 <p>Department of <b>Children &amp; Family Services</b> <i>Building a Stronger Louisiana</i></p>	<b>Division/Section</b>	Family Support
	<b>Chapter No./Name</b>	07 - Administrative Procedures Manual
	<b>Part No./Name</b>	K-FAIR HEARING
	<b>Section No./Name</b>	K-100 Fair Hearings
	<b>Document No./Name</b>	K-110 Definitions
	<b>Effective Date</b>	January 1, 2011

\* **ADMINISTRATIVE LAW JUDGE (ALJ)** - An impartial individual responsible for conducting a Fair Hearing and issuing a **recommendation** or final decision on the issues in question.

**ADVANCE NOTICE PERIOD** - The 13-day period from the date of the notice to the date the proposed action is to be taken. If the client requests a Fair Hearing during the advance notice period, the action is not taken unless the client specifically waives the right to continue benefits.

**ADVERSE NOTICE** - Any written notice informing the client of any agency action which unfavorably affects his case and when that action is effective.

**ADVANCE NOTICE - Adverse** notice informing the client of a proposed unfavorable action and that the action will be taken thirteen days from the date of the notice (5 **workdays** for Child Care Assistance benefits).

**AGENCY** - Any operating unit of the **Department of Children and Family Services (DCFS)** such as local **Economic Stability office**, regional, or state office.

**AGENCY CONFERENCE** - A meeting between the claimant and the agency where a supervisor or administrator explains the action that is being appealed. It may be conducted by telephone if the claimant agrees. The **agency representative** may participate if the supervisor deems this appropriate and the claimant is in agreement.

**APPEAL DECISION** - An official report, which contains the substance of what transpired at the hearing and a summary of the case facts, identifies pertinent State or Federal regulations and gives the reason for the decision. It is the final written decision of **DCFS** on the issue in question.


**AUTHORIZED AGENT** - Any person acting on behalf of an applicant/recipient. This includes a friend, a relative, an attorney, a paralegal, a legal guardian, a conservator, or a foster care provider. For **Supplemental Nutrition Assistance Program (SNAP)** purposes, it may also mean an authorized representative or another household member.

**BENEFITS** - Any kind of assistance, payments or benefits made by the agency for FITAP, KCSP, Refugee Cash Assistance, **SNAP, STEP Program, or CCAP.**

**CLAIMANT** - An applicant or recipient who has requested a hearing.

**CONCURRENT NOTICE** - Notice informing the client of an action on his case, which is being affected at the time the notice is given. He is also informed of his right to request a Fair Hearing within the appropriate time period.

**DATE OF ACTION** - The intended date on which a termination, a suspension, or a reduction becomes effective.

 <p>Department of Children &amp; Family Services <i>Building a Stronger Louisiana</i></p>	<b>Division/Section</b>	Family Support
	<b>Chapter No./Name</b>	07 - Administrative Procedures Manual
	<b>Part No./Name</b>	K-FAIR HEARING
	<b>Section No./Name</b>	K-100 Fair Hearings
	<b>Document No./Name</b>	K-110 Definitions
	<b>Effective Date</b>	January 1, 2011

**DIRECTIVE - A** written communication from the **DCFS** Bureau of Appeals to the agency giving specific instructions to be taken as a result of a hearing. This action shall be taken within 10 days and reported to the **DCFS** Bureau of Appeals within 14 days of the receipt of the directive.

**FAIR HEARING - An** administrative procedure during which a claimant (or a group of claimants) or his (or their) authorized agent may present a grievance and show why it is believed the agency action, proposed action, or inaction is not fair and should be corrected. A Fair Hearing meets the due process requirements set forth in the U.S. Supreme Court decision in Goldberg vs. Kelly.

**OFFICIAL HEARING RECORD - A** verbatim transcript or an official report summarizing what transpired at the hearing, all evidence and other material introduced at the hearing, the recommendations of the Administrative Law Judge, and the directive, if issued.

**REQUEST FOR A FAIR HEARING - Any** clear expression (oral or written) by the claimant or his authorized agent that he wants to appeal an agency decision to a higher authority.

**SUBPOENA - An** order commanding that a designated person or document be present at a Fair Hearing.

**SUMMARY OF EVIDENCE - A** document prepared by the agency stating the reason(s) the agency decided to take the action being appealed. Its purpose is to provide the claimant information needed to prepare his case for the hearing.

**ADMINISTRATIVE DISQUALIFICATION HEARING - An** administrative hearing to determine if an intentional program violation occurred. \*\*