

5101:6-20-11 CONSOLIDATION OF AN ADMINISTRATIVE DISQUALIFICATION HEARING WITH A STATE HEARING.

- (A) THE DISTRICT HEARINGS SECTION MAY COMBINE AN INDIVIDUAL'S STATE HEARING, GOVERNED BY CHAPTERS 5101:6-1 TO 5101:6-9 OF THE ADMINISTRATIVE CODE, AND AN ADMINISTRATIVE DISQUALIFICATION HEARING INTO A SINGLE HEARING IF THE FACTUAL ISSUES ARISE OUT OF THE SAME OR RELATED CIRCUMSTANCES.
- (B) IF THE HEARINGS ARE TO BE COMBINED, THE DISTRICT HEARINGS SECTION SHALL GIVE THE ACCUSED INDIVIDUAL NOTICE OF THAT FACT AT THE TIME THE HEARING IS SCHEDULED.
- (C) THE DISTRICT HEARINGS SECTION SHALL, UPON REQUEST, ALLOW THE ASSISTANCE GROUP TO WAIVE THE THIRTY-DAY ADVANCE NOTICE PERIOD REQUIRED BY RULE 5101:6-20-12 OF THE ADMINISTRATIVE CODE WHEN A STATE HEARING AND A DISQUALIFICATION HEARING ARE COMBINED.
- (D) IF THE HEARINGS ARE COMBINED TO DECIDE THE AMOUNT OF THE OVERPAYMENT/OVERISSUANCE AND WHETHER AN INTENTIONAL PROGRAM VIOLATION WAS COMMITTED, THE ASSISTANCE GROUP SHALL LOSE ITS RIGHT TO A SUBSEQUENT STATE HEARING ON THE AMOUNT OF THE OVERPAYMENT/OVERISSUANCE.
- (E) IF THE STATE HEARING AND THE ADMINISTRATIVE DISQUALIFICATION HEARING ARE COMBINED, THE TIME FRAMES FOR CONDUCTING DISQUALIFICATION HEARINGS SHALL APPLY.
- (F) WHEN AN ADMINISTRATIVE DISQUALIFICATION HEARING IS COMBINED WITH A STATE HEARING, SEPARATE DECISIONS SHALL BE ISSUED FOR THE ADMINISTRATIVE DISQUALIFICATION AND STATE HEARING ISSUES, USING THE "ADMINISTRATIVE DISQUALIFICATION HEARING DECISION," ODHS 4007, AND THE "STATE HEARING DECISION," ODHS 4005, RESPECTIVELY.

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Certification: Arnold R. Tompkins

August 22, 2994
Date

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