

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF SOCIAL SERVICES
Statutory Authority: 31 Delaware Code, Section 107 (31 Del.C. §107)

ERRATA
PUBLIC NOTICE

5311 Notification of Time and Place of Hearing

PLEASE NOTE: THE AUGUST 2004 ISSUE CONTAINED AN ERROR IN THE FIRST PARAGRAPH OF REGULATION 5311 (8 DE REG. 351). THE TEXT DID NOT REFLECT THE CHANGE FROM TEN (10) DAYS TO TWELVE (12) DAYS. THE CORRECT VERSION FOLLOWS:

5311 Notification of Time and Place of Hearing

The time, date, and place of the hearing will be arranged so that the hearing is accessible to the appellant. At least ten ~~(10)~~ 12 days before the hearing, advance written notice will be provided by mailing the notice to all parties involved to permit adequate preparation of the case. An appellant may request less notice in order to expedite the scheduling of the hearing. Notices to appellants are sent by certified mail. The notice will:

- 1) Advise the appellant or representative of the name, address, and phone number of the person to notify in the event it is not possible for the appellant to attend the scheduled hearing;
- 2) Stipulate that the hearing request will be dismissed if the appellant or his/her representative fails to appear for the hearing without good cause (i.e., death in family, personal illness, unexpected emergency);
- 3) Include the hearing procedures and any other information that would provide the appellant with an understanding of the proceedings that would contribute to the effective presentation of the household's case and will include fair hearing summary and documents filed for the hearing;
- 4) Explain that the appellant has the right to bring an attorney or other representative to his/her hearing;
- 5) Explain that the appellant may present any information that (s)he desires at the hearing;
- 6) Explain that the appellant or representative may examine the record prior to the hearing.

8 DE Reg. 351 (8/1/04)

8 DE Reg. 376 (9/01/04)