

New Horizons Senior Center

Fair Hearings and Appeals Process

New Horizons complies with the Pennsylvania Department of Aging's Fair Hearings and Appeals Process as outlined in the Department of Aging 6 PA Code, Chapter 3, Fair Hearings and Appeals Regulations. This directive from the Department provides a system of appeals and fair hearings that apply to grievances or complaints about services and activities funded by the Department.

Parties who may request a fair hearing include any applicant for, or recipient of, services provided under an area plan who has been denied a service, excluded from a service, or terminated from a service.

Following these guidelines:

- New Horizons will provide written notice of any adverse action within thirty days to the person who will be directly affected by the decision.
- This written notice will include the reasons for the agency's action and the evidence upon which the action is based.
- This written notice will advise the party affected of their right to appeal the decision within 30 days of receipt of the notice of adverse action.
- In the case of an appeal by an applicant for, or recipient of, services under an area plan, the Area Agency on Aging will, if requested, assist in filing the appeal.

Prior to arranging any formal hearings on complaints or appeals, the Department will require all parties to follow the informal complaint process

- All informal complaints shall be filed in writing within 30 days following the receipt of the notice Of adverse action.
- Parties appealing shall send their informal complaints to the director of the local Area Agency on Aging •
- The complaint shall include the following information: Name and address Of the complainant, party against whom the complaint is made, a copy of the notice of adverse action, a statement Of all relevant facts and the grounds upon which the complaint is based, a statement Of all issues presented, and the relief or solution requested by the complainant.

Following receipt of this information from the complainant, the Director of the local Area Agency on Aging will complete the process dictated by the Department in handling these complaints

If either party to an informal complaint does not accept the resolution recommended by the Area Agency on Aging and so notifies the Area Agency within the required 10 days, the Area Agency on Aging shall forward a copy of the originally filed complaint to the Department's Bureau of Program and Field Operations within 3 working days Of the receipt Of the notification Of lack Of acceptance. The copy Of the complaint submitted to the Department shall be accompanied by a description Of the Area Agency on Aging's efforts to resolve the complaint locally, including the recommended resolution and the response of the parties.

The Department's Bureau of Program and Field Operations will investigate each informal complaint with a view toward informal resolution.

Following the completion of the investigation, the Department will notify all parties concerned of its recommended resolution of the complaint.

The parties to the adverse action shall notify the Department Of acceptance or rejection Of the recommended resolution within 30 days following the receipt Of the recommended resolution.

If either party rejects the recommended resolution, that party may request a formal hearing. All requests for a formal hearing must be made within 30 days following the receipt of the recommended resolution.