



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Health Benefits

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
DAVE RICHARD • Deputy Secretary, NC Medicaid

June 21, 2022

Subject: DSS-1473 State Appeal Request Form

Attention: County Directors
All Program Representatives
Food and Nutrition Services (FNS) Administrators and Managers
Energy Programs Managers and Supervisors
Program Integrity (PI) Managers and Supervisors
Medicaid/NCHC Caseworkers and Supervisors
Work First Supervisors
Child Care Subsidy (Daycare)
Adoption Assistance
Special Assistance Program Supervisors

Dear County Directors of Social Services,

DHHS Hearings and Appeals has provided the following information and requirements regarding all state hearings and appeals requests. County staff **must** follow the guidance in this letter for all state hearings and appeals requests.

Counties **must** access the DSS-1473 State Appeal Request and Addendum forms by going to the DSS Forms Website for the most current version of the forms updated on April 1, 2022.

[Forms — Policies and Manuals \(ncdhhs.gov\)](https://www.ncdhhs.gov/forms-policies-manuals)

Effective 04/01/2022, the North Carolina Administrative Code (10A NCAC 21A .0304) **requires** the appellant (applicant/beneficiary [a/b]) to select their mode of hearing (i.e., in-person, by phone, or by video) at the time the appeal is requested.

An a/b requesting a state appeal **must** be given the following options:

- (1) **In-person hearing at the county DSS office** (State Hearing Officer and all parties are present at the DSS for the hearing)
- (2) **Remote phone hearing** (State Hearing Officer participates by phone and a/b chooses to participate by using their own phone **or** by notifying the DSS that they will come to the DSS to participate with the county when the county connects by phone for the hearing)

NC MEDICAID
NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH BENEFITS

LOCATION: 79 T.W. Alexander Drive, Durham, NC 27709
MAILING ADDRESS: 2501 Mail Service Center, Raleigh NC 27699-2501
www.ncdhhs.gov • TEL: 919-813-5340 • FAX: 919-224-1070

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(3) **Remote video hearing using Microsoft TEAMS** – the a/b must include an e-mail address for this option (State Hearing Officer participates by video and a/b chooses to participate by connecting to Microsoft TEAMS [must have internet access, camera capability, and microphone capability] **or** by notifying the DSS that they will come to the DSS to participate with the county when the county connects to TEAMS for the video hearing - **All** parties must be on camera for a video hearing)

The mode of hearing **must** be the a/b's choice. The DSS county worker **cannot** choose the mode of hearing that they prefer.

If the a/b **cannot** be reached to choose a mode of hearing, the county worker **must** check the phone hearing block **and** check the block indicating that attempts to reach the a/b were unsuccessful.

If the a/b does **not** have a preference in mode of hearing, the default mode of hearing is a phone hearing.

If the a/b chooses a video hearing, the a/b's e-mail address **must** be given or if the a/b wants to go to the county DSS for the video hearing then indicate on the e-mail address line: "a/b wants to participate at the DSS."


NOTE: The county worker **must** explain to the a/b that they **must** have internet access, camera capability, and microphone capability to have a video hearing. If the a/b chooses to go to the county DSS for the video hearing, then the county **must** be prepared with internet access, camera capability, and microphone capability for all parties. **All** parties **must** be on camera for a video hearing.

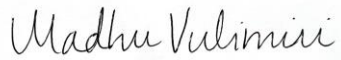
The DSS county worker **must** use the **DSS-1473 (Rev. 04/01/2022)** when submitting a State appeal request. Prior versions of the DSS-1473 or an incomplete form **cannot** be accepted by the Hearings & Appeals Section.

Questions may be sent to Medicaid.DSS.State.Appeals@dhhs.nc.gov

DSS 1473 Form website difficulties should be reported to Medicaid.DSS.State.Appeals@dhhs.nc.gov

Sincerely,

DocuSigned by:

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Carolyn McClanahan
Deputy Director
Division of Health Benefits, Member Operations



Madhu Vulimiri, MPP
Deputy Director
Division of Child and Family Well-Being



Carla West
Senior Director for Economic Security
Division of Social Services, Economic and Family Services