

State of Alaska FY2014 Governor's Operating Budget

Department of Health and Social Services Hearings and Appeals Component Budget Summary

Component: Hearings and Appeals

Contribution to Department's Mission

The Office of Hearings and Appeals provides a quasi-judicial forum for the administrative review of determinations made by Department of Health and Social Services (DHSS). This Office adjudicates disputes or claims between claimants (recipients/clients/grantees/providers) and DHSS. Claimants may ultimately appeal Hearings and Appeals issued decisions to the state Superior Court and the Alaska Supreme Court.

Core Services

- Hearing Examiners in the Office of Hearings and Appeals conduct hearings and issue decisions that are impartial and comply with due process requirements. A mediation process is also provided for the resolution of disputes between recipients/clients/grantees/providers and DHSS. The following are examples of the types of cases that are considered by Hearing Examiners:
- Medicaid provider appeals including appeal of Medicaid reimbursement payment rates and annual audit findings issued pursuant to AS 47.05.200.
- Certificate of need appeals. 7 AAC 07.010 – 07.900.
- Appeals from denial, reduction or termination of benefits administered by the DHSS such as Food Stamps, Medicaid, Alaska Temporary Assistance, Adult Public Assistance, Heating Assistance, General Relief, and Interim Assistance.
- Administrative Disqualification Hearings to determine if clients have committed an Intentional Program Violation of the Food Stamp, Alaska Temporary Assistance or Medicaid programs. 7 CFR 273.16, 7 AAC 45.580(n), 7 AAC 100.912
- Appeals from providers/applicants denied participation in the child care assistance program pursuant to 4 AAC 65.85. In addition, appeals from adults who are denied employment, volunteer opportunities or residence in child care facilities pursuant to 4 AAC 62.210.
- Appeals from applicants that are denied certification as Emergency Medical Technicians (EMTs) pursuant to 7 AAC 26.950. In addition, appeals from EMTs denied recertification or whose certification is suspended or revoked pursuant to that same regulatory provision.

Major Component Accomplishments in 2012

- Fair Hearings - Received 953 requests for hearings, held 285 hearings and issued 115 hearing decisions.
- Administrative Disqualification Hearings - Received 73 hearing requests, held 44 hearings and issued 34 hearing decisions.
- Medicaid Rate Appeals – Four new Medicaid rate appeals were received and seven were resolved either by settlement, dismissal or hearing decision. As of June 30, 2011, there are four active Medicaid rate appeals and five are stayed pending the outcome of an Alaska Supreme Court decision.

Key Component Challenges

- Continue to provide quality and impartial hearings and decisions that adhere to due process requirements even though there has been an increase in the number of requests for hearings, hearings held, decisions issued and Medicaid rate appeal cases.
- Continue to improve the quality (clarity, organization, conciseness, accuracy and timeliness) of decisions.
- Provide, when requested, mediation services to other DHSS offices/programs.

Significant Changes in Results to be Delivered in FY2014

No changes in results to be delivered for FY2013.

Statutory and Regulatory Authority

Title XVI Supplemental Security Income (SSI) (for Interim Assistance eligibility determinations)
Title XVII Medicare
Title XIX Medicaid
Title XXI Children's Health Insurance Program

Code of Federal Regulations: Titles 7, 20, 42 and 45

7 CFR Part 273
20 CFR Part 416
42 CFR Part 441
45 CFR Part 233

Alaska Statutes:

AS 18.08.080 Emergency Medical Services
AS 47.05.200 Annual audits
AS 47.05.330 -.390 DHSS Centralized Registry for Providers
AS 47.07 Medical Assistance for Needy Persons
AS 47.08 Assistance for Catastrophic Illness & Chronic
or Acute Medical Conditions
AS 47.25.001-.095 Day Care Assistance & Child Care Grants
AS 47.25.120 -.300 General Relief Assistance
AS 47.25.430 -.615 Adult Public Assistance
AS 47.25.975 -.990 Food Stamp Program
AS 47.27 Alaska Temporary Assistance Program

Alaska Administrative Code:

