

# Legal Rights of Benefits Applicants and Recipients

## What is considered a Public Benefit?

Public Benefits are help from the government for basic needs like health care, housing, food, or cash. The Public Benefits are administrated by the Department of Health and Human Services (DHHS).

## What are my rights?

**Everyone who applies for or gets public benefits must be treated fairly and with dignity.**

Everyone who applies for any benefit program has the following rights. These are just some of the rights you may have.

If you think you have been treated unfairly, or if you have questions about your legal rights under benefits programs, **call 603 Legal Aid at 603-224-3333 or apply for help online**. If you call any time other than 9-11 weekdays, leave a message and be sure to say you are calling about Local Welfare and state any deadlines you have.

### 1. You have the right to file an application.

Anyone may formally ask an agency if they qualify for its benefits. Each agency has its own way to apply.

### 2. You have the right to a timely decision.

Each program has its own deadline for making a decision about an application.

### 3. You have the right to get a notice in writing that tells you what the decision is.

The written notice must explain the reason for any decision made against you.

The agency should tell you in writing why your benefits were denied, stopped, or lowered.

## 4. You have the right to appeal decisions or actions against you.

If you disagree with the decision, you may ask that the decision be reviewed by someone who is not the person who made the decision. You may ask for a hearing where you can show why you think a different decision should have been made. You may bring witnesses and have someone with you, like a friend or a lawyer, to help you present your case. If you are unhappy with the new decision, you can decide if you want to go to court.

Each agency has its own way to review its decisions. This is called an appeal process. When you get the decision, the agency **must**:

- tell you how to appeal
- tell you what the deadline is for you to ask for an appeal,
- tell you how you can ask to keep getting your benefits while you are appealing the decision,
- tell you what will happen if you get benefits while you are appealing and you end up losing the appeal. If you lose the appeal, you might have to pay back some or all of the benefits you got while the decision was being reviewed

## 5. You have the right to see your file and make copies.

## 6. You have the right to see the rules the agency uses to make its decisions.

This includes the rules about how the agency handles complaints, called a grievance process.

## 7. You have the right to confidentiality.

This means your information may not be shared without you agreeing to it.

Agencies may ask you to sign a release. A release gives the agency your permission to get in touch with other people to check the information you gave it or to get more information about you. The agency may only ask about things it needs to know to decide if you can get help. Your information and your file may not be shared with anyone without your permission.

## Try Also Reading...

- [Are You Getting All the Help You Can?](#)
- [Town or City Welfare in New Hampshire](#)
- [Unemployment Insurance](#)
- [Social Security Benefits & SSI](#)
- [Veterans Benefits](#)
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