

State of Alaska FY2006 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 statutorily required hearings for health care facility appeals of Medicaid payment rates and client appeals of Medicaid and Public Assistance.

Core Services

Health care facility appeals of Medicaid payment rates and audit findings are formal hearings governed by the Administrative Procedure Act, AS 44.62.990 et seq. These hearing are conducted by a hearing examiner with the qualification specified in AS 44.62.350, which requires that a hearing officer be unbiased, impartial, experienced in 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 Health Care Services 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 the 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.

FY2006 Resources Allocated to Achieve Results		
FY2006 Component Budget: \$502,600	Personnel:	
	Full time	5
	Part time	0
	Total	5

Key Component Challenges

Continue to provide quality and impartial hearings and decisions despite an increase in fair hearings.

Significant Changes in Results to be Delivered in FY2006

In FY06, the Office of Hearings and Appeals is moving under the Office of the Commissioner.

Major Component Accomplishments in 2004

The Office held 219 fair hearings and issued 156 fair hearing decisions. The Office also issued 3 proposed decisions on facility rate appeals.

Statutory and Regulatory Authority

Alaska Statutes:

AS47.07 Medical Assistance for Needy Persons
AS47.08 Assistance for Catastrophic illness and Chronic or Acute Medical Conditions
AS47.25 Public Assistance

Social Security Act:
Title XVII Medicare
Title XIX Medicaid
Title XXI Children's Health Insurance Program

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

Code of Federal Regulations:
Title 42 CFR Part 400 to End
Title 45 CFR Part 200 to End
Title 7 CFR Part 270 to End

Contact Information

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Hearings and Appeals Component Financial Summary

All dollars shown in thousands

	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	295.2	425.9	435.9
72000 Travel	0.2	2.6	2.6
73000 Services	34.3	54.7	54.7
74000 Commodities	1.3	9.4	9.4
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	331.0	492.6	502.6
Funding Sources:			
1002 Federal Receipts	81.3	255.9	56.9
1003 General Fund Match	205.7	226.2	435.2
1004 General Fund Receipts	0.0	10.5	10.5
1007 Inter-Agency Receipts	44.0	0.0	0.0
Funding Totals	331.0	492.6	502.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Federal Receipts	51010	81.3	255.9	56.9
Interagency Receipts	51015	44.0	0.0	0.0
Restricted Total		125.3	255.9	56.9
Total Estimated Revenues		125.3	255.9	56.9

**Summary of Component Budget Changes
From FY2005 Management Plan to FY2006 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2005 Management Plan	236.7	255.9	0.0	492.6
Adjustments which will continue current level of service:				
-FY 05 Bargaining Unit Contract Terms: GGU	1.0	1.0	0.0	2.0
-Transfer in from HCS to balance shift of cases	200.0	0.0	0.0	200.0
-Transfer out federal funds to IT support services	0.0	-200.0	0.0	-200.0
-FY06 Cost Increases for Bargaining Units and Non-Covered Employees	8.0	0.0	0.0	8.0
FY2006 Governor	445.7	56.9	0.0	502.6

**Hearings and Appeals
Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2005</u>	<u>FY2006</u>		
	<u>Management</u>	<u>Governor</u>		
	<u>Plan</u>			
Full-time	5	5	Annual Salaries	308,652
Part-time	0	0	COLA	3,565
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	148,219
			<i>Less 1.98% Vacancy Factor</i>	(9,136)
			Lump Sum Premium Pay	0
Totals	5	5	Total Personal Services	451,300

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Hearing Examiner	1	0	0	0	1
Hearing Officer	1	0	0	0	1
Law Office Assistant I	1	0	0	0	1
Public Asst Prog Off	2	0	0	0	2
Totals	5	0	0	0	5