TEXAS
Health and Human Services

Charles Smith
Executive Commissioner

Date _____

Name _____

Re: Fair Hearing Exception

[Enter salutation] ,

The Department of Aging and Disability Services (DADS) received the fair hearing decision from <hearings officer's name> , Hearings Officer, Health and Human Services Commission (HHSC), regarding the appeal held on <date> .

Following a thorough review of the hearings officer's conclusions of law and decision, DADS has sent a request to HHSC to have the hearings officer's decision reviewed (exception request). DADS can send an exception request when DADS believes the decision directly conflicts with DADS rules and policy. Even though DADS sent an exception request, DADS will implement the hearings officer's original decision within the required time frames.

As part of the exception request, DADS includes the applicable rules and policy and explains how the decision is contrary to the rules and policy. A copy of the exception request with the rules and policy is enclosed with this letter.

If HHSC agrees with the hearings officer's original decision, HHSC will notify you in writing. If HHSC disagrees with the hearings officer's original decision, HHSC will notify you in writing of the new hearing decision and your DADS case manager will contact you to discuss implementation of the new hearing decision.

The exception process is intended to ensure that rules and policy are applied correctly. If you have any questions regarding the information provided in this letter, please do not hesitate to contact your case manager.

Sincerely,

<Case Manager>

<Phone Number>

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