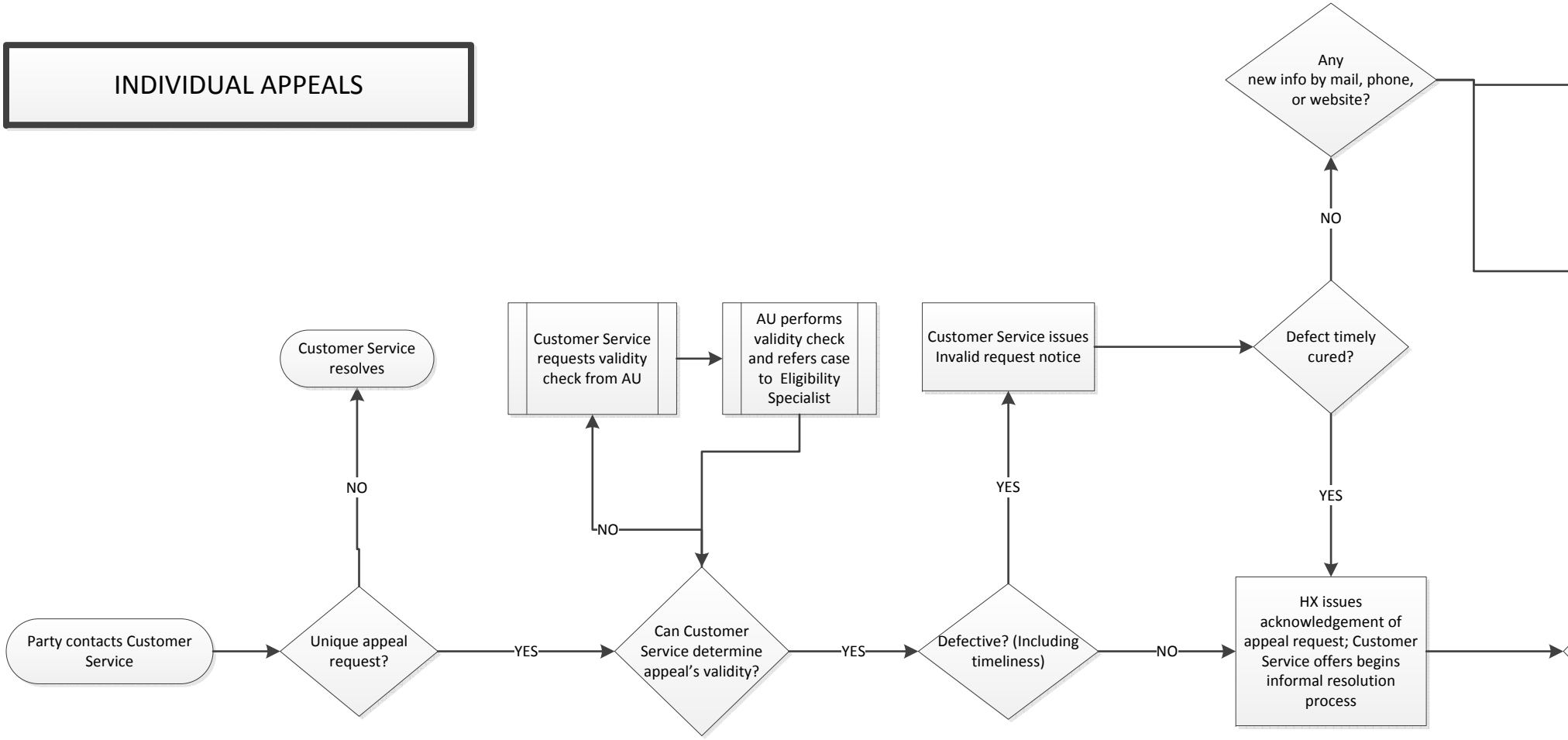
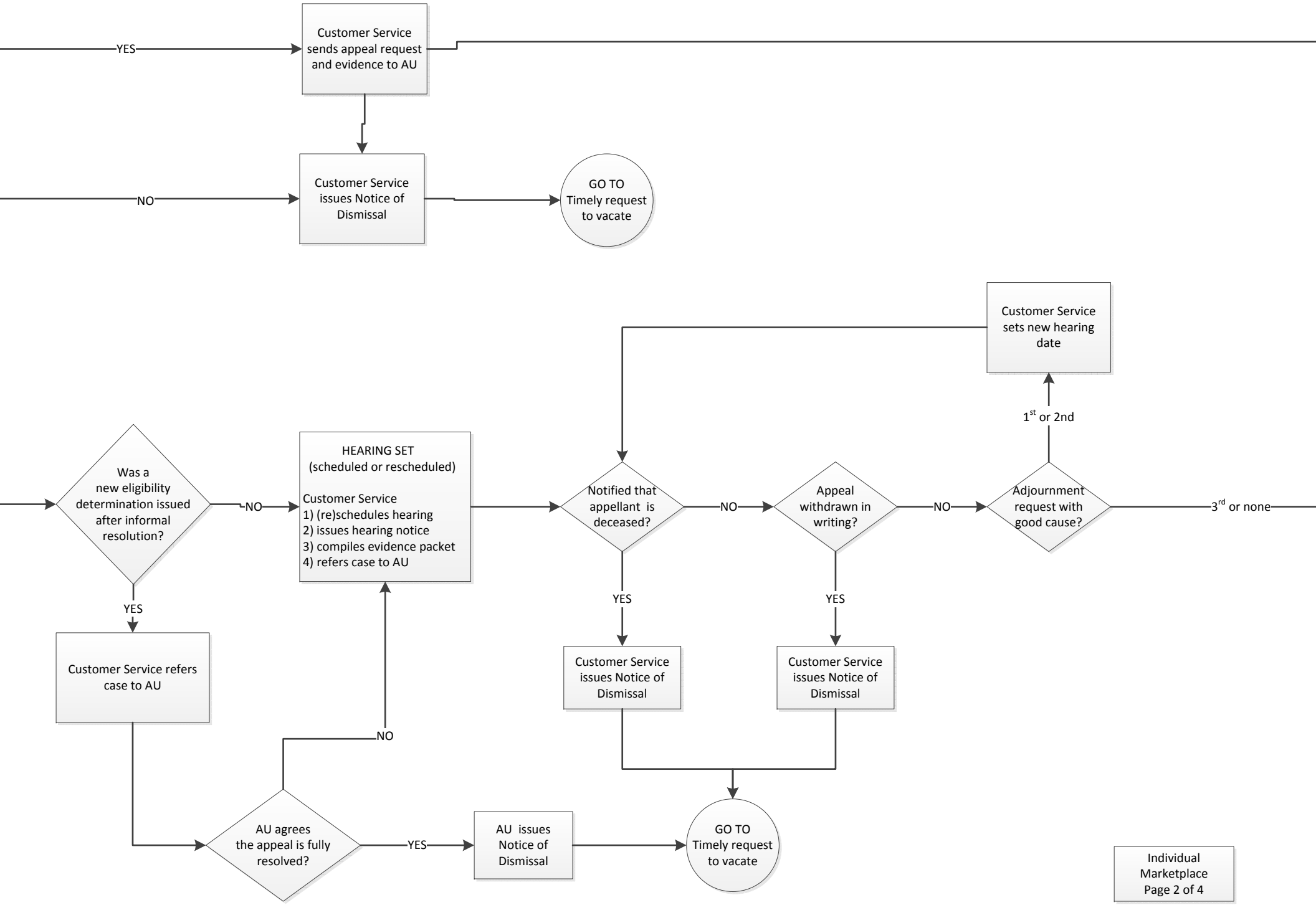
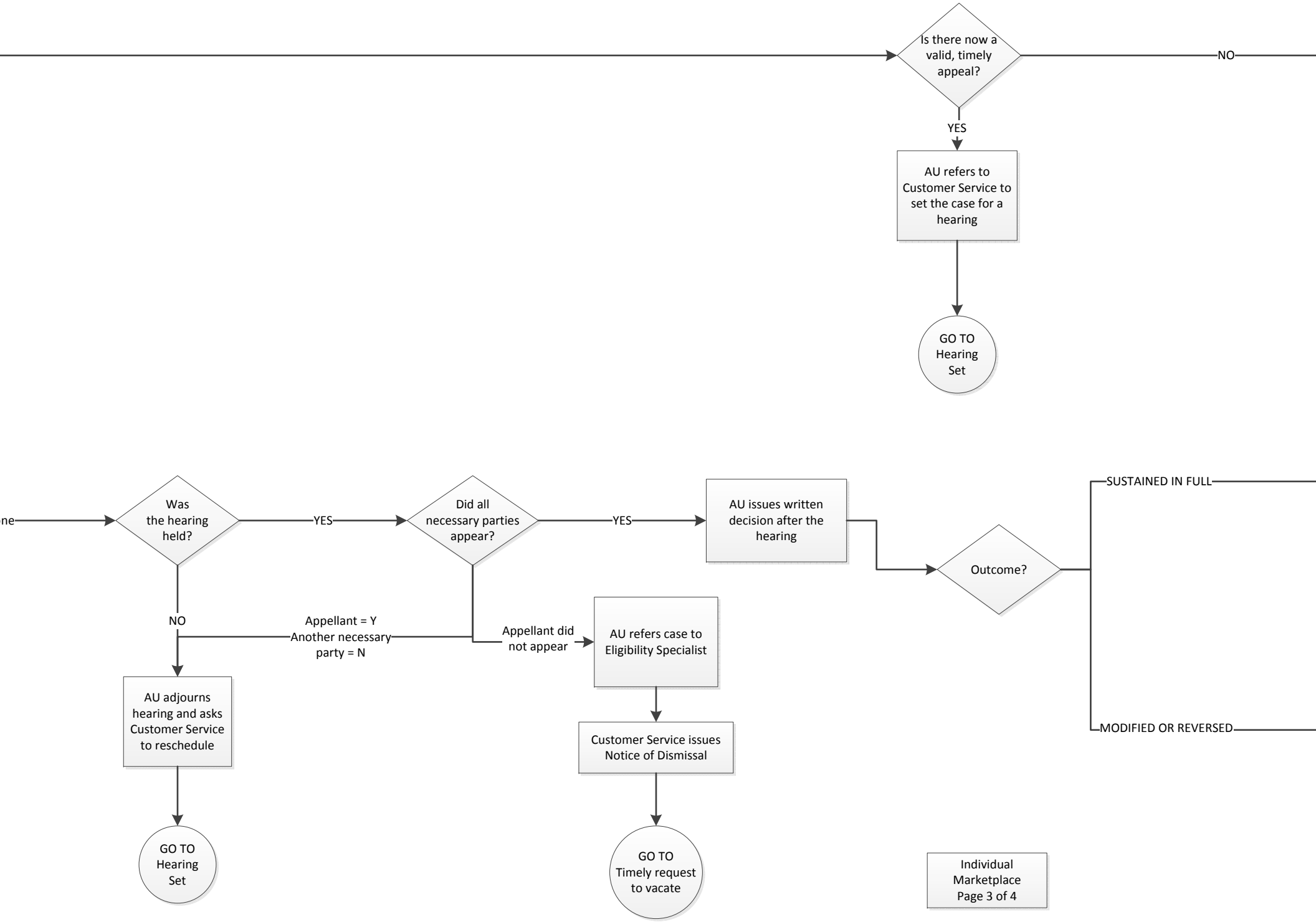
INDIVIDUAL APPEALS

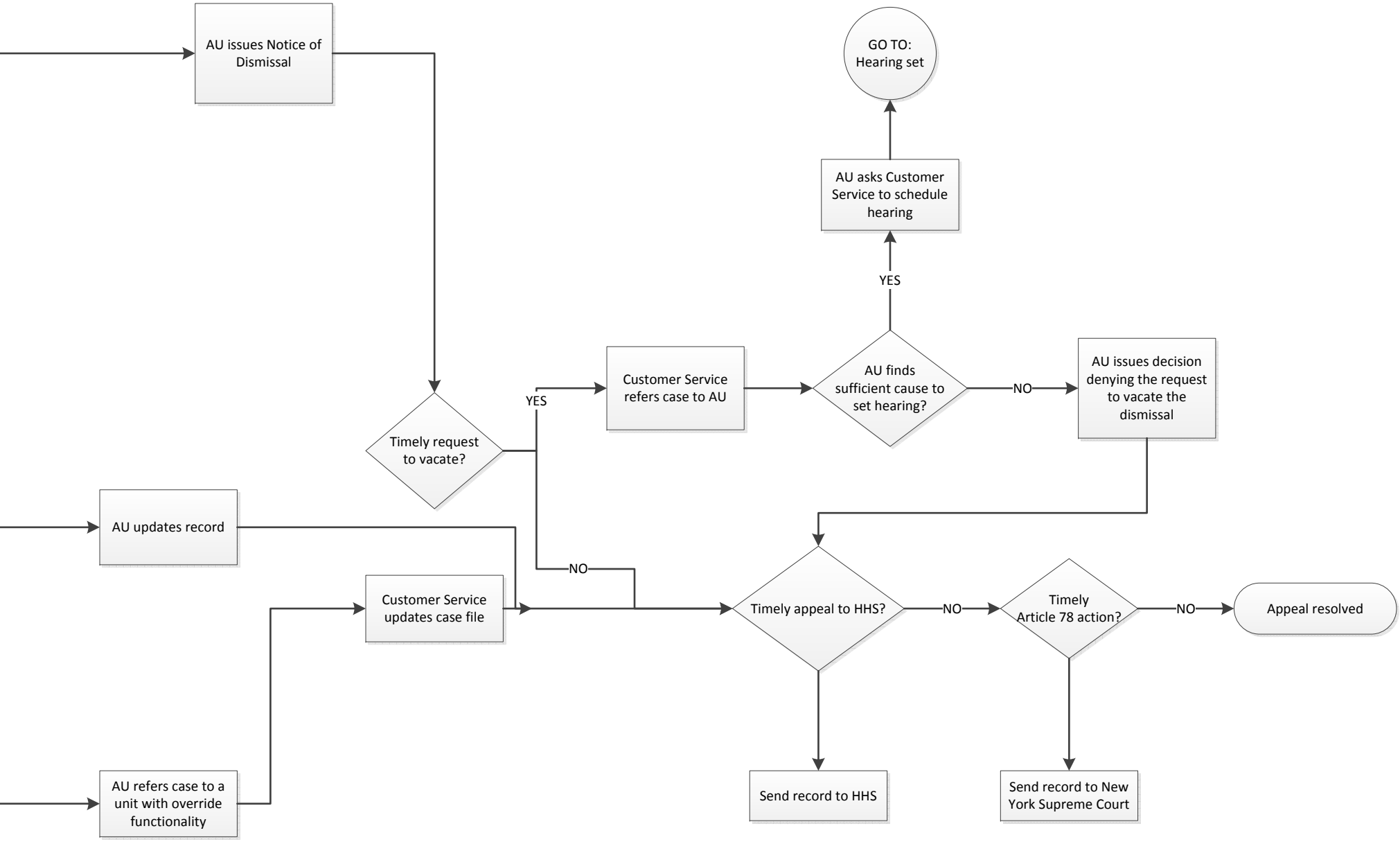


NOTES:

AU = Appeals Unit
HHS = U.S. Dept. of Health & Human Services


YES
Customer Service sends appeal request and evidence to AU
NO
Customer Service issues Notice of Dismissal
GO TO Timely request to vacate
Customer Service sets new hearing date
1st or 2nd
Was a new eligibility determination issued after informal resolution?
NO
