

State of Alaska FY2002 Governor's Operating Budget

Department of Health and Social Services
Hearings and Appeals
Component

Component: Hearings and Appeals

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Component Mission

To maintain access to health care and to provide health coverage for Alaskans in need.

Component Services Provided

Health care facility appeals of Medicaid payment rates and audit findings are formal hearings governed by the Administrative Procedure Act, AS 44.62.330 et seq. These hearings are conducted by a hearing examiner with the qualifications required by AS 44.62.350, which requires that a hearing officer be unbiased, impartial, experienced in the general practice of law, and admitted to practice law for at least two years immediately preceding appointment. After receiving the evidence and arguments, the hearing examiner prepares a proposed decision for submission to the Commissioner. The Commissioner's decision is the final administrative action and may be appealed to Superior Court.

Client appeals of actions by the Division of Public Assistance and the Division of Medical Assistance are adjudicated in fair hearings mandated by a number of federal and State regulations. A fair hearing may be requested concerning one or more of the following programs: Adult Public Assistance, Aid to Families with Dependent Children, Food Stamps, Medicaid, General Relief, Energy Assistance, Job Opportunities and Basic Skills Training Program, and Employment and Training Program. The fair hearing is an informal proceeding adjudicated by a hearing officer classified as a Public Assistance Program Officer. The hearing officer's decision may be appealed by the client to the Division Director. The Director's decision is the final administrative action and is subject to appeal to the Superior Court.

Component Goals and Strategies

The Office of Hearings and Appeals (OHA) is responsible for conducting impartial administrative hearings on appeals from actions by four agencies of the Department of Health and Social Services: the Medicaid Rate Advisory Commission, the Audit Unit, the Division of Public Assistance, and the Division of Medical Assistance. OHA conducts two distinctly different types of hearings: informal fair hearings on client public assistance and medical assistance appeals.

Key Component Issues for FY2001 – 2002

Please see Medical Assistance Administration BRU key issues.

Major Component Accomplishments for FY2000

Please see Medical Assistance Administration BRU accomplishments.

Statutory and Regulatory Authority

Alaska Statutes:

AS 47.07 Medical Assistance for Needy Persons

AS 47.08 Assistance for Catastrophic Illness and Chronic or Acute Medical Conditions

AS 47.25 Public Assistance

Social Security Act:

Title XVIII Medicare

Released December 15th

FY2002 Governor

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Title XIX Medicaid
 Title XXI Children's Health Insurance Program

Administrative Code:
 7 AAC 43 Medicaid
 7 AAC 48 Chronic and Acute Medical Assistance

Code of Federal Regulations:
 Title 42 CFR Part 400 to End

Key Performance Measures for FY2002

Measure: Please refer to Medical Assistance Administration BRU performance measures.
(Not yet addressed by Legislature.)

Status of FY2001 Performance Measures

	<i>Achieved</i>	<i>On track</i>	<i>Too soon to tell</i>	<i>Not likely to achieve</i>	<i>Needs modification</i>
<ul style="list-style-type: none"> Please refer to Medical Assistance Administration BRU performance measures. 		X			

Hearings and Appeals Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	322.9	344.5	343.0
72000 Travel	0.9	8.3	8.3
73000 Contractual	53.2	51.7	51.7
74000 Supplies	0.6	3.9	3.9
75000 Equipment	0.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	377.6	408.4	406.9
Funding Sources:			
1002 Federal Receipts	185.4	204.5	203.0
1003 General Fund Match	192.2	200.3	202.3
1004 General Fund Receipts	0.0	0.0	1.6
1053 Investment Loss Trust Fund	0.0	3.6	0.0
Funding Totals	377.6	408.4	406.9

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Federal Receipts	51010	185.4	204.5	204.5	203.0	203.0
Restricted Total		185.4	204.5	204.5	203.0	203.0
Total Estimated Revenues		185.4	204.5	204.5	203.0	203.0

Hearings and Appeals**Proposed Changes in Levels of Service for FY2002**

There are no changes to the level of services provided.

**Summary of Component Budget Changes
From FY2001 Authorized to FY2002 Governor**

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	203.9	204.5	0.0	408.4
Adjustments which will continue current level of service:				
-Year 2 Labor Costs - Net Change from FY2001	0.0	-1.5	0.0	-1.5
FY2002 Governor	203.9	203.0	0.0	406.9

Hearings and Appeals
Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	5	5	Annual Salaries	269,135
Part-time	0	0	COLA	4,493
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	80,684
			<i>Less 3.19% Vacancy Factor</i>	(11,303)
			Lump Sum Premium Pay	0
Totals	5	5	Total Personal Services	343,009

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Hearing Examiner	2	0	0	0	2
Legal Secretary I	1	0	0	0	1
Public Asst Prog Off	2	0	0	0	2
Totals	5	0	0	0	5