



## Rights to Area Agency Services

### Have Your Area Agency Services Been Reduced or Terminated? Learn About Your Rights!

Some people receiving developmental services from Area Agencies have had their services cut back or ended against their wishes. Sometimes this is because of lack of funding from the State rather than a decision related to that person's service needs. Some of these people are also not receiving the notice and appeal rights to which they are entitled.

It is your right to disagree with a decision to cut back or end your services. If you agree with that decision then your rights to notice, appeal and continued services are not triggered. Here is information about your rights to notice, appeal, and continued services.

You can also go to <http://drcnh.org/AAcomplaints8x11.pdf> for more information about your right to complain.

#### Your Services

If the Area Agency is considering cutting back or ending ANY of your developmental services there is a process that the area agency must follow.

- Your services can ONLY be reduced or terminated for one of two reasons:
  - *You can function without the service.*
  - *The service is no longer necessary because it has been replaced by other services.*
- Your service coordinator must meet with you to discuss the recommendation to cut back or end your services.
- Any recommendation must be in writing.
- You have a right to another meeting to review the written recommendation.
- After this meeting, you have a right to a written report that indicates whether your service will be continued, reduced, or terminated.



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**Disability Rights Center - NH**  
64 N Main Street, Suite 2, 3rd  
Floor  
Concord, NH 03301  
(603) 228-0432 or  
(800)834-1721 (voice or TTY)  
Fax: (603) 225-2077  
advocacy@drcnh.org  
www.drcnh.org

This brochure is not legal advice. You should talk to a lawyer if you do need legal advice.

### You Have a Right to Written Notice

If the Area Agency decides to cut back or end ANY of your services, you have a right to notice that:

- Must be provided at least 30 days before ANY of your services can be cut back or ended;
- Is in writing;
- Includes the reason for reduction or termination;
- Includes your right to appeal;
- Includes your right to continued services during the appeal; and
- Includes a description of the appeal process

### You Have a Right to Appeal

When ANY of your developmental services are cut back or ended (even if you continue to receive other services) you can appeal that decision.

- You have a right to a hearing and decision from a neutral hearing examiner.
- You have a right to continued services throughout the appeal and until the hearing examiner has made a final written decision.
- The Area Agency must show the reduction or termination of services was for one of the two reasons:
  - *You can function without the service.*
  - *The service is no longer necessary because it has been replaced by other services.*
- You have the right to be represented by a lawyer or other advocate, although the State and the Area Agency do not have to provide or pay for your representation.

If your developmental services have been cut back or ended, and you do not think they should have been, contact the Disability Rights Center for further information or possible assistance.

