove you're right, such as:
 - Medical records or a written statement from a doctor.
 - Proof of your income or expenses, or changes in your income or expenses.
 - A witness who can confirm your statements.
3. Ask FSD for any extra information you'd like to have about your case.

➤ At the meeting:

1. FSD will give you copies of your case record and the information they used when they took the action.
2. If you can show why FSD's action was wrong, they may decide to change the action and avoid a hearing.

What will happen at my hearing?

If you don't attend your hearing, FSD's action may not change.

Your hearing will be held in a local FSD office with a Hearings Officer on speaker phone. The Hearings Officer will lead everyone through this process:

Common Questions

Can I change my mind after I ask for a hearing?

Yes, you can change your mind. If you don't want a hearing, contact FSD by phone, in person, or in writing. You must sign a withdrawal form to withdraw your request.

Can FSD change their mind?

Yes, if FSD finds that their action was wrong, you will receive a notice about the change and you may not need a hearing.

Can I continue to get the same amount of benefits until the hearing decision is made?

Contact FSD to see if you can continue getting the same benefits. However, be aware that you may have to pay benefits back to FSD if the hearing decision says FSD's action was right.

Can I re-apply for a program while I'm waiting for my hearing?

Yes, you may re-apply at any time and continue to report changes on your case.