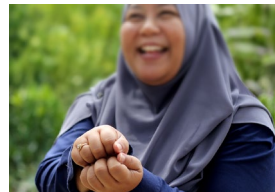


# Appeals Process Timelines

Effective March 1, 2023

More detailed information can be found in the Information Packet on the DDS website:  
<https://www.dds.ca.gov/wp-content/uploads/2023/03/Appeals-Info-Packet-Final-English.pdf>



# NOTICE OF ACTION



## **NOA PROCESS INITIATED**

Regional center sends a Notice of Action before changing or ending a current service; denying a new service; or denying initial eligibility or terminating eligibility.

## **DAY 30**

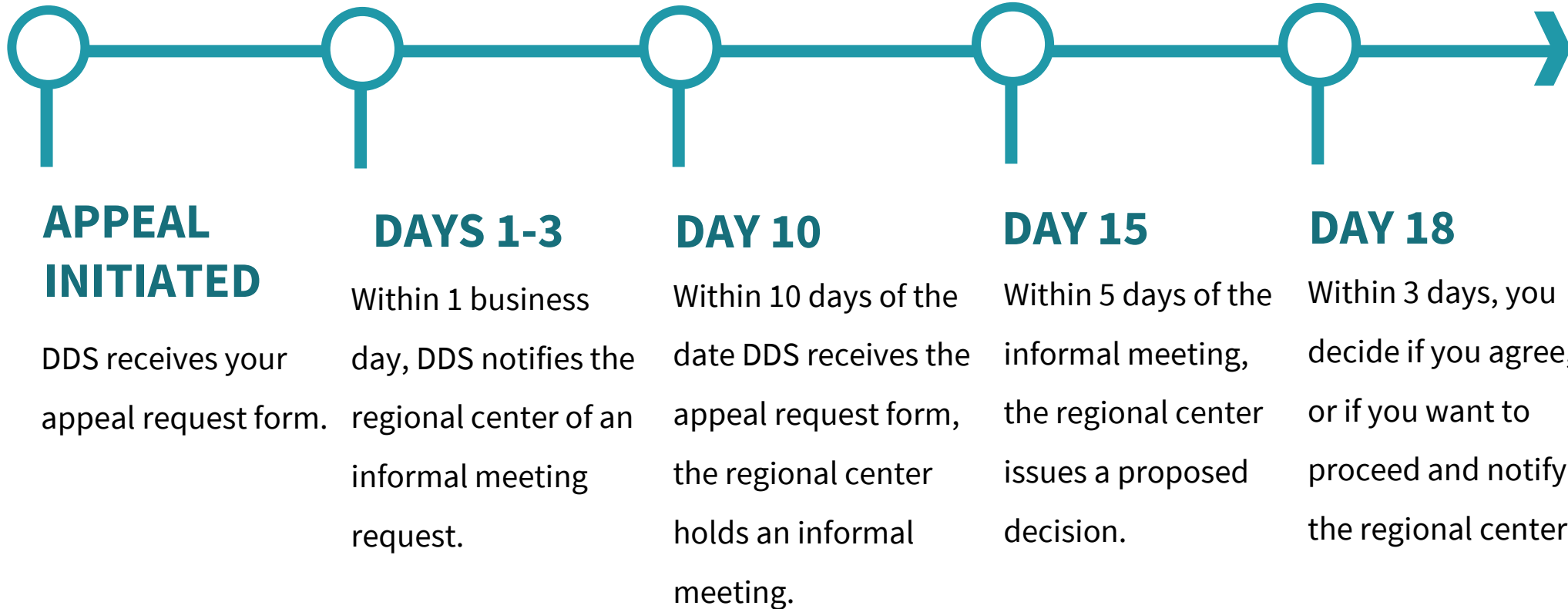
Within 30 days of receiving the Notice of Action and before the effective date of the proposed action, you may file an appeal and continue to receive your current services. This is called aid paid pending.

## **DAY 60**

Within 60 days of receiving the Notice of Action, you may file an appeal.

\*All “days” are “calendar days” unless noted.

# APPEALS PROCESS – INFORMAL MEETING



## You may choose:

- Withdrawal
- Mediation
- Hearing

\* You may extend time to decide which will waive the initial 90-day hearing timeline.

# APPEALS PROCESS – MEDIATION



## DAY 19

Within 1 day, the regional center tells DDS and the Hearing Office of your decision to proceed to mediation.

## DAY 30

Within 30 days after DDS received your appeal request, mediation is held.

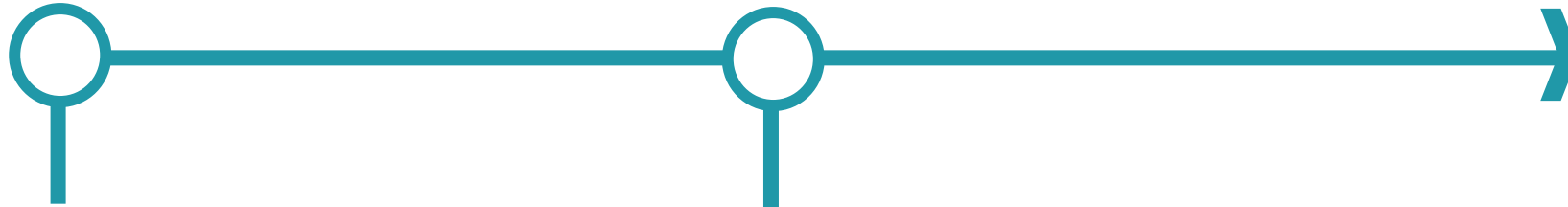
## DAY 31

Within 1 day of mediation, the mediator sends you a copy of the proposed resolution. You may go ahead with your appeal.

## You may choose:

- Withdrawal
- Hearing

# APPEALS PROCESS – HEARING



## DAY 50

Within 50 days of the date the appeal request was received the hearing is held.

## DAY 80

Within 10 days after the hearing but not more than 80 days after the appeal request was received, the Hearing Office makes a final decision in most cases.\*

## You or the regional center may:

- Request reconsideration
- Appeal to the court
- Implement the decision

\*The DDS Director may review some hearing officer decisions. This review is done by day 90 unless time was extended.

# APPEALS PROCESS – RECONSIDERATION



## DAYS 91-105

Within 15 days of the final hearing decision, you may request reconsideration.\*

## DAYS 92-120

Within 15 days of receiving the reconsideration request the Hearing Office or DDS shall notify the parties of the decision to grant or deny the request for reconsideration.\*\*

## You or the regional center may:

- Appeal to the court within 180 days of the final hearing decision
- Implement the decision

\*Reconsideration extends the timeline beyond the initial 90-day requirement for resolving the appeal request.

\*\*Any new hearing will happen in 50 days and a decision will be issued no later than 40 days after the new hearing.

# APPEALS PROCESS – IMPLEMENTATION

## HEARING DECISION



**DAYS 80-120**

Within 30 days of the final hearing decision, the regional center shall implement the decision, unless:

- Reconsideration of the decision was requested, or
- There is an extension due to exceptional circumstances.