



NAVIGATING OAH WITHOUT A LAWYER DURING THE COVID-19 CRISIS

In response to the COVID-19 crisis, the Office of Administrative Hearings (OAH) has changed its rules for people whose Medicaid benefits have been reduced or terminated. Below are some questions you may have if you are trying to maintain or recover your Medicaid benefits without a lawyer.

Is OAH still open?

The OAH Resource Center is not currently open to walk-in clients. However, you may still file your papers through fax, email, and mail. While you may submit your filings in a variety of ways, OAH recommends you file via email if possible.

OAH email address: oah.filing@dc.gov

OAH mailing address: 441 4th St. NW, 450
Washington, DC 20001

How will OAH contact me to provide notices or updates in my case?

If you have an email on file with OAH, OAH will provide updates to your email address. If you do not have an email address on file, OAH staff will reach out to your case manager or representative to find an email address. If they cannot find an email address, OAH staff will send notice through the mail.

If you have an upcoming hearing, it will be scheduled through the WebEx platform. Once your hearing is scheduled, the OAH Legal Assistants will send a notice to you and the Department of Human Services (DHS) and/or the Department of Health Care Finance (DHCF).

If I have an email address, how do I tell OAH I want to use that to communicate about my hearing?

If you have an email address, you can email oah.filing@dc.gov. When you email OAH, you should include your current contact information with your email address,

OAH case number, and your full first and last name. If you prefer email service, you can include a sentence saying “this email authorizes OAH to contact me only through email.” If you decide later you do not want to be contacted via email, you should let OAH know that by emailing or calling them at (202) 442-9094.

What do I do if I do not have email?

If you do not have an email address, OAH staff can provide notices or updates in your case through the mail. Please inform OAH of your preferred method of contact by calling them at (202) 442-9094.

Can I file a request for a fair hearing by telephone?

During the COVID-19 pandemic, you are allowed to request a hearing in writing *and* by telephone. To request a fair hearing by telephone, you can call (202) 442-9094.

How can I reschedule my hearing if I have a conflict or need more time?

If you need to reschedule your hearing to a later date, you can request a continuance of your case. This is a 2-step process.

Step 1 – Ask the government agency, or agencies, in your case if they will agree to a continuance.

- To ask for an agreement for a continuance in a DHS case, email dhs.oah.esa@dc.gov.
- To ask for an agreement for a continuance in a DHCF case, email Sheryl Johnson at sheryl.johnson@dc.gov.
- If your case includes both agencies or if you aren't sure which is the right one, email both.

In those emails, you should include your case number and explain the reason that you need a continuance, for example, so you can prepare for your hearing, or because you have a conflict or because you are looking for a lawyer.

Step 2 – Complete the *Request for a Different Hearing Date* form.

- For **Question 3**, you can explain what you already have scheduled at the same time as your hearing or you can say you need time to prepare for the hearing and/or to find a lawyer.

- For **Question 4**, your answer will depend on the response you receive from DHS and DHCF.
- For **Question 5**, you should write either “DHS” or “DHCF” (or both if applicable) in the “their name” spot. If you send the notice by fax, the fax numbers are 202-724-2042 for DHS and 202-442-4347 for DHCF. If you mail the notice, the address for DHS is 64 New York Ave, 6th Floor, Washington, DC 20002. The address for DHCF is 441 4th St. NW, 900S, Washington DC 20001. Either way of delivery is fine. Additionally, you can email the form using the email addresses listed above. If both DHS and DHCF are agencies in your case, make sure to send the request to both agencies.

Once the form is complete, fax it to OAH at 202-442-4789 or email it to oah.filing.dc.gov, and send copies to DHS and/or DHCF via mail or email.

What do I do if I have contacted a DHS or DHCF representative and they have not answered?

Before filing a motion, or a request for a new hearing date, you must ask for agreement from the government agency, or agencies (this can be DHS, DHCF, or both). OAH requires you to try to ask the government if it agrees to your motion or request. You must try to reach the government by telephone, fax, or email. You can mail your request, but only if you are unable to call, fax, or email the government agency. If the government does not respond, you can say that in your motion or request.

When it is time for my hearing, will the judge call me or should I call the judge?

There will be a number for a WebEx conference line on your scheduling notice, as well as an access code. You should call the number listed in the WebEx notice on the date and time of your hearing. When the system asks, you will enter the access code.

What if I need an interpreter?

If you indicated in your initial request for a fair hearing that you need an interpreter, OAH will set up these services through the Language Access Coordinator. The interpreter will be present on your WebEx call with the judge.

If you did not ask for an interpreter in your initial request, you can call OAH at (202) 442-9094 to ask for one.

What if I need additional help during the hearing?

You are entitled to have assistance from a friend, family member, case manager, or even your home health aide. You may also ask for a continuance so that you can find a lawyer.