

Notice of Hearing Rights

- **Where to get a hearing request from.** The form is called the Administrative Hearing Request (form AFS 443). You can get the form by calling the local Department of Human Services (DHS) office and asking for it. Also, you can get the form from your mental health provider or by calling the name and phone number on your I.D. card, or calling GOBHI 1-800-493-0040, or by calling the Addictions and Mental Health Division (AMHD) at 503-945-5763.
- **How to file your request for a hearing.** Fill out the hearing request form. Give the form to your provider or call the name and phone number on the attached letter for an address. You also may send the form directly to the AMHD Representative at AMHD, 500 Summer Street NE E86, Salem, OR 97301-8467.
- **If you have an urgent problem.** If you need a decision quickly, you may ask for an “Expedited Hearing.” You need to write on your request that it is an expedited request and why you think you need to have a decision right away. The OMHAS Medical Director will look at your records and the reason you gave and decide if you need a decision right away.
- **Deadlines for filing your request for hearing.** If your hearing request is about a decision in a letter you received, you must file your hearing request **within 45 calendar days** of the date of the letter you received or **within 45 calendar days** of the date of the grievance decision if you waited for a grievance decision. You may be able to get more time if you can show good cause for being late.

If your hearing request is about a change in services/benefits and you want the services/benefits to stay the same while you wait for the hearing decision, you must file a hearing request by the date your services/benefits will change or **within 10 calendar days** after the date the attached letter was mailed or given to you, whichever is later. If you waited for a complaint decision and you want the services/benefits to stay the same while you wait for a hearing decision, you must file the hearing request **within 10 calendar days** of the date the grievance decision was mailed or given to you, whichever is later.

- **What will happen.** OMHAS Representative will ask you what your concerns are that you identified in the Grievance and Appeal process. You have a right to a pre-hearing conference with OMHAS Representative. You may be able to resolve the problem without a hearing. If the problem is not resolved, you will have a hearing. At a hearing, you can tell the DHS Hearing Officer your position and you can have other people testify for you. The State of Oregon will be represented and can have people testify. The Hearing Officer will issue proposed order and DHS will make a final decision within 90 days from the date of your request for a hearing.
- **If you disagree with the decision.** You can request a reconsideration or appeal to the Court of Appeals if you disagree with the decision.
- **Who can help.** You can have a lawyer or someone else help you at the hearing. The state will not pay for a lawyer. Your local legal aid office or Oregon Advocacy Center (1-800-452-1694) may be able to give you advice or help you with your hearing.
- **When a decision will be made.** DHS must make a decision within 90 days of your request for a hearing.