Title 7 Health & Social Services
7 AAC 07.010 – 07.900 – Certificate of Need
7 AAC 10.955 DHSS Centralized Registry for provider licensing/ certification/approval
7 AAC 26.950-960 Emergency Medical Technicians
7 AAC 37.010 - 37.270 – Public Assistance
7 AAC 40.005 - 40.900 – Adult Public Assistance
7 AAC 41.010- 41.990 – Child Care Assistance
7 AAC 43.005 – 43.1990 – Medical Assistance
7 AAC 44.010 – 44.9001 – Heating Assistance
7 AAC 45.010 – 45.990 – Alaska Temporary Assistance
7 AAC 46.010 – 46.990 – Food Stamp Program
7 AAC 47.010 – 47.900 – General Relief
7 AAC 48.005 – 48.900 – Catastrophic Illness & Chronic and Acute Medical Assistance
7 AAC 71.010 – 71.990 – Community Mental Health Services
7 AAC 100.001 – 100.900 – Medicaid Assistance Eligibility, including:
 7 AAC 100 – 100.199 - Family Medicaid
 7 AAC 100.200 – 100.210 – Transitional Medicaid & Extended Medicaid
 7 AAC 100.250 – 100.256 – Under 21 Medicaid
 7 AAC 100.310 -100.316 – Denali Kid Care – Poverty-Level Children

Contact Information
<p>Contact: Sarah Woods, FMS Deputy Director Phone: (907) 465-1631 Fax: (907) 465-2499 E-mail: sarah.woods2@alaska.gov</p>

Hearings and Appeals
Component Financial Summary

All dollars shown in thousands

	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	576.1	0.0	0.0
72000 Travel	4.1	0.0	0.0
73000 Services	121.0	0.0	0.0
74000 Commodities	3.5	0.0	0.0
75000 Capital Outlay	0.0	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	704.7	0.0	0.0
Funding Sources:			
1002 Federal Receipts	293.0	0.0	0.0
1003 General Fund Match	411.7	0.0	0.0
Funding Totals	704.7	0.0	0.0

Estimated Revenue Collections

Description	Master Revenue Account	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Federal Receipts	51010	293.0	0.0	0.0
Restricted Total		293.0	0.0	0.0
Total Estimated Revenues		293.0	0.0	0.0

**Summary of Component Budget Changes
From FY2013 Management Plan to FY2014 Governor**

All dollars shown in thousands

	<u>Unrestricted Gen (UGF)</u>	<u>Designated Gen (DGF)</u>	<u>Other Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
FY2013 Management Plan	0.0	0.0	0.0	0.0	0.0
FY2014 Governor	0.0	0.0	0.0	0.0	0.0

Component Detail All Funds
Department of Health and Social Services

Component: Hearings and Appeals (AR23926) (1434)
RDU: Departmental Support Services (106)

	FY2012 Actuals	FY2013 Conference Committee	FY2013 Authorized	FY2013 Management Plan	FY2014 Governor	FY2013 Management Plan vs FY2014 Governor
71000 Personal Services	576.1	0.0	0.0	0.0	0.0	0.0 0.0%
72000 Travel	4.1	0.0	0.0	0.0	0.0	0.0 0.0%
73000 Services	121.0	0.0	0.0	0.0	0.0	0.0 0.0%
74000 Commodities	3.5	0.0	0.0	0.0	0.0	0.0 0.0%
75000 Capital Outlay	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
77000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
78000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Totals	704.7	0.0	0.0	0.0	0.0	0.0 0.0%
Fund Sources:						
1002 Fed Rcpts (Other)	293.0	0.0	0.0	0.0	0.0	0.0 0.0%
1003 G/F Match (UGF)	411.7	0.0	0.0	0.0	0.0	0.0 0.0%
Unrestricted General (UGF)	411.7	0.0	0.0	0.0	0.0	0.0 0.0%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Other Funds	0.0	0.0	0.0	0.0	0.0	0.0 0.0%
Federal Funds	293.0	0.0	0.0	0.0	0.0	0.0 0.0%
Positions:						
Permanent Full Time	6	0	0	0	0	0 0.0%
Permanent Part Time	0	0	0	0	0	0 0.0%
Non Permanent	0	0	0	0	0	0 0.0%

Change Record Detail - Multiple Scenarios With Descriptions
Department of Health and Social Services

