

## How to Request a Fair Hearing

If you are not in agreement with the New Hampshire WIC program's decision regarding you or your child's eligibility, suspension, or disqualification from participation in the NH WIC Program, you as a WIC participant/payee have a right to request a fair hearing. To request a fair hearing, you must send a written request within 60 days of receiving notice of a denial of enrollment, suspension or disqualification. Your written request shall identify the issues you plan to present at the hearing that support your argument that the program does not have valid grounds and/or legal authority to not enroll, to suspend or to disqualify you or your child as a NH WIC participant. Your request shall be sent to:

NH Department of Health and Human Services, Office of Program Support  
Administrative Appeals Unit  
105 Pleasant Street  
Concord, NH 03301

You can reach the Administrative Appeals Unit at 271-4292 if you have any questions about the fair hearing process. The Administrative Appeals Unit will notify you as to the date of the hearing upon receiving your written request for a fair hearing. The Administrative Appeals unit will provide you notification of the fair hearing time and place within 10 days of the hearing date. The fair hearing will be conducted within 3 weeks of your first request for the fair hearing. Notification of the fair hearing decision will be provided to you within 45 days of your request for a fair hearing. You will have the right to review the case record prior to the fair hearing. NH Administrative Rule He-C 200 and 7 CFR 246.9 of the Federal WIC Program Regulations set forth your right to a fair hearing and the steps which will be followed should a fair hearing be requested.

The Request for a Fair Hearing for non-enrollment, suspension or disqualification in the NH WIC Program will be final unless you send a written request for a fair hearing within sixty (60) days of receiving notice of the non-enrollment, suspension or disqualification in the NH WIC Program.

### Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [How to File a Complaint](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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