

Understanding your Right to Appeal a

Division of Vocational Rehabilitation (DVR) Decision

Any time you disagree with a decision or lack of decision by DVR you can request an appeal. This includes your priority classification for the waiting list under DVR's Order of Selection. There are three appeal options, and most can be requested at the same time and before a formal hearing.

If you need more information, technical assistance, clarification of federal or state rules or advocacy assistance you can contact Disability Law Colorado/Client Assistance Program (CAP) (303-722-0300 or disabilitylawco.org) and complete an intake. Be prepared to send us your Eligibility Letter with waiting list priority classification, IPE and or written decision by the DVR counselor or supervisor.

Informal Appeals Process:

- You can request an informal appeal by contacting your DVR Counselor's Supervisor to explain your concerns and the action you are seeking. Be prepared to present your documentation supporting your request.
- Ask the DVR supervisor to put her/his decision in writing with your appeal rights. If you disagree with the decision made by the supervisor, you can request in writing an additional informal review to - Deputy for Field Services or Designee Division of Vocational Rehabilitation 633 17th Street, Suite 1501 Denver, CO 80202
- Remember you can contact CAP for guidance and assistance throughout the appeals process

Mediation

- In both formal and informal reviews, you may also request mediation by a neutral third party, called an impartial mediator, to try to resolve the issue being appealed prior to the formal hearing.
- Participation in mediation is voluntary on the part of both you and DVR.
- To request mediation, send a written request to: Deputy for Field Services or Designee Division of Vocational Rehabilitation 633 17th Street, Suite 1501 Denver, CO 80202

Formal Appeals Process

- If you are disagree with any decision or action by your counselor or another DVR representative or if you wish to challenge a decision made during an informal review, you may request a formal hearing before an administrative law judge. Reminder you can utilize the informal appeals process and mediation while also requesting a formal appeal.
- This request must identify DVR's decision or action you are disputing, why you are disputing it and what solution you would like, in writing, within ninety (90) days of the decision or action being disputed.
- Send your request for a formal hearing to: Colorado Department of Personnel and Administration Office of Administrative Courts 1525 Sherman Street, 4th Floor Denver, CO 80203