

NC DHHS Notice of Funding Availability

Reporting Form

DHHS Division/Office issuing this notice:

NC Division of Vocational Rehabilitation Services

Date of this notice:

02/12/2024

Working Title of the funding program:

Impartial Hearing Officers

Purpose:

The purpose of this Request for Applications is to solicit applications from qualified individuals to serve as Impartial Hearing Officers through a personal services contract with the NC Division of Vocational Rehabilitation Services (NC DVRS) and NC Division of Services for the Blind (NC DBS) and Independent Living (IL) program.

Impartial Hearing Officers are being recruited to conduct impartial hearings for the NC DVRS, NC DBS and IL as part of the client appeals process. These hearings are required by state administrative code (10A NCAC 63F/89B) and federal law (C.F.R. 361.57).

Description:

Impartial Hearing Officers conduct impartial hearings as a part of the client appeals process. Applicants or eligible clients of NC DVRS, NC DSB and IL (individuals with disabilities) have the right to request an impartial hearing should they disagree with a decision or determination made by NC DVRS, NC DSB and IL staff. The Impartial Hearing Officer must conduct a hearing in the county of the appellant's residence within the timeframes outlined by state and federal regulations and must produce a hearing decision. The Impartial Hearing Officer is responsible for: (1) the administration of oaths and affirmations; (2) recognition of speakers/witnesses; (3) admission of evidence; (4) prevention of repetitious presentations; and (5) general professional management of the hearing.

Contracted Impartial Hearing Officers are compensated for actual time spent in research and communications to prepare for the hearing; actual time spent in conducting the hearing; and actual time spent in producing the hearing decision. Rate of compensation is \$80.00 per hour for non-attorneys and \$100.00 per hour for attorneys. In addition, contracted Impartial Hearing Officers are compensated for approved travel/lodging at the current state rates and other pre-approved actual expenses incurred in association with a hearing. NC DVRS currently receives requests for appeals hearings approximately seven times per year. Contracted Impartial Hearing Officers are selected for service randomly from a list maintained by the NC DVRS.

Eligibility:

An applicant's application and resume will be reviewed by an evaluation team to determine the applicant's skills, abilities, and experience with administrative reviews and/or appeals proceedings and the applicant's knowledge of the public Vocational Rehabilitation, Services for the Blind, Independent Living programs and related laws, policies, and state plans. A qualified applicant is an individual who:

- is not an employee of the Division or other public state or Federal agency (other than an administrative law judge, hearing examiner, employee of a State office of mediators, or an employee of an institution of higher learning)
- has not been in regular employment of the Division or DHHS administration within 5 years prior to his or her participation in an impartial hearing;
- has been trained in effective mediation techniques consistent with State-approved or State-recognized certification;
- is not a member of the State Rehabilitation Council;
- is knowledgeable of the Vocational Rehabilitation Program and the applicable Federal and State laws, regulations and policies governing the provision of Vocational Rehabilitation Services.

Individuals awarded contracts must attend a one-day training session prior to providing services. In addition to reimbursement for approved travel/lodging at current state rates, \$100 compensation will be given for time spent in training.

Individuals awarded contracts to provide the services described in this publication shall agree to the following:

- The Contractor agrees that, if the Division determines that some or all of the activities within the scope of this Contract are subject to the Health Insurance Portability and Accountability Act (HIPAA) of 1996, P.L. 104-91, as amended or its implementing regulations, it will comply with the HIPAA requirements and will execute such agreements and practices as the Division may require to ensure compliance.
- The Contractor agrees to execute the following federal certifications attached to this Agreement: a) Certification Regarding Lobbying; b) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion; c)

- Certification Regarding Drug-Free Workplace Requirements; and d)
Certification Regarding Environmental Tobacco Smoke.
- As a Contractor under this Personal Services Contract, you are not considered a state employee. You will not receive any of the benefits, leave, retirement credits, or other rights given to state employees under Chapter 126 of the North Carolina General Statutes.

How to Apply:

Interested applicants must submit an application along with a current resume. Application forms may be requested by mail or email at:

NC Division of Vocational Rehabilitation Services
2801 Mail Service Center
Raleigh, NC 27699-2801
Attn: Kim Schmidt, Division Appeals Coordinator
Email: kim.schmidt@dhhs.nc.gov

The Division has the right to request a criminal background check prior to contracting with any applicant considered. Applications should be submitted by mail or email to the Division Appeals Coordinator at:

NC Division of Vocational Rehabilitation Services
2801 Mail Service Center
Raleigh, NC 27699-2801
Attn: Kim Schmidt, Division Appeals Coordinator
Email: kim.schmidt@dhhs.nc.gov

Deadline for Submission:

Applications received by April 30, 2024, will be in consideration for a November 1, 2024, award. Applications received after April 30, 2024, will be considered for a future award date. Applications will be considered on an ongoing basis.

How to Obtain Further Information:

Questions may be submitted to the Division Appeals Coordinator at:
kim.schmidt@dhhs.nc.gov.

Additional Information is available:

[Impartial Hearing Officer Application for Community Partnership \(ACP 1056\)](#)