

Is there a time limit?

Yes, you have 30 days to appeal a decision about cash payments, LHEAP, ESA and medical benefits. You have 90 days to appeal a decision about food stamps (SNAP). If you miss these deadlines, you will lose the right to appeal the decision, unless you have a very good excuse for not filing your appeal on time.

Will you continue to receive benefits until a decision is made on your appeal?

If your benefits are being reduced or terminated, the answer is generally yes, but only if you file your appeal within 15 days of the date the notice was sent to you. The 15 day deadline should be appear on the first page of your notice. If you receive benefits during the appeal and then later lose your case, you may owe DPW for those benefits.

What rights do you have after you file an appeal?

- You have the right to request a pre-hearing conference. This is a meeting with the CAO staff to try to resolve the appeal informally. A CAO supervisor will monitor this conference. Having this conference will not delay or replace your hearing if the matter is not resolved.
- You have the right to review your case record at the CAO. You have the right to receive, free of charge, copies of the CAO papers which are related to the appeal.
- You have the right to obtain a copy of all the papers that the CAO plans to use as evidence at what is called a Fair Hearing.
- You have the right to request any special accommodations needed due to a disability.
- You have the right to request an interpreter if you need one, and you can bring a lawyer, friend or advocate to speak for you at the pre-hearing conference and at the Fair Hearing.

TO APPLY FOR LEGAL HELP:

1-800-326-9177
or
apply.midpenn.org

For more information about MidPenn Legal Services go to:

www.midpenn.org



This pamphlet contains general legal information and not specific legal advice. Although the information is believed to accurate at the time of preparation, individual situations may require individual analysis, such that it may be advisable to consult with a lawyer. August 2013



MidPenn
LEGAL SERVICES

Public Benefits Issues

Knowing Your Rights Could Change Your Life



ABOUT US

MidPenn Legal Services is a non-profit, public interest law firm that provides high quality free civil legal services to low-income residents and survivors of domestic violence and sexual assault in 18 counties in Central Pennsylvania: Adams, Bedford, Berks, Blair, Centre, Clearfield, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Perry, Mifflin, Schuylkill & York counties.

What Are Public Benefits

Public Benefits are benefits made available from the County Assistance Office (CAO) for eligible low income persons and include:

- TANF: Temporary Aid for Needy Families
- SNAP: Supplemental Nutrition Assistance Program (food stamps)
- Medical Assistance
- LIHEAP: Low Income Energy Assistance Program
- ESA: Emergency Shelter Assistance

Each program has its own income and resource limits.

Apply For Benefits

Call or visit your local CAO or the COMPASS website: <https://www.compass.state.pa.us>

Frequently Asked Questions

Do you have to be interviewed?

Yes, (except for Medical Assistance) a worker will meet with you at the welfare office or by telephone to go over your application. You may bring someone with you to help you. If you are homebound, this interview can be done at your home or by telephone.

If you are not a citizen, are you still eligible for benefits?

Only certain non-citizens lawfully admitted are eligible to receive benefits. The rules for non-citizens are complicated. Even if some family members are not eligible due to their immigration status, other members may be able to receive benefits.

What if you are a survivor of Domestic Violence?

If you are a survivor of domestic violence, you can request that some of the normal Department of Public Welfare (DPW) rules not be applied to you. Rules that can be waived include:

- Child Support Cooperation
- Time Limits
- Other DPW Rules
- Teen Parent Rules
- Work Requirements

When will you find out if you're eligible?

The CAO is required to make a decision about your application within 30 days, for most programs. You should receive written notice of the CAO's decision along with an explanation of their reasons for this decision, your appeal rights and deadlines.

If you are eligible, how much assistance will you get?

The amount of cash, food stamps (SNAP) and energy assistance you will receive is based on your countable income and the number of persons in your household. The medical benefits you receive will vary depending on your category of medical assistance eligibility.

How long can you receive benefits?

Your notice of eligibility will tell you how many months you can receive the benefit before you must be recertified.

You are required to report any changes in your circumstances which may affect your eligibility. Generally, you must report changes by the 10th day of the month following the change.

Appealing Benefit Denials, Reductions And/Or Terminations

What kinds of decisions can be appealed?

If you receive a notice from the County Assistance Office (CAO) stating either that your application has been denied or that your benefits are being reduced or ending, you should appeal that decision immediately.

By filing an appeal, you are preserving your rights. When you receive one of these notices, you can contact MidPenn Legal Services. A MidPenn advocate may be able to review your notice, discuss your options and determine whether an appeal is appropriate for your situation.

How do you appeal?

If you receive a written notice packet from the CAO, it will include an appeal form which you can fill in and sign if you don't agree with the decision. You will need to indicate that you disagree with the decision, but you do not have to give specific reasons at this stage. You will also need to select either a telephone hearing or a face-to-face hearing. A face-to-face hearing is often better because the hearing officer will have an opportunity to observe you and make a judgment about whether you are being truthful. However, a telephone hearing may be better if you live far from the hearing site. It is usually best to deliver your appeal to your local CAO in person, so it doesn't get lost in the mail. Always make a copy of what you file with the CAO and get a receipt from the CAO.