HEARING SET (scheduled or rescheduled)
Customer Service
1) (re)schedules hearing
2) issues hearing notice
3) compiles evidence packet
4) refers case to AU
Notified that appellant is deceased?
NO
Appeal withdrawn in writing?
NO
Adjournment request with good cause?
3rd or none
YES
YES
YES
Customer Service refers case to AU
Customer Service issues Notice of Dismissal
Customer Service issues Notice of Dismissal
NO
AU agrees the appeal is fully resolved?
YES
AU issues Notice of Dismissal
GO TO Timely request to vacate


Is there now a valid, timely appeal?
NO
YES
AU refers to Customer Service to set the case for a hearing
GO TO Hearing Set
ne
Was the hearing held?
YES
Did all necessary parties appear?
YES
AU issues written decision after the hearing
Outcome?
SUSTAINED IN FULL
MODIFIED OR REVERSED
NO
Appellant = Y
Another necessary party = N
Appellant did not appear
AU refers case to Eligibility Specialist
AU adjourns hearing and asks Customer Service to reschedule
Customer Service issues Notice of Dismissal
GO TO Hearing Set
GO TO Timely request to vacate


AU issues Notice of Dismissal
GO TO: Hearing set
AU asks Customer Service to schedule hearing
YES
Customer Service refers case to AU
AU finds sufficient cause to set hearing?
NO
AU issues decision denying the request to vacate the dismissal
YES
Timely request to vacate?
AU updates record
NO
Customer Service updates case file
Timely appeal to HHS?
NO
Timely Article 78 action?
NO
Appeal resolved
AU refers case to a unit with override functionality
Send record to HHS
Send record to New York Supreme Court