

20.10 - The Hearing Officer's Decision

(Rev. 122, Issued: 05-27-16, Effective: 06-28-16, Implementation: 06-28-16)

The hearing officer issues a written decision notice as soon as practical after the close of a hearing and provides a copy of the written decision to each party. The decision must:

- Be based upon the evidence presented at the hearing or otherwise included in the hearing record; and
- Contain separately numbered findings of fact and conclusions of law.

The hearing decision is final and binding on the contract applicant/MAO and on CMS unless it is reversed or modified by the CMS Administrator following review or reopened and revised. Additionally, the decision is made public.

Notice of any decision favorable to the MAO appealing a determination that is not qualified to enter into a contract with CMS must be issued by September 1 to guarantee that the contract in question will be effective on January 1 of the following year.