

# A Summary of the Fair Hearing Process

Revised December 2024

**This information is important. If you need help understanding it, tell us. [\(802\) 828-2536](tel:8028282536)**

- Ova informacija je važna. Ako Vam je potrebna pomoć da je razumijete, obavijestite nas. *(Bosnian)*
- Ces informations sont importantes. Si vous avez besoin d'aide pour les comprendre, dites-le nous. *(French)*
- Iyi n'inkenzuzo ngirakamaro. Tubwire, mugihe woba ushaka impfashanyo y'ugusobanukirwa. *(Kirundi)*
- Macluumaadkan waa muhiim. Haddii aad u baahan tahay caawimaad ah fahanka macluumaadka, noo sheeg. *(Somali)*
- Esta información es importante. Si usted necesita ayuda para comprenderla, infórmenos. *(Spanish)*
- Maelezo haya ni muhimu. Ikiwa unahitaji msaada wa kuyafahamu, tueleze. *(Swahili)*
- Đây là thông tin quan trọng. Nếu quý vị cần trợ giúp để hiểu thông tin này, hay cho chúng tôi biết. *(Vietnamese)*
- هذه المعلومات مهمة. إذا كنت تحتاج إلى مساعدة لفهمها، أخبرنا. *(Arabic)*
- यो जानकारी महत्त्वपूर्ण छ । यदि तपाईंलाई यसलाई बुझ्नमा मद्दत आवश्यक पर्छ भने हामीलाई भन्नुहोस् । *(Nepali)*
- ဤအချက်အလက်သည် အရေးကြီးပါသည်။ ၎င်းကို နားလည်ရန်အတွက် အကူအညီလိုအပ်ပါက၊ ကျွန်ုပ်တို့အား ပြောပါ။ *(Burmese)*

The Human Services Board is a citizen's panel created by the Vermont legislature to act as a fair hearing board for appeals brought by individuals who are affected by, and who disagree with, decisions made by departments and programs within the Agency of Human Services.

### **The Hearing:**

The Human Services Board has hearing officers who listen to both sides, decide the facts, and make recommendations to the Board.

- a. The Board will send you a written notice of the date, time, and place of your hearing or if the hearing is by phone or video.
- b. You may represent yourself at the hearing. You may also bring someone to represent you, such as a friend, relative, or attorney.
- c. The hearing officer will listen to all sides and consider the relevant facts.
- d. After the hearing, the hearing officer will issue a written recommendation. The recommendation will be based on the facts of your case as well as all applicable statutes, rules, and policies.
- e. The Human Services Board will review the hearing officer's recommendation.

### **Preparing for the Hearing:**

- You may want to talk an attorney about your case. If you cannot afford an attorney, call Vermont Legal Aid at 1-800-889-2047.
- If your case involves a medical program, you can also contact the Health Care Ombudsman at 1-800-917-7787.
- If you have a disability that affects communication, a communication support specialist may be able to help you during the hearing. You can request this by contacting the Vermont Communication Support Project at 888-686-8277.
- The Board's Fair Hearing Rules are enclosed, and are also available online at: <https://humanservices.vermont.gov/sites/ahsnew/files/fair-hearing-rules-1.pdf>
- If you have a disability and need assistance in connection with your hearing, call the Board at (802) 828-2536 to let us know. Special accommodations will be made at no cost to you.
- If you have a language barrier, you have the right to an interpreter at no cost to you. Call the Board at (802) 828-2536 to let us know.

### **The Board Meeting:**

The Board meets every month to review hearing recommendations.

- a. The Board will send you a written notice of the date, time, and place of the Board meeting when they will review the hearing officer's recommendation in your case.
- b. You may represent yourself at the Board meeting. You may also bring someone to represent you, such as a friend, relative, or attorney.

- c. After the meeting, the Board will issue a written decision. The Board may adopt the hearing officer's recommendation or reject it. The Board may also refer your case back to the hearing officer for another hearing.
- d. If you are not satisfied with the Board's decision, you may request reconsideration under certain circumstances or appeal to the Vermont Supreme Court.

## **Your Rights:**

You have the right to:

- Have your case heard by an impartial hearing officer;
- Explain your case to the hearing officer;
- Choose someone to represent you at both the hearing and Board meeting;
- Look at records before and during the hearing;
- Bring witnesses to the hearing;
- Question the Department's witnesses at the hearing; and
- Submit evidence on your behalf.

## **Complaints:**

The hearing officer conducting your fair hearing is subject to a *Code of Conduct*. Vermont's "General Rule for Executive Branch Administrative Hearing Officers" may be found on-line at: <https://humanservices.vermont.gov/human-services-board>. A hard copy is available upon request. Complaints against a hearing officer falling under this rule may be initiated by writing to the Human Services Board by mail or email: Human Services Board, 6 Baldwin Street, Suite 305, Montpelier, VT 05633 or [contact.hsb@vermont.gov](mailto:contact.hsb@vermont.gov).

Please call the Board at [\(802\) 828-2536](tel:802-828-2536) if you have difficulty submitting a written complaint or if you have questions.

## **Additional Information:**

- Most hearings are scheduled as telephone or video hearings. You may request a continuance of your case if you have a good reason why you cannot attend on the day that your hearing is scheduled. Call [\(802\) 828-2536](tel:802-828-2536).
- You may also request to have an in-person hearing. If the hearing or Board meeting is not in the town where you live, you may ask the Department to pay your travel expenses. Contact your local Economic Services Division District Office for help with this.
- If you wish, please inform the Board's Clerk by calling [\(802\) 828-2536](tel:802-828-2536) or emailing [contact.hsb@vermont.gov](mailto:contact.hsb@vermont.gov) of your gender pronoun(s) or inform the hearing officer at the start of your hearing.