



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Health Benefits

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
DAVE RICHARD • Deputy Secretary, NC Medicaid

Date: July 2, 2020

Dear County Director of Social Services

Attention: Medicaid Administrators, Managers and Supervisors
Work First Program Administrators, Managers and Supervisors
Special Assistance (SA) Administrators, Managers and Supervisors
Child Care Services Administrators, Managers and Supervisors
Food and Nutrition Administrators, Managers and Supervisors
Energy Program Administrators, Managers and Supervisors

RE: Local Evidentiary Hearings for Social Program Eligibility Appeals

Since the declaration of a state of emergency on March 10, 2020 local evidentiary hearings for social program eligibility appeals have generally been held telephonically in order to protect the staff and public from COVID-19. State law requires the appellant or his personal representative and the county department to present sworn evidence at the local hearing. The general practice for hearings has been to have a notary public administer the oath for the witnesses, however, State law prohibits a notary from administering the oath to an individual over the telephone.

To ensure that local hearings meet state law requirements and proceed in a timely manner, the county DSS should follow the provisions set forth in the "Handbook on Public Assistance Appeals for County Departments of Social Services" at [Section XIV.](#), "Preliminary Considerations" and have the local hearing officer administer the oath and/or affirmations of the people expected to testify.

If you have questions, please contact your [Operational Support Team \(OST\) representative.](#)

Sincerely,

DocuSigned by:
Carolyn McClanahan
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Carolyn McClanahan,
Associate Director
Beneficiary Services
Division of Health Benefits

David Locklear Digitally signed by David Locklear
Date: 2020.07.02 12:40:24 -04'00'

David Locklear,
Deputy Director
Economic and Family
Services
Division of Social Services

EFS-FNSEP-15-2020

NC MEDICAID

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH BENEFITS

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