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Title 22@ Social Security

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Division 1.8@ California Department of Aging

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Chapter 3@ Title III Programs-PSAs and AAAs

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Article 1@ Designation of PSAs and AAAs

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Section 7212@ Revocation of AAA Designation

7212 Revocation of AAA Designation

(a)

The Department, after attempts to resolve the problem, including the use of the sanctions specified in Article 5, have been unsuccessful, shall revoke an AAA designation, in accordance with the provisions of this section, whenever it finds that any of the conditions specified in 45 CFR 1321.35(a) exist.

(b)

Upon a preliminary decision to revoke an AAA's designation, the Department shall simultaneously: (1) Send a notice to the AAA which meets the requirements specified in Section 7706 and includes all of the following additional information:(A) The AAA has 30 days from receipt of the notice in which to request a State hearing. (B) If a State hearing is requested by the AAA, it will be scheduled after the Department holds a public hearing and reviews and decides upon the testimony in accordance with (c). (C) The final decision to revoke designation shall not occur until after the public hearing and the State hearing, if one is requested, and the Department has reviewed and considered all of the information received. (2) Schedule and conduct a public hearing by following the procedures specified in Section 7204(a) (1).

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receipt of the notice in which to request a State hearing. (B) If a State hearing is requested by the AAA, it will be scheduled after the Department holds a public hearing and reviews and decides upon the testimony in accordance with (c). (C) The final decision to revoke designation shall not occur until after the public hearing and the State hearing, if one is requested, and the Department has reviewed and considered all of the information received.

(A)

The AAA has 30 days from receipt of the notice in which to request a State hearing.

(B)

If a State hearing is requested by the AAA, it will be scheduled after the Department holds a public hearing and reviews and decides upon the testimony in accordance with (c).

(C)

The final decision to revoke designation shall not occur until after the public hearing and the State hearing, if one is requested, and the Department has reviewed and considered all of the information received.

(2)

Schedule and conduct a public hearing by following the procedures specified in Section 7204(a) (1).

(c)

Within 30 days following the public hearing specified in (b) (2), the Director shall review the testimony presented and the Department's reasons for proposing the revocation and take one of the following actions:(1) Terminate the proposed revocation action. (2) Proceed with the proposed revocation action, unless the AAA has requested a State hearing within the time frame specified in (b) (1) (A). If a State hearing has been requested, the Director shall refer the request to an external hearing officer to be processed in accordance with Chapter 5.

(1)

Terminate the proposed revocation action.

(2)

Proceed with the proposed revocation action, unless the AAA has requested a State hearing within the time frame specified in (b) (1) (A). If a State hearing has been requested, the Director shall refer the request to an external hearing officer to be processed in accordance with Chapter 5.

(d)

Upon a final decision by the Director to revoke an AAA designation, the provisions specified in Section 7210(b) shall apply.