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**HEARINGS**

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**HEARING PROCEDURES**

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**M. REGIONAL  
OFFICE  
RESPONSIBILITY  
IN HEARING  
PROCEDURES**

When a request for a local or State hearing is received by the Regional Office or if the Regional Office is notified by the State Office that a hearing request was mailed directly to the State Office, staff in the Regional Office is responsible for the following:

**1. Supervisor  
Review**

The Supervisor will review the case record and re-examine the action taken on the case to determine if policy has been followed. If any adjustments need to be made to the case, the Supervisor will ensure that corrections are made. If continuation of benefits applies because the hearing request was made timely, the Supervisor will ensure that benefits continue at the level prior to the proposed adverse action that is under appeal. In reviewing the case record, the Supervisor will also ensure that all needed verification is present in the case and will secure any additional evidence needed for the hearing, if necessary.

**2. Preparation  
of Hearing  
Record**

The Regional Office is responsible for preparing the hearing record to be used for a State Hearing. It is not necessary to prepare a hearing record for a local hearing since the claimant is entitled to examine the entire case record prior to or during a hearing. The State hearing folder is forwarded to the appropriate Hearing Officer. The hearing folder prepared for a State hearing will be forwarded to the Hearing Officer no later than five (5) days after receipt of the request for a State hearing.

The State hearing record will consist of all pertinent information relating to the issue under appeal, including:

- The written hearing request submitted by the claimant or representative.
- A statement prepared by the worker explaining the action taken on the case and the date of the action. The worker must explain any corrective action taken on the case subsequent to the hearing request.

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- Copies of portions of the case record which constituted the basis for the action taken on the case. All hearing records will contain a copy of:

DOM-300, Application Form or DOM-300A, or 300B Redetermination Form, whichever is applicable.

Notice to Client, DOM-305 or DOM-306, whichever is applicable.

- If an application has been rejected or a redetermination completed and action taken on one factor of eligibility, but other factors have not been ascertained, include a statement as to the other factors of eligibility. For example, if the issue is disability, but the client's income has not been established, a hearing held on the disability factor will have limited value if the Regional Office then finds that the client was also ineligible on income or some other factor.

**3. Holding the Local Hearing**

The Regional Office is responsible for scheduling, conducting, and rendering decisions on local hearings. Refer to "Holding the Local Hearing" below.

**4. Taking Action on the Case**

The Regional Office is responsible for taking any corrective action required as a result of a local or State hearing decision rendered in the client's favor, or for processing the original planned action on the case which was the basis for the appeal if continuation of benefits applied pending the hearing decision.