

441—16.1(17A) Definitions.

“Adequate notice” means any notice of decision or notice of action that includes all of the following information:

1. A description of the action taken;
2. The effective date of the action;
3. The specific reasons supporting the action, stated language likely to be understood by the average program applicant or enrollee;
4. References to applicable provisions of law supporting the action;
5. An explanation of the right to appeal; and
6. The circumstances under which assistance is continued when an appeal is filed.

“Adverse benefit determination” means any adverse action taken by the department regarding assistance program benefits administered by the department or on the department’s behalf, excluding department decisions about requests for exceptions to policy.

“Assistance program” means a program administered by the department or on the department’s behalf through which qualifying individuals receive benefits or services.

“Enrollee” means any applicant for, or recipient of, benefits or services pursuant to an assistance program.

“Timely” means that the notice is sent at least ten calendar days before the date the adverse benefit determination would become effective. The timely notice period shall begin on the day after the notice is sent.

[ARC 8045C, IAB 5/29/24, effective 7/3/24]