# OPPORTUNITIES FOR OHIOANS WITH DISABILITIES
## APPEAL PROCESS OVERVIEW

Sometimes our staff or contractors and you may not agree on determination of eligibility, employment goals, services or closing a case. When this occurs, you may try to work it out through our appeal process. If you choose to file an appeal, you will continue to receive our VR services.

You may get help with the appeal process by contacting the Client Assistance Program (CAP) of Disability Rights Ohio. Disability Rights Ohio can be reached by calling:

**614-466-7264 or Toll Free at 1-800-282-9181 or 1-800-858-3542 (TTY)**

Another way to get ahold of them is to go to their website at **www.disabilityrightsohio.org**

- You have 30 days[1] from the date you are told of our staff or contractor's decision to give written notice of an appeal to our Executive Director. Your appeal must be in writing and sent to our Executive Director. You can provide written notice by filling out the "Appeal Form" (80-VR-12.A), writing a letter, sending an email or however you choose as long as it is in writing. The written appeal is to be sent to:

  **Executive Director Kevin L. Miller**
  **Opportunities for Ohioans with Disabilities** OR: **Send e-mail to:**
  **400 E. Campus View Blvd. 3LC** Appeals@ood.ohio.gov

  **Columbus, Ohio 43235**

- Once your written appeal is received, we will proceed as detailed below.
  - Our Legal staff will schedule a "Fair Hearing" within 60 days of receipt of your written appeal or the date of your email. You will receive a "save the date" letter within seven (7) days of the date we received your written appeal.
    - A "Fair Hearing" is a formal hearing held in Columbus before a Hearing Officer where each side can present documents as evidence and call witnesses to testify. All witnesses will have to swear under oath to tell the truth.
  - Mediation is available at any time prior to the scheduled Fair Hearing. To request mediation, contact our Legal Department at 614-438-1289 or send an email to: Appeals@ood.ohio.gov
    - Mediation is a voluntary confidential process in which both parties agree to meet with an impartial mediator to discuss a solution to your disagreement prior to the Fair Hearing.
  - While you are waiting on your Fair Hearing date, our staff person will contact you to offer you an "Administrative Review". If you choose to take part in an Administrative Review, it will take place within 21 days of the receipt of your written appeal or the date of your email.
    - An "Administrative Review" is an informal discussion with a manager in our agency to discuss your disagreement with our decision.
    - If this discussion does not address your disagreement(s), your scheduled Fair Hearing will take place.
    - You will receive a written summary of the Administrative Review will be sent to you within seven (7) days after the Administrative Review. We will either offer a solution to address your disagreement(s) or inform you that we do not have a solution.
      - To accept the offered solution of your appeal as listed in the summary you must withdrawal your appeal, in writing, to the Director by signing the appeal withdraw form sent to you with the written summary of the Administrative Review. If the appeal is not withdrawn the appeal will proceed to a Fair Hearing.
  - Mediation and an Administrative Review do not extend our 60 day time limit to resolve your concerns.
  - Within 30 days of the Fair Hearing, if held, the Hearing Officer will send us and you a written decision that is final.

[1] All timeframes reference calendar days unless specifically noted otherwise.