

RECONSIDERATION

What is a Reconsideration?

A Reconsideration is a request for the Office of Administrative Hearings (OAH) or the Department to correct a final hearing decision.

A Reconsideration can be requested if you or the regional center think:

- There is a clerical error
- A factual mistake
- A mistake with the law
- The hearing officer was wrong not to disqualify themselves

How do I request a Reconsideration?

The request for Reconsideration must be made within 15 days of the date you received the final hearing decision. The request must be in writing. It must say the specific reason that you think there is a clerical error or a mistake of fact or law. If you think the hearing officer was wrong to not disqualify themselves, you must explain why. Disqualification is when you request a different Mediator or Hearing Officer because you think they cannot be fair or impartial. You must also send a copy of your request to the regional center and to the Department of Developmental Services (DDS) or OAH.

What happens after I make a request for Reconsideration?

The regional center may submit information opposing or supporting the request. If the final decision was made by a hearing officer, a different hearing officer will review the application for Reconsideration.

If you made a request for Reconsideration on time, your current services (aid paid pending) will continue until 10 days after the Reconsideration decision.

Within 15 days of receiving the Reconsideration request it will be:

- Denied
- Granted and the decision modified; or
- Granted and your matter is set for a new hearing. A new hearing must be held within 50 days of the date the request was granted.

The Reconsideration decision must be communicated to you and the regional center within one day of the decision being made. You will receive the Reconsideration



decision in your preferred language

A decision correcting a clerical error or mistake of fact or law must be sent to you, the regional center, and the Department of Developmental Services within 5 business days of the Reconsideration decision.

You are not required to go through Reconsideration before proceeding to court.

How to Get Help

You may get help to understand your appeal rights. Some agencies that may be able to help are found by clicking the Getting Help tab at: [The Lanterman Act Appeals Information Packet - CA Department of Developmental Services](#)

