

**State of Alaska  
FY2003 Governor's Operating Budget**

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

## **Component: Hearings and Appeals**

**Contact: Janet Clarke, Director, Administrative Services**

**Tel:** (907) 465-1630 **Fax:** (907) 465-2499 **E-mail:** janet\_clarke@health.state.ak.us

### **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, Temporary Assistance to Needy Families (TANF), 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 units of the Department of Health and Social Services: the Medicaid Rate Advisory Commission, the Division of Administrative Services 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 FY2002 – 2003**

Please see Medical Assistance Administration BRU key issues.

### **Major Component Accomplishments in 2001**

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

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

## Hearings and Appeals Component Financial Summary

*All dollars in thousands*

	FY2001 Actuals	FY2002 Authorized	FY2003 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	314.0	343.0	319.3
72000 Travel	3.3	8.3	8.3
73000 Contractual	51.3	51.7	51.7
74000 Supplies	1.4	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
<b>Expenditure Totals</b>	<b>370.0</b>	<b>406.9</b>	<b>383.2</b>
<b>Funding Sources:</b>			
1002 Federal Receipts	172.5	203.0	191.1
1003 General Fund Match	193.9	202.3	190.5
1004 General Fund Receipts	0.0	1.6	1.6
1053 Investment Loss Trust Fund	3.6	0.0	0.0
<b>Funding Totals</b>	<b>370.0</b>	<b>406.9</b>	<b>383.2</b>

### Estimated Revenue Collections

Description	Master Revenue Account	FY2001 Actuals	FY2002 Authorized	FY2002 Cash Estimate	FY2003 Governor	FY2004 Forecast
<b>Unrestricted Revenues</b>						
None.		0.0	0.0	0.0	0.0	0.0
<b>Unrestricted Total</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Restricted Revenues</b>						
Federal Receipts	51010	198.3	206.0	222.9	191.1	203.0
<b>Restricted Total</b>		<b>198.3</b>	<b>206.0</b>	<b>222.9</b>	<b>191.1</b>	<b>203.0</b>
<b>Total Estimated Revenues</b>		<b>198.3</b>	<b>206.0</b>	<b>222.9</b>	<b>191.1</b>	<b>203.0</b>

## Hearings and Appeals

### Proposed Changes in Levels of Service for FY2003

There are no changes to the level of services provided.

### Summary of Component Budget Changes From FY2002 Authorized to FY2003 Governor

*All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2002 Authorized</b>	<b>203.9</b>	<b>203.0</b>	<b>0.0</b>	<b>406.9</b>
<b>Adjustments which will continue current level of service:</b>				
-Year 3 Labor Costs - Net Change from FY2002	5.0	5.0	0.0	10.0
-Transfer 1 PPT position and funding to Medical Assistance Admin ADN 0620002	-16.8	-16.9	0.0	-33.7
<b>FY2003 Governor</b>	<b>192.1</b>	<b>191.1</b>	<b>0.0</b>	<b>383.2</b>

**Hearings and Appeals**

**Personal Services Information**

	Authorized Positions		Personal Services Costs	
	<u>FY2002</u> <u>Authorized</u>	<u>FY2003</u> <u>Governor</u>		
Full-time	5	4	Annual Salaries	239,543
Part-time	0	0	COLA	6,126
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	78,605
			<i>Less 1.53% Vacancy Factor</i>	(4,950)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>5</b>	<b>4</b>	<b>Total Personal Services</b>	<b>319,324</b>

**Position Classification Summary**

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Hearing Examiner	1	0	0	0	1
Law Office Assistant I	1	0	0	0	1
Public Asst Prog Off	2	0	0	0	2
<b>Totals</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>