

FSSA Office of Hearings and Appeals - COVID-19 Frequently Asked Questions

General Questions

What changes are there from normal operations due to COVID-19?

There are two changes made to how the Office of Hearings and Appeals operates:

1. OHA is now only conducting hearings by telephone in order to comply with the Governor's stay-at-home order while Division of Family Resources offices are closed to the public.
2. If you have a health coverage (Healthy Indiana Plan, Hoosier Healthwise, Hoosier Care Connect or Traditional Medicaid) appeal and are receiving continued benefits pending your appeal, we are not scheduling the appeal, holding the hearing or releasing decisions. If you are not receiving continued benefits, your case will be processed normally.

Both of these changes have specific sections, below.

I received a letter about my case being placed on hold, what do I need to do?

If you are satisfied with receiving continued benefits for now, you don't need to do anything. If you no longer want to receive continued benefits and want your appeal to proceed, see the question "**Can you change my case so I'm no longer receiving continued benefits?**" under the Continued Benefits section, below.

When do these changes end?

Under the Families First Coronavirus Relief Act, individuals receiving health coverage on or after March 18, 2020, must continue to receive continuous coverage until the end of the month when the COVID-19 emergency period ends. All current appeals where the individual has continued benefits will be placed on hold until the emergency period ends.

OHA will continue to hold only telephone hearings until the Stay-At-Home order is lifted and local DFR offices are open to the public again.

Telephone Hearings

When will I have my hearing?

Once accepted, you will receive a Notice of Telephonic Hearing ("scheduling letter"), which will tell you when to call in for your hearing.

If your health coverage appeal has been placed on hold (see the section titled "Continued Benefits") your case will not be scheduled until after the emergency period ends.

How does a telephone hearing work?

On your scheduling letter, you will be provided a toll-free number to call and a pass-code. When it's time to call in to your hearing, follow those instructions to be connected to the administrative law judge.

Please note that you must call in to that number, the judge will not be calling you.

How do I contact OHA with questions about my appeal?

You can email OHA directly at oha@fssa.in.gov or fax us at 317-232-4412

You can call us locally at 317-234-3488, or toll-free at 866-259-3573. Calls will be answered or returned Monday-Friday, 8 a.m. to 3 p.m. EDT.

If you have questions about your eligibility case, want continued benefits or want them removed, or want to apply for benefits please instead call the Division of Family Resources at 800-403-0864.

The OHA staff is not authorized or trained to answer questions about your benefits.

How do I reach someone for my pre-hearing conference?

The pre-hearing conferences are a discussion between the parties: Yourself and your representatives as well as the Division of Family Resources. These do not include the administrative law judge. Pre-hearing conferences are strongly encouraged but not required. You may contact the Division of Family Resources for your pre-hearing conference by calling 800-403-0864.

The goal is a clear understanding of the action being appealed and why it was taken. If this resolves the issues to both parties' satisfaction the appeal may be withdrawn. If the issues are not resolved the hearing will remain scheduled.

Can I have a face-to-face hearing instead?

OHA is complying with the governor's stay-at-home order and is only holding telephone hearings at this time. If you still wish to have a face-to-face hearing, please submit this request to OHA. If OHA determines it is appropriate to grant your request, your case will not be able to be heard until OHA resumes in-person hearings at a later, yet-to-be determined date. This will result in a delay in processing your appeal.

Why was my appeal scheduled?

OHA is still able to hold telephone hearings in a timely process, so if you request an appeal we will still attempt to hold it via telephone.

If your appeal is for your health coverage (Healthy Indiana Plan, Hoosier Healthwise, Hoosier Care Connect or Traditional Medicaid) and you think you are getting continued benefits, please contact us so we can review your case and place it on hold. Reach us by telephone at 317-234-3488, toll free at 866-259-3573, by email to oha@fssa.in.gov or fax us at 317-232-4412.

How do I request a reschedule of my case or request that it be reopened?

Please send a written or typed request for a reschedule or reopen by email to oha@fssa.in.gov or fax us at 317-232-4412. We cannot accept verbal requests for reopens or reschedules.

My appeal isn't on hold, when will it be scheduled?

