

EFFECTIVE  
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NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

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TITLE 473 SOCIAL SERVICES FOR THE AGED AND DISABLED

CHAPTER 1 GENERAL PROVISIONS

001. SCOPE AND AUTHORITY. Nebraska Revised Statute (Neb. Rev. Stat.) § 68-1206 authorizes the Nebraska Department of Health and Human Services, hereinafter "the Department," to administer a program providing social services to eligible individuals. This Title governs the program services offered to elderly adults and disabled adults.

002. DEFINITIONS. The following definitions apply:

002.01 ADVERSE ACTION. The Department's determination that the services provided to a recipient will be reduced or terminated.

002.02 ADULT. An individual age 19 or older.

002.03 EMANCIPATED MINOR. A child age 18 or younger is considered emancipated if the individual has:

- (A) Married; or
- (B) Moved away from the parent's or legal guardian's home and is self-supporting.

002.04 LEGALLY RESPONSIBLE INDIVIDUAL. A parent or legal guardian of a minor child or an individual's spouse.

003. APPEAL RIGHTS. Applicants and recipients have the right to appeal for a fair hearing on the following matters:

- (A) A determination that the applicant is not eligible to receive program services;
- (B) Denial of services;
- (C) Termination or reduction of services; or
- (D) Inaction on the application.

003.01 EXCEPTION. Applicants or recipients are not entitled to a fair hearing when state or federal law requires automatic case adjustments for classes of clients unless the reason for an individual appeal is incorrect eligibility determination.