ALABAMA DEPARTMENT OF REHABILITATION SERVICES
ADMINISTRATIVE CODE

CHAPTER 795-2-4
FORMAL HEARINGS

795-2-4-.01 Request For Formal Hearing And Appointment Of Hearing Officer.

(1) If an individual is dissatisfied with the decision of an informal administrative review team, or if an applicant or client chooses to forego their right to request an informal administrative hearing, the individual may request a formal hearing by submitting a written request for a hearing addressed to the Commissioner.

(2) The request shall specify the reason{s) why the hearing is requested, shall state with reasonable particularity the relief sought, and shall not be based on generalized grievances not directly related to the provision of services to the individual with a disability.

(3) The request for a formal hearing must be received by the Commissioner within fourteen {14) calendar days of the date of receipt of the notice of proposed action or within fourteen (14) calendar days of receipt of an informal administrative review decision when one has been requested. Any individual who has requested an informal administrative review may withdraw such request at any time prior to the issuance of the informal administrative review decision. Failure of an individual or party to request a hearing within fourteen (14) days shall constitute a waiver of the right to demand a formal hearing and shall cause the Department action to become final without further review.

Author: Alabama Board of Rehabilitation Services
Statutory Authority: Code of Ala. 1975,
History: New Rule: Filed April 13, 1995; effective May 18, 1995.
Repealed and New Rule: Published March 31, 2022; effective May 15, 2022.

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