

Chemical Health
Your Right to Appeal

- 1) If you disagree with your treatment planning decision proposed by your assessment counselor, you have the right to request a second chemical use assessment by a different qualified assessment counselor.
- 2) Your request for a second assessment must be in writing. You may submit your request to:
Washington County Community Services
Chemical Health Services
14949 62nd St. N., P.O. Box 30
Stillwater, MN 55082
- 3) Your request must be received by Washington County Chemical Health Services within **FIVE WORKING DAYS** of the original assessment or before you enter treatment, whichever occurs first.
- 4) Human Services, Inc. shall provide a second chemical use assessment by a different qualified assessment counselor within **FIVE WORKING DAYS** of receipt of a written request for reassessment.
- 5) If you agree with the outcome of the second assessment, you may be placed in accordance with the second assessment.

Your Right to a Fair Hearing Under Minnesota Statutes

You have the right to a fair hearing under Minnesota Statutes Section 256.045.

If you are:

- a) denied an initial assessment or denied an initial assessment within timelines.
- b) denied a second assessment or denied a second assessment within timelines.
- c) denied placement or placement within timelines.
- d) disagree before service begins with services, or length of service that the placing authority proposes to authorize.
- e) receiving authorized services and are denied additional services that would extend the length of the current services beyond the end date specified in the service authorization.
- f) denied placement that is appropriate to your race, color, creed, disability, national origin, marital status, sexual orientation, or sex.
- g) clients placed with a faith-based treatment provider, “must be allowed to object to the placement on the basis of the client’s religious choice. If the client objects, the client must be given an alternate referral.”

You may appeal directly to the State Appeals Office at this address:

Minnesota Department of Human Services
Appeals Office
P.O. Box 64941
St. Paul, MN 55164-0941

Client Signature

Date

White copy – File / Yellow copy – Client

Service Center Cottage Grove
13000 Ravine Parkway
Cottage Grove, MN 55016
Phone: 651-430-4159
Fax: 651-430-4157

Service Center Forest Lake
19955 Forest Road N
Forest Lake, MN 55025
Phone: 651-275-7260
Fax: 651-275-7263

Government Center
14949 62nd St N P.O. Box 30
Stillwater, MN 55082-0030
Phone: 651-430-6455
Fax: 651-430-6605

Service Center Woodbury
2150 Radio Drive
Woodbury, MN 55125
Phone: 651-275-8650
Fax: 651-275-8682

Your Appeal Rights

Reasons for Appeal

If you have applied for or are getting financial help, Medical Assistance, Food Support, or social services through the county or state agency, and:

- The county agency does not act quickly enough and you think it has gone beyond the legal time limit to act, you can appeal.
- The county agency decides you can not get help, you can appeal.
- The county agency providing you with assistance or services reduces or stops them, you can appeal.
- The state agency denies you a specific medical service, you can appeal.
- The county or state agency thinks you maltreated a child or a vulnerable adult, you can appeal.

When you disagree with any county or state agency action, you have the right to appeal. You must ask for a fair hearing by the state.

Time Limits

Your request for a hearing must be received within 30 days after you get a written notice about the county's or state's decision. If you show "good cause" for not appealing within this time limit, you may appeal up to 90 days after you get the notice. "Good cause" is when you have a good reason for not appealing on time. The human services office will decide if your reason is a good cause reason. With Food Support you may appeal up to 90 days after you get a notice of the county's decision and *do not* have to show good cause.

After the state gets your request, it will set a date for a hearing. The state will tell you the exact date, time, and place.

Preparation for a Hearing

Get all the information about your case.

- Bring a letter from a doctor if a medical question is involved.
- Bring any other papers you want the hearing officer or appeals referee to see.
- Ask others who know about your case to come to the hearing.

It is a good idea to make a list ahead of time of the points you want to make and bring it with you to the hearing.

Hearings

A Human Services judge, who has not been involved in the decision you are appealing, will look at the facts of your case. He or she will look at the evidence and hear arguments by you and the county or state agency. Every effort is made to get all information needed to arrive at a fair decision based on the law. Your hearing may be conducted by telephone unless you object.

Lawyer or Friend can Speak for You

You may have a lawyer or another person speak for you at the hearing. However, the state or county agency can not get a lawyer for you or pay for one. Contact the legal services office in your area if you want a lawyer.

The county may pay for some of the costs of your appeal. These costs may be for transportation and child care expenses.

Decision

You usually will be told of the judge's final decision within 60 days of your Food Support appeal or 90 days of all other appeals.

How to Appeal

Request a hearing. This is easy to do. Your request for a hearing must be in writing. You or someone who represents you must sign the request. With Food Support appeals you may make a verbal request for a hearing. Send or make the request to the county agency or to the Minnesota Department of Human Services office listed on the front of this form.

Metro: (651) 431-3600 (Voice)

Outstate: (800) 657-3510

TTY: (800) 627-3529

Fax: (651) 431-7523