



COMMODITY SUPPLEMENTAL FOOD PROGRAM  
POLICY AND PROCEDURE MANUAL

SUBJECT: Fair Hearings for Local Agencies	Chapter: 12
	Section: 12.2
REFERENCES: 7 CFR 247	Page: 1 of 1
	Revised: 12-2005

**PURPOSE:** To provide a hearing procedure through which any local agency may appeal a State agency action with monetary consequences for the local agency.

**POLICY:** Local agencies have a right to appeal any action by the State with monetary consequences.

**PROCEDURES:**

- A. All requested fair hearings will be conducted within 30 days from the date the department receives the request for a hearing. Those requesting a hearing will be notified in writing a minimum of ten days in advance of the time and place of the hearing and of the hearing procedure.
- B. Requests for fair hearings by local agencies to MDHSS will be conducted by an Attorney at Law under contract with the Missouri Department of Health and Senior Services to hear appeals of Child Nutrition Programs. Since this is a contractual relationship, executed solely for the purpose of presiding at hearings, hearings will be conducted in a fair and impartial manner. The hearing will be conducted within 30 days from the date of request for the hearing.
- C. The local agency will be notified in writing of the decision of the Hearing Officer within 30 days of the hearing. All decisions shall be based on facts found in the hearing record, and the parties will be notified of their right to appeal the decision to the district court within 30 days. The Hearing Officer's decision is binding on the state and the local agency.