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CHAPTER TWENTY-SIX

RULES OF PRACTICE BEFORE AGENCY

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Chapter 26. Rules of Practice Before Agency

Rule No. 560-X-26-.01. Rules of Practice Before Agency.

Any properly authorized person over 18 years of age may practice before the Agency. This includes, but is not limited to:

- (1) Attorneys
- (2) Accountants
- (3) Officers or employees of a provider
- (4) An adult friend or relative of a recipient or applicant.
- (5) The Legal Guardian of a recipient or applicant.

While the agency will permit any person of legal age to represent any other person before the Agency, the Agency cautions that fair hearings by law, must be conducted according to the rules of evidence used in civil courts in non-jury cases.

Authority: Code of Alabama Section 41-22-4(a)(2). Rule effective October 1, 1982.

Rule No. 560-X-26-.02. Authority of Representative.

Any person appearing on behalf of another must have written authority to do so. If the person being represented is unable to sign an authorization, it must be signed by his or her Legal Guardian, if there is one, or if there is none, then by a member of his or her immediate family, preferably his or her sponsor. A form for this purpose is available from the Medicaid Agency. It is entitled "Appointment of Representative". A copy is contained in Chapter 28 of this code. While use of that form is preferred, the agency will accept any typed or written authorization and appointment notice that: (1) expressly authorized the representative to receive notices in the person's stead; (2) expressly authorizes the receipt of confidential Medicaid information; (3) contains the person's typed or printed name and Medicaid number (or Social Security number, if there is no Medicaid number).

Authority: Code of Alabama, Section 41-22-4(a)(2). Rule effective October 1, 1982.

Rule No. 560-X-26-.03. Practice by Suspended Representative.

Any attorney or public accountant who is under suspension or revocation of his or her license shall not represent any person before the Agency, except members of his or her immediate family, unless and until his or her license is restored.

Authority: Code of Alabama, Section 41-22-4(a)(2). Rule effective October 1, 1982.

