

Article 12 Section 05 Good Cause

Table of Contents

TITLE	PG CITE
General	12.05.01A
Late Filing	12.05.01B
Rescheduling Hearings	12.05.01C

12.05.01 Good Cause

**12.05.01A
General**

The County Hearing Officer will evaluate good cause when the applicant/beneficiary or AR requests a County Administrative Hearing after the filing deadline or for rescheduling a hearing. The final decision of the good cause evaluation is to be documented by Appeals in regard to the County Administrative Hearing.

If good cause...	Then the...
exists,	County Administrative Hearing is conducted.
does NOT exist,	County Administrative Hearing is conducted but a decision is rendered only on the matter of no jurisdiction to review, hear, or reschedule the case and the applicant/beneficiary and the AR are informed in the decision of his/her appeal rights in Superior Court.

CMSPG LTR 03 (09/11)

**12.05.01B
Late Filing**

Reasons for granting good cause can include but is not limited to, any of the following:

- An evaluation of relevant circumstances including the applicant's/beneficiary's physical, mental, educational, literacy or linguistic limitations;
- Adequate notice not provided. Adequate notice is defined as a written notice informing the applicant/beneficiary of the action the County intends to take, the reason for the intended action, the specific regulations supporting the action, and an explanation of the applicant's/beneficiary's right to request a County

Administrative Hearing;

- Verification that sufficient time to respond was not possible because the notice was delayed or returned to the County as undeliverable, therefore, not received by the complainant; and/or
- In addition to the above, examples of good cause include, but are not limited to, a bonafide good faith effort in complying with the appeal procedures.

CMSPG LTR 03 (09/11)

**12.05.01C
Rescheduling
Hearings**

The applicant/beneficiary is entitled to one reschedule without the need to provide justification.

Other than the initial reschedule request, the County Hearing Officer will consider good cause for subsequent rescheduling hearing requests made by the applicant/beneficiary or AR when the applicant/beneficiary or AR has failed to appear or is not able to appear for the hearing.

Reasons for granting good cause can include any of the following:

- A conflicting court appearance on the same day of the hearing which cannot be postponed;
- Death in the family;
- Personal illness or injury;
- Sudden and unexpected emergencies which prevents the applicant or the AR from appearing;
- Medical appointment;
- Incarceration/hospitalization; and/or
- Job interview or employment responsibilities (does not include looking for work).

CMSPG LTR 03 (09/11)
