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Title 22@ Social Security

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Division 2@ Department of Social Services-Department of Health Services

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Part 2@ Health and Welfare Agency-Department of Health Services Regulations

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Subdivision 7@ California Children's Services

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Chapter 13@ Resolution of Complaints and Appeals by CCS Clients or Applicants

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Article 2@ Designated CCS Agency

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Section 42160@ First Level Appeal

42160 First Level Appeal

(a)

If the CCS client or applicant is not satisfied with a decision, he or she may submit a written appeal. Appeals in response to a Notice of Action shall be postmarked within 30 calendar days from the date of the Notice of Action.

(b)

The written appeal shall describe the issues(s); shall provide available pertinent information to support the client or applicant's request, and the action, decision or relief sought, including any request for continuation of CCS services during the appeal process.

(c)

Appeals shall be sent to the CCS program in the county of residence as designated below: (1) In a county which administers CCS services "independently" in accordance with section 123850 of the Health and Safety Code, the appeal shall be directed to the program director or designee of the county CCS agency. (2) In all other counties, the appeal shall be sent to the State CCS Regional Office for that county.

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In a county which administers CCS services "independently" in accordance with section 123850 of the Health and Safety Code, the appeal shall be directed to the program director or designee of the county CCS agency.

(2)

In all other counties, the appeal shall be sent to the State CCS Regional Office for that county.

(d)

The designated CCS agency shall upon request assist the client or applicant to complete the request for an appeal. No form is required for requesting an appeal.

(e)

Within 21 calendars days of receipt of the written appeal the designated CCS agency shall review the appeal and, if sufficient information is available, mail the written response with the basis for the decision, including pertinent facts and the supporting statutes, or regulations, to the CCS client or applicant. If additional information is required to make the decision, the response to the appeal shall be mailed within 21 calendar days of receipt of the additional information.

(f)

If the decision of the CCS agency does not resolve the issue(s) to the satisfaction of the CCS client or applicant, the issue(s) may be appealed to a CCS Fair Hearing as provided for in section 42180.

(g)

The CCS agency shall maintain a copy of the appeal file in the claimant's case record.