

Subject: Appeals

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**BACKGROUND:**

The Ministry of Community and Social Services commenced the Appeals Transformation Initiative (ATI) to improve efficiencies within the Assured Income for the Severely Handicapped (AISH) appeals process. AISH policy has been amended to reflect changes to the way appeals are managed within the AISH program. The changes will improve administrative fairness, transparency and the experience for the Appellant. Early resolution of the issue under appeal will continue to be an important step in the appeals process.

The Appeals Secretariat is the main point of contact for appeal related questions along with the administrative responsibility of registering, coordinating and scheduling appeals. To reflect these changes, AISH program policy sections have been amended.

**Highlights Include:**

1. **Timeline** - AISH policy has been amended to clarify the timeline for an affected party to notify AISH about their intent to appeal after receiving a decision. The Notice of Appeal form has been amended to transfer the administrative duties to the Appeals Secretariat. Changes to the form include a section for Appellants to identify if they are submitting their appeal past the 30 day time limit. Appellants are now encouraged to attach a copy of the decision letter to help clarify the decision under appeal.
2. **Additional Information** - AISH policy has been amended and includes the process for responding to additional information that is submitted after the Administrative Review has been completed.
3. **Rights and Responsibilities** - AISH policy has been amended to clarify the rights and responsibilities of the program and the Appellant that must be followed before the appeal hearing. Information regarding media and legal counsel has been removed as this will be provided by the Appeals Secretariat.
4. **Appeal Panel Decision** - AISH policy has been amended to clarify the options that are available if a party is not satisfied with the Appeal Panel's decision. After the hearing, the Appeal Panel deliberates and considers the information provided by both parties and comes to a decision. Once the decision has been

finalized, each party to the appeal is provided with a written decision that explains the reasons for the panel's decision. A decision of the Appeal Panel is final and is the last step in the appeal process. However, Appeal Panel decisions may be subject to a judicial review by the Alberta Court of Queen's Bench if any party to the appeal believes the Appeal Panel committed an error of law and/or an error of fact.

5. **Appeals Secretariat** - AISH policy sections "Appeal Panel Hearing", "Before the Appeal Hearing" and "Rights of Parties to an Appeal" have been removed as this information will be provided by the [Appeals Secretariat](#).

**INTENT:**

To clarify the role of the Appeals Secretariat, Appeal Panel, Appellant and the AISH program during the appeals process.

**POLICY:**

The following AISH policies have been updated:

[Notice of Decision](#)

[After the Appeal Hearing](#)

[Appealing a Decision](#)

[Administrative Review](#)

The following AISH policies have been removed:

Appeal Panel Hearing

Before the Appeal Hearing

Rights of Parties to an Appeal