ALABAMA MEDICAID AGENCY
ADMINISTRATIVE CODE

CHAPTER 560-X-3
FAIR HEARINGS

560-X-3-.04 Fair Hearing Procedures.

(1) A hearing shall be impartially conducted and held at a time and place which is reasonably convenient for the parties, and written notice of such time and place shall be given by the Director, Hearings, or the designated Hearing Officer, at least ten (10) calendar days before the hearing is to be held. This written notice will also contain information explaining the complainant's rights and procedures regarding a hearing.

(2) A complainant may be represented or assisted by legal counsel at his own expense; he may have a friend or relative present his case; or he may present his case himself.

(3) A complainant or his representative must attend his hearing unless he is given written permission by appropriate authority to be absent. His failure to attend shall leave the Hearing Officer with no alternative but to proceed with the hearing and render a conclusion and recommendation in his absence based upon evidence presented by the Alabama Medicaid Agency representatives.

(4) The complainant and/or his authorized representative may call witnesses, and may examine witnesses called by others.

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Statutory Authority: § 1902(a)(3), Title XIX, Social Security Act; 42 C.F.R. §§ 431.200 - 431.245; § 41-22-12, Alabama Administrative Procedure Act.
History: Rule effective October 1, 1982. Amended effective August 9, 1984.