Component: Hearings and Appeals (1434)
RDU: Departmental Support Services (106)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
***** Changes From FY2013 Conference Committee To FY2013 Authorized *****												
Subtotal		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
***** Changes From FY2013 Authorized To FY2013 Management Plan *****												
Subtotal		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
***** Changes From FY2013 Management Plan To FY2014 Governor *****												
Totals		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0

Line Item Detail
Department of Health and Social Services
Travel

Component: Hearings and Appeals (1434)
RDU: Departmental Support Services (106)

Line Number	Line Name		FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
72000	Travel		4.1	0.0	0.0
Expenditure Account	Servicing Agency	Explanation	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
72000 Travel Detail Totals			4.1	0.0	0.0
72110		Employee Travel (Instate)	1.0	0.0	0.0
72410		Employee Travel (Out of state)	3.1	0.0	0.0

Line Item Detail
Department of Health and Social Services
Services

Component: Hearings and Appeals (1434)
RDU: Departmental Support Services (106)

Line Number	Line Name		FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
73000	Services		121.0	0.0	0.0
Expenditure Account	Servicing Agency	Explanation	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
73000 Services Detail Totals			121.0	0.0	0.0
73025	Education Services		4.0	0.0	0.0
73150	Information Technlgy		7.7	0.0	0.0
73156	Telecommunication		1.8	0.0	0.0
73225	Delivery Services		3.4	0.0	0.0
73525	Utilities		1.3	0.0	0.0
73650	Struc/Infstruct/Land		0.4	0.0	0.0
73675	Equipment/Machinery		1.5	0.0	0.0
73805	IT-Non-Telecommunication		4.6	0.0	0.0
73806	IT-Telecommunication		9.3	0.0	0.0
73810	Human Resources		5.1	0.0	0.0
73811	Building Leases		80.0	0.0	0.0
73814	Insurance		0.2	0.0	0.0
73979	Mgmt/Consulting (IA Svcs)		1.7	0.0	0.0

Line Item Detail
Department of Health and Social Services
Commodities

Component: Hearings and Appeals (1434)
RDU: Departmental Support Services (106)

Line Number	Line Name		FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
74000	Commodities		3.5	0.0	0.0
			FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
			74000 Commodities Detail Totals	3.5	0.0
74200	Business		3.5	0.0	0.0

Restricted Revenue Detail
Department of Health and Social Services

Component: Hearings and Appeals (1434)
RDU: Departmental Support Services (106)

Master Account	Revenue Description				FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
51010	Federal Receipts				293.0	0.0	0.0
Detail Information							
Revenue Amount	Revenue Description	Component	Collocation Code	AKSAS Fund	FY2012 Actuals	FY2013 Management Plan	FY2014 Governor
57250	Food Stamp Program				102.2	0.0	0.0
57260	Title IV A				46.0	0.0	0.0
57265	Title IV A Child Care				1.0	0.0	0.0
57301	Title XIX Map				9.4	0.0	0.0
57302	Title Xix Map Admin				134.4	0.0	0.0

Inter-Agency Services
Department of Health and Social Services

Component: Hearings and Appeals (1434)
RDU: Departmental Support Services (106)

Expenditure Account	Service Description	Service Type	Servicing Agency	FY2012 Actuals	FY2013	
					Management Plan	FY2014 Governor
73805	IT-Non-Telecommunication	Inter-dept		4.6	0.0	0.0
73805 IT-Non-Telecommunication subtotal:				4.6	0.0	0.0
73806	IT-Telecommunication	Inter-dept		9.3	0.0	0.0
73806 IT-Telecommunication subtotal:				9.3	0.0	0.0
73810	Human Resources	Inter-dept		5.1	0.0	0.0
73810 Human Resources subtotal:				5.1	0.0	0.0
73811	Building Leases	Inter-dept		80.0	0.0	0.0
73811 Building Leases subtotal:				80.0	0.0	0.0
73814	Insurance	Inter-dept		0.2	0.0	0.0
73814 Insurance subtotal:				0.2	0.0	0.0
73979	Mgmt/Consulting (IA Svcs)	Inter-dept		1.7	0.0	0.0
73979 Mgmt/Consulting (IA Svcs) subtotal:				1.7	0.0	0.0
Hearings and Appeals total:				100.9	0.0	0.0
Grand Total:				100.9	0.0	0.0