

## **51022 Request for Hearing**

### **(a)**

An Institutional provider may request a hearing for any disputed audit or examination finding as follows: (1) A written request shall be filed with the Department within 60 calendar days of the receipt of the written notice of the audit or examination findings. (2) This request may be amended at any time during the 60 calendar day period.

#### **(1)**

A written request shall be filed with the Department within 60 calendar days of the receipt of the written notice of the audit or examination findings.

#### **(2)**

This request may be amended at any time during the 60 calendar day period.

### **(b)**

A Non-institutional provider may request a hearing on any disputed audit or examination finding as follows: (1) A written request shall be filed with the Department within 30 calendar days of the receipt of the audit or examination finding. (2) This request may be amended at any time during the 30 calendar day period.

#### **(1)**

A written request shall be filed with the Department within 30 calendar days of the receipt of the audit or examination finding.

**(2)**

This request may be amended at any time during the 30 calendar day period.

**(c)**

All late requests by either Institutional or Non-institutional providers shall be denied and the audit or examination findings deemed final unless the provider establishes in writing good cause for late filing within 15 calendar days of being notified of the untimeliness of its request.

**(d)**

The request shall be known as "Statement of Disputed Issues." It shall be in writing, signed by the provider or the authorized agent, and shall state the address of the provider and of the agent, if any agent has been designated. A provider or the agent shall specify the name and address of the individual authorized on behalf of the provider to receive any and all documents, including the final decision of the Director, relating to proceedings conducted pursuant to this article. The Statement of Disputed Issues need not be formal, but it shall be specific as to each issue as are in dispute, setting forth the provider's contentions as to those issues and the estimated amount each issue involves. The information specified in subsection (e) shall also be included. If the hearing officer determines that a Statement of Disputed Issues fails to state the specific grounds upon which objection to the specific item is based, the provider or the agent shall be notified that it does not comply with the requirement of this regulation, and the reasons therefor. (1) An Institutional provider shall be granted 30 calendar days after the date of the mailing of the notice of deficiency to the provider within which to file an amended Statement of Disputed Issues. (2) A Non-institutional provider shall be granted 15 calendar days after the date of mailing of the notice of deficiency within which to file an amended Statement of Disputed Issues. (3) If within the time

permitted in (1) or (2) above, the Institutional or Non-institutional provider, respectively, or the agent fails to amend its appeal as notified, the appeal as to those issues shall be rejected.

**(1)**

An Institutional provider shall be granted 30 calendar days after the date of the mailing of the notice of deficiency to the provider within which to file an amended Statement of Disputed Issues.

**(2)**

A Non-institutional provider shall be granted 15 calendar days after the date of mailing of the notice of deficiency within which to file an amended Statement of Disputed Issues.

**(3)**

If within the time permitted in (1) or (2) above, the Institutional or Non-institutional provider, respectively, or the agent fails to amend its appeal as notified, the appeal as to those issues shall be rejected.

**(e)**

The request shall also specify whether the provider does or does not wish that an informal level of review among the parties be held, together with the reasons therefor. Either party may request, or the hearing officer may order, that a telephone conference call be initiated among the parties for discussion of the advisability of conducting an informal level of review. The hearing officer shall decide whether an informal level of review would be appropriate and notify the parties of this decision in writing.