How to Appeal Decisions Made By the Bureau of Services for Blind Persons (BSBP)

YOUR RIGHTS AND RESPONSIBILITIES

If you disagree with your BSBP rehabilitation professional about a decision related to your rehabilitation program, you may appeal the decision by requesting a Fair Hearing at any time within 30 days of the date that the decision was made. This document explains your options and responsibilites throughout the appeals process.

CLIENT ASSISTANCE PROGRAM (CAP)

If you have concerns regarding services you are receiving from BSBP, you may contact Disability Rights Michigan by calling the toll-free number 800-288-5923.

TO REQUEST AN APPEAL

If you disagree with the decision, you have the right to request an appeal. To request an appeal, you must complete an Appeal Request Form or send a letter to the BSBP Hearings Coordinator within 30 days of the date the decision was made.

In your letter, including the following:

- Who is the rehabilitation professional assigned to your case?
- What is the complaint?
- What is your proposed resolution?
- What efforts have been made to resolve this disagreement informally or formally?
- Are you requesting an Administrative Review, Mediation, or Fair Hearing (defined below).
- Case record request dates?
- Documents being requested. (i.e., case notes, payment history, other.)

Send your letter to this mailing address:

Attn: BSBP Hearings Coordinator
Department of Labor and Economic Opportunity
Michigan Bureau of Services for Blind Persons
702 West Kalamazoo Street
PO Box 30652
Lansing, MI 48909

TALKING IT OVER INFORMALLY

It is recommended that you attempt to resolve any issues regarding your case by discussing the issues first with your assigned rehabilitation professional. Informal discussions should take place via phone, videoconferencing, or in person. You can also bring your disagreement and concern to the local regional manager's attention if the issue remains unresolved and you would like further assistance to help resolve the situation informally.



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CUSTOMER RIGHTS

You have a right to be represented at any time during your administrative review, mediation session or Fair Hearing by a parent, legal guardian, family member, CAP representative or attorney.

You have the right to request that any service already authorized that is reduced, suspended or terminated continue pending the outcome of mediation or Hearing.

If you need accommodations to participate in this process, BSBP may provide these services if requested.

You have a right to review and receive copies of relevant BSBP policy and guideline statements.

You may also review and receive copies of Information in your case record.

ADMINISTRATIVE REVIEW

An Administrative Review is a meeting between the customer, the rehabilitation professional, their supervisor, and an agency administrator to resolve conflict.

The Administrative Review will be conducted within 15 business days of the request, and recommendations will be made within 10 business days of the administrative review.

The Administrative Review should be attended by the customer, an advocate from CAP if requested by the customer, the rehabilitation professional the customer is assigned to and that rehabilitation professional's manager.

Recommendations arising from the Administrative Review are not binding to either the customer of BSBP. An Administrative Review shall in no way deny or delay a customer's right to a Fair Hearing.

MEDIATION

Mediation is a voluntary process in which you and BSBP try to find a solution to your dispute with the help of a trained, neutral person called a mediator.

The mediation process should commence within 20 business days of the request and in setting convenient to both parties. Discussions during the mediation process are confidential and may not be used as evidence in any subsequent hearing or civil proceeding.

FAIR HEARING

Fair Hearing will commence within 60 calendar days of the receipt of the request unless both parties agree to an extension of the time. It will be conducted by a randomly assigned Administrative Law Judge (ALJ) who is not an employee of BSBP. It will be held in a location convenient to everyone involved in the Fair Hearing.

During the Hearing, you will have the opportunity to present written information and have other individuals testify at the Hearing to support your position.

You also may question the written information and witnesses the BSBP representative presents to support the decision made by your assigned rehabilitation professional.

The Michigan Office of Administrative Hearings and Rules (MOAHR) will submit a report of the Administrative Law Judge's findings and a decision to you and BSBP within 30 business days from the completion of the Hearing.

The decision will be based on the provisions of the approved Unified State Plan, the Rehabilitation Act of 1973, as amended, by the Workforce Innovation Opportunity Act, and 34 CFR 361.57, Rehabilitation Services Administration sub-regulatory guidance or monitoring corrective actions, Public Act 260, and BSBP policy in effect at the time of the complaint.

FURTHER INFORMATION

If you have any additional questions about the BSBP appeals process, contact the BSBP Hearings Coordinator toll-free at (800) 292-4200.