**Section 1200.200 Appeal: Procedural Rights, Available Benefits, and Effective Dates of Appeal** **Decision**

a) Procedural Rights at Appeals Meeting and Conference

The LRA or the designated representative has the following rights:

1) The right at any time to inspect and copy the contents of the applicant or recipient child's case file and any other documents used by DSCC in making its determination or proposing its action;

2) The right to appear on his or her own behalf, to be advised, or to be accompanied by a relative, friend, lawyer or advocate;

3) The right to present relevant information, witnesses and evidence in any form; and

4) The right to ask questions of DSCC staff present.

b) Benefits While Awaiting Appeal Decisions

1) Applicant Children

An LRA whose application for care coordination services or financial assistance is denied may appeal the denial but shall not receive any financial assistance, diagnostic services, or care coordination services on behalf of the applicant child while awaiting the final decision.

2) Recipient Children

A) Care Coordination Services

i) If an appeal is initiated for care coordination services in accordance with Section 1200.190, the care coordination services shall continue, pending the final decision of the appeals process, unless the LRA or designated representative specifically requests that care coordination services not be continued.

ii) Diagnostic services shall not be an available benefit.

B) Financial Assistance

i) If an appeal for financial assistance is initiated in accordance with Section 1200.190, DSCC payment shall be stayed pending the final decision of the appeal process.

ii) If the recipient child is also receiving care coordination services, the care coordination services will not be affected.

c) Effective Dates of DSCC Decisions

1) Care Coordination Services

A) Applicant Children

Care coordination services determined appropriate as a result of an appeal shall be effective as of the date of the final decision of the appeal process.

B) Recipient Children

Care coordination services determined inappropriate as a result of an appeal shall be discontinued as of the date of the final decision of the appeal process.

2) Financial Assistance

A) Applicant Children

Financial assistance determined appropriate as a result of an appeal shall be effective from the date of the completed application.

B) Recipient Children

Financial assistance determined appropriate as a result of an appeal of a specific covered support and service shall be rendered as soon as practicably possible from the date of the final decision of the appeal process.

3) No Appeal

If an LRA does not initiate an appeal, the effective date shall be the date stated in the Notice of Determination issued under Section 1200.180.