Due Process Hearings

Consequences of Not Funding this Program

Constituents will be denied due process and a mechanism to contest the actions of state agencies determining their legal rights and in resolving other types of disputes lawfully.

Statutory Basis		Mandatory vs. Discretionary	MOE/Match Rqt.	Priority Level
Specific	K.S.A. 75-37,121	Mandatory	No	1
Specific	K.S.A. 77-561	Mandatory	No	1
Specific	K.S.A. 77-562	Mandatory	No	1
Specific	K.S.A. 59-29a26	Mandatory	No	2
Specific	7 CFR § 273.15	Mandatory	No	2
Specific	7 CFR § 273.16(a)-(f)	Mandatory	No	2
Specific	34 CFR § 361.57	Mandatory	No	2
Specific	45 CFR § 205.10	Mandatory	No	2
Specific	42 CFR § 431.151	Mandatory	No	2
Specific	42 CFR § 431.200	Mandatory	No	2
Specific	42 CFR § 483.204	Mandatory	No	2

Program Goals

A. Deliver administrative due process for cases within timeframes specified by applicable law.
B.Deliver administrative due process for parties efficiently and economically.

Program History

Performance Measures

Outcome Measures	*Goal*	*FY 2019*	*FY 2020*	*FY 2021*	*3- yr. Avg.*	*FY 2022*	*FY 2023*
1. Rank OAH cost per case vs other states	B	2nd lowest cost	3rd lowest cost	7th lowest cost	4th lowest cost	6th lowest based on FY21 data	6th lowest based on FY21 data
2. Average days per decision	B	90	85	87	86	90 or less	90 or less
3. Average cases per judge	B	1,014	905	656	858	526	485
4. Volume, completion, and status of fiscal	A						
5. Number of appeals filed	A	3276	2762	1855	2631	2,631	2801
6. Number of appeals closed	A	3116	2833	1967	2638	2,701	2863
7. Pending FY carryover appeals	A	779	858	768	801	802	781
8. OAH Cost per case	B	256	311	486	351	435	428
Output Measures							