Once the appeal is accepted, we will mail a scheduling letter to you. If you do not receive a scheduling letter within ten days, please contact us by email to oha@fssa.in.gov or fax us at 317-232-4412.

How do I submit evidence for my case?

The parties are to provide each other copies of their exhibits within 20 days of the date on the scheduling notice. Submissions to the state may be made by fax to 800-403-0864 or mail to:

FSSA DFR Document Center
P.O. Box 1810
Marion, IN 46952

The exhibits must be prepared according to the instructions on the scheduling letter. Please ensure you are including your name and the appeal number on your exhibits so they're attached to the correct case.

The appeal number is a ten digit number starting with "450," which may be found on your scheduling letter.

If the administrative law judge directs you to submit additional evidence, you may fax it to 317-232-4412 or email it to oha@fssa.in.gov – additional evidence must still be prepared correctly.

Continued Benefits

Why is OHA not processing health coverage appeals with continued benefits?

This is required under the Families First Coronavirus Response Act passed by Congress. With the current health crisis, it's important that as many people as possible have access to affordable health care. We are putting cases where you are receiving continued benefits on hold, so you can continue to receive your health coverage during the health emergency.

Do I qualify for continued benefits?

OHA does not make this determination.

In many cases if you are appealing within 30 days of the date on the notice telling you that your benefits were reduced or discontinued, you might qualify for continued benefits. If you were denied at application, you have no benefits to continue. You must be an Indiana resident to receive continued benefits.

Can you give me continued benefits for my appeal?

OHA does not change your benefits, including granting or denying continued benefits. This is solely the responsibility of the Division of Family Resources. You can contact DFR at 800-403-0864.

My application was denied, how do I get coverage?

You can apply for benefits online at <https://www.fssabenefits.in.gov>

Can you change my case so I'm no longer receiving continued benefits?

OHA does not make the determination on if you are getting continued benefits, however you may opt-out of receiving them by contacting the Division of Family Resources at 1-800-403-0864. The stay was put in place to prevent people from losing health coverage during the current health emergency, so please consider this option carefully before calling.

Which programs does this impact?

The hold on processing health coverage appeals covers all FSSA health programs, including HIP and CHIP. This does not affect TANF or SNAP (formerly known as food stamps) benefits, though if you qualify for continued benefits for TANF or SNAP, you will still receive them while waiting for your telephone hearing. We are not holding any appeals face-to-face at this time, only over the phone.

I have withdrawn from continued benefits and want my hearing, what do I do?

Please contact OHA to have your case scheduled by sending an email to oha@fssa.in.gov or fax us at 317-232-4412. If continued benefits have been removed, we can have your appeal scheduled for hearing.

What happens when cases are no longer on hold?

When OHA is given permission, we will start to schedule these cases. If your county is affected by a stay-at-home order or you request a telephone hearing, these will continue to be over the phone, otherwise they may be conducted face-to-face when the local DFR offices are open to the public again at a later date.

What happens to my case if it is scheduled for a telephone hearing when face-to-face hearings are allowed again?

If your case was already scheduled for a telephone hearing, it will remain a telephone hearing unless you request otherwise.

I don't want my hearing any more. How do I have it dismissed?

For SNAP, you may call OHA at 317-234-3488, toll free 866-259-3573, or contact DFR at 800-403-0864 to verbally request a withdrawal

For all appeals, you may email us at oha@fssa.in.gov, fax us at 317-232-4412, fax to DFR at 800-403-0864, or send U.S. Mail to:

FSSA Office of Hearings and Appeals
402 W. Washington Street, Room E034 MS04
Indianapolis, IN 46204-2739

Or

FSSA DFR Document Center
P.O. Box 1810
Marion, IN 46952

Reviews

Is my agency review case affected by any of this?

Since agency review only reviews the decision already made by the administrative law judge, this process is not affected by the pause.

Is my judicial review case affected by any of this?

Judicial review is performed by the courts, not FSSA. Please contact the court where you have filed for judicial review. OHA compliance with judicial review is not affected by this situation.

Contact Us

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If you have questions about your eligibility case, want continued benefits or want them removed, or want to apply for benefits please instead call the Division of Family Resources at 800-403-0864.

OHA can only answer questions about the hearing process, not your benefits.