

**San Bernardino County
Department of Behavioral Health**

Title 22 Fair Hearing Rights Policy

Effective Date 01/29/2007
Revision Date 07/05/2016


CaSonya Thomas, Director

Policy Per Title 22 of the California Code of Regulations (CCR), Section 51341.1(p), the Department of Behavioral Health (DBH) is required to notify all patients receiving Drug Medi-Cal (DMC) benefits of their right to request a fair hearing at the State level, if there is a denial, involuntary discharge, or reduction in DMC substance abuse treatment services.

Purpose The purpose of this policy is to communicate with the DMC County Substance Use Disorder Program Administrators and providers the requirement of Title 22, to notify beneficiaries of their rights to request a fair hearing.

ADS, Contract Providers, and Clinics Responsibilities Alcohol and Drug Services (ADS), contract providers, and clinics will advise clients in writing of their State hearing rights. The written notice of State hearing rights must be mailed or handed to the beneficiary at least ten (10) calendar days prior to the effective date of the intended action and the notice must include the following:

1. A statement of the intended action.
2. The reason for the intended action.
3. A citation of the specific regulation(s) supporting the intended action.
4. An explanation of the client's rights to a fair hearing for the purpose of appealing the intended action.
5. An explanation that the client may request a fair hearing by submitting a written request to State Hearing Division, California Department of Social Services (DSS), using the Title 22 Fair Hearing Rights form.
6. An explanation that ADS, contract providers, or clinics may continue treatment services pending a fair hearing decision only if the client appeals in writing to DSS for a hearing within ten (10) calendar days of the mailing or personal delivery of the notice of intended action.

The form is available in English and Spanish and can be located by following these links:

English: [ADS002 E Title 22 Fair Hearing Rights](#)
Spanish: [ADS002 S Title 22 Fair Hearing Rights](#)

Continued on next page

**San Bernardino County
Department of Behavioral Health**

Title 22 Fair Hearing Rights Policy, Continued

**Drug Medi-Cal
Beneficiaries
Responsibilities**

All clients have the right to a fair hearing related to denial, involuntary discharge, or reduction in Drug Medi-Cal substance abuse services as it relates to eligibility or benefits, pursuant to section 50951.

**Notice of
Personal/ Civil
Rights**

Personal Rights

In accordance with Title 9, Chapter 4, Section 10569 of the California Code of Regulations, each person receiving services from a Substance Use Disorder Recovery Program shall have rights (see form below).

Civil Rights

In accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title 9, Section 10800; Americans with Disabilities Act of 1990. No person shall experience discrimination (see form below).

**Filing
Complaints**

For the purpose of logging, assigning, and tracking, direct all complaints using the Notice of Personal /Civil Rights form to the DBH Access Unit at:

Department of Behavioral Health
Access Unit
303 East Vanderbilt Way
San Bernardino, CA 92415

The form is available in English and Spanish and can be located by following these links:

English: [ADS003 E Notice of Personal/Civil Rights](#)

Spanish: [ADS003 S Notice of Personal/Civil Rights](#)

References

Department of Social Services (DSS) Manual of Policy and Procedures,
Chapter 22

Title 22, California Code of Regulations, Sections 50951, 50953, 50955,
51014.1; and 51014.2

Welfare and Institutions Code, Sections 10950 through 10965
