

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 4.—Public Assistance Program

30-4-38. Rights of applicants and recipients.

(a) Right to information. Each applicant or recipient shall have the right to be provided with information concerning the types of assistance which are provided by the agency. Upon request, the agency shall furnish each applicant with information and shall explain the categories of assistance and the eligibility factors.

(b) Right to make application. Each applicant shall have the right to make application regardless of any question of eligibility or agency responsibility. The right of any individual to make application shall not be abridged.

(c) Right to private interview. Each applicant or recipient, upon request, shall have a right to a private interview when discussing individual situations with the agency.

(d) Right to an individual determination of eligibility for assistance. Each applicant or recipient shall be given an opportunity to present any request and to explain the individual's situation.

(e) Right to withdraw from program. Each applicant shall have the right to withdraw the application at any time between the date the application is signed and the date the notice of the agency's decision is mailed. Any recipient may withdraw from a program at any time.

(f) Right to prompt decision. Each applicant shall have the right to have a decision rendered on an application within 45 days of its receipt by the agency. Each recipient shall have the right to have a decision rendered on any formal request within 30 days of its receipt by the agency.

(g) Right to correct amount of assistance. Each recipient, if eligible, shall be entitled to the correct amount of assistance, based upon established budgetary standards.

(h) Right to written notification of action. Each applicant or recipient shall have the right to a written notification of agency action concerning eligibility for assistance.

(i) Right to equal treatment. Each applicant or recipient shall have the right to be treated in the same manner as other applicants or recipients who are in similar circumstances.

(j) Right to a fair hearing. Each applicant or recipient shall have the right to request a fair hearing if dissatisfied with any agency decision or lack of action in regard to the application for or receipt of assistance.

(Authorized by and implementing K.S.A. 1983 Supp. 39-708c; effective May 1, 1981; amended May 1, 1984.)

***** Authenticated Kansas Administrative Regulation *****