Cook Inlet Tribal Council, Inc.
CITC 102-477 PROGRAM

ADMINISTRATIVE APPEAL POLICY AND PROCEDURE

A. POLICY

Any administrative decision in a CITC 102-477 cash assistance program (477 program) that affects the (1) eligibility determination and/or (2) level of cash assistance with which a CITC applicant disagrees may be appealed by the applicant.

B. DEFINITIONS.

- Appeal period. The time from when an applicant submits a written administrative appeal to when the appeal process ends.
- Applicant. The participant or authorized representative of a participant who applies for 477 program assistance.
- Day. A calendar day.
- Stamp date. The date placed on the written appeal document and/or envelope on the day that the appeal document and/or envelope was received by CITC.
- Supervisor. The employee who supervises the 477 staff of record who made the initial administrative decision.

C. PROCEDURE

1. **Administrative Appeal**. An applicant may submit a written appeal to the supervisor for re-consideration of an administrative decision.

   a. A written appeal must be submitted within 30 days from the date when the administrative decision occurred and include the reason/s for the appeal. The applicant may request continued cash assistance, if applicable, during the appeal period; however, if no funds are available in the 477 program involved during the appeal period, the applicant will not receive cash assistance from that 477 program.

   b. The supervisor will schedule an appeals meeting with the applicant and notify the applicant of the date within 5 days after the stamp date. The appeals meeting will be scheduled within 15 days after the stamp date.

   c. After review of the documents and discussion with the applicant, an appeals meeting could result in any of the outcomes listed below. The supervisor may determine that:

      i. the administrative decision was incorrect, and an appropriate remedy that is consistent with applicable law/regulations/CITC manual sections will be requested in writing by the supervisor. The appeal process ends;
      ii. the administrative decision is correct and the appeal is denied. The supervisor reviews the applicable law/regulations/CITC manual sections with the applicant and explains why the decision stands. The applicant agrees and the appeal process ends; or

iv. the administrative decision is correct, and after a review of the findings and applicable law/regulations/CITC manual sections, the applicant continues to disagree. The applicant may request a final review of the administrative decision in writing.

2. **Final Review and Appeal Determination**. If an appeal meeting does not result in mutual agreement, the applicant may request a final review of the administrative decision in writing and receive a final appeal determination.

   a. The applicant may submit a written request for final review of the administrative decision to the supervisor with stated reason/s why s/he disagrees with the administrative decision within 5 days from the appeals meeting. The administrative decision remains final if an applicant fails to timely submit a request for final review to the supervisor and the appeal process ends.
   b. The supervisor and the 477 staff of record will prepare a report on the administrative decision, citing supporting law/regulations/CITC manual sections that are applicable.
   c. The report and applicant's file are given to the 477 Senior Manager or ETSD Director for review within 5 days from receipt of the written request for final review from the applicant.
   d. The 477 Senior Manager or ETSD Director reviews the report and applicable law/regulations/CITC manual sections and makes a written final appeal determination within 10 days of receipt of the report. The final appeal determination is sent to the applicant with a copy of it and the report added to the applicant's case file. All recommendations from the final appeal determination will be acted upon by the responsible parties. The appeal process ends.

3. **Recoupment of Assistance**. CITC will be reimbursed for assistance provided to an applicant who is deemed to be ineligible for the assistance.

   If at the end of the appeal process, it is determined that the applicant received assistance for which s/he is not eligible, the applicant must make arrangements to pay back the assistance either through the recoupment process or by repaying the amount in full to the 477 program within 30 days from the date of receipt of the final appeal determination.