

The fair hearing committee will reach their decision solely on the basis of the evidence presented to it at the hearing. The fair hearing committee will not examine the record of a case prior to hearing it. The fair hearing committee has the right to adjust the amount of assistance.

Fair hearing decisions are rendered in writing within seven working days of the hearing. The fair hearing committee will set forth the reasons for their decision and the facts relied on. A copy will be mailed or delivered to the appellant and to the City Welfare Department.

Fair hearing decisions are rendered on the basis of the fair hearing committee's findings of fact, these guidelines, and state and federal law. Each decision will set forth an award or denial of appropriate relief.

Fair hearings in no way limit any right of an appellant to seek subsequent court action to review or challenge a Welfare Department decision. A recipient may continue to receive assistance until the fair hearing if he/she so requests it.

**XVI. Procedure for Billing and Recovering from
Governmental Unit of Residence or Liable Relatives**

The amount of money spent by the City to support a person who has a residence in another municipality or has a father, mother, stepfather, stepmother, husband, wife or child (who is no longer a minor) of sufficient ability to also support the assisted person, may be recovered from the municipality of residence or the liable relative. Sufficient ability shall be deemed to exist when the relative's weekly income is more than sufficient to provide a reasonable subsistence compatible with decency and health. Written notice

of money spent in support of an assisted person will be given to the liable relative. The Welfare Official shall make reasonable efforts to give such a written notice prior to the giving of aid, but aid to which an applicant is entitled under these guidelines, shall not be delayed due to inability to contact possible liable relatives. Should a relation refuse to render such aid when requested to do so by an overseer of public welfare, such person or persons shall upon complaint of the official be summoned to appear in court. If, after a hearing, it is found that the alleged poor person is in need of assistance and that the relation is able to render such assistance, the court shall enter a decree accordingly and shall fix the amount and character of the assistance which the relation shall furnish. If the relation neglects or refuses to comply with the court order without good cause, as determined by the court at a hearing, or by refusing to work or otherwise voluntarily places him/herself in a position where he/she is unable to comply, he/she shall be deemed to be in contempt of court and shall be imprisoned not more than 90 nor fewer than 60 days. If a poor person has no relation of sufficient ability, the City shall be liable for his support. (RSA 165:19 and 20).

The amount of money spent by the City to support a person, who has made an initial application for SSI and has signed an Interim Assistance Program Reimbursement Form, shall be recovered through the Social Security Administration and the Department of Human Services. Any amount not recouped from the Social Security Administration or the Department of Health and Human Services (through Medicaid reimbursement) will still be the responsibility of the recipient.

A former recipient who is returned to an income status after receiving assistance may be required to reimburse the City for the assistance provided, if such reimbursement can be made without financial hardship. (RSA 165:20-b).