

# MISSISSIPPI DIVISION OF MEDICAID

## Eligibility Policy and Procedures Manual

### **100.03.05C REGIONAL OFFICE RESPONSIBILITIES IN THE HEARING PROCESS**

The regional office is responsible for completing a supervisory review of the action under appeal and for preparing the state hearing record. The office is responsible for all activities involved in the local hearing process and for taking appropriate action on the case at the end of the hearing process.

#### **100.03.05C1 SUPERVISORY REVIEW**

- A supervisor will review the record and re-examine the action taken on the case to determine if policy has been properly applied;
- If any adjustments are needed, a supervisor will ensure that corrections are made;
- If continuation of benefits is applicable, a supervisor will ensure that benefits continue at the same level prior to the proposed adverse action that is under appeal.
- The supervisor will also ensure all needed verification is in the case record and will secure any additional evidence needed for the hearing when necessary.

#### **100.03.05C2 PREPARATION OF THE HEARING RECORD**

A local hearing record is not needed since the claimant is entitled to examine the entire case record prior to or during the hearing; however, the regional office is responsible for preparing the hearing record to be used at a state hearing. The state hearing folder must be forwarded to the Executive Division 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 specialist explaining the action taken on the case and the date of the action. In addition, there must be an explanation of any corrective action taken on the case subsequent to the hearing request;
- Copies of portions of the case record which constitute the basis for the action taken on the case. All hearing records will contain a copy of the application form and the notice(s) related to the action under appeal.
- When applicable, a statement as to factors of eligibility not determined at the time of the denial or closure. For example, if the issue under appeal is a denial on disability but the client's income was not established, a hearing on the disability factor will have limited value if the client was also ineligible on income or some other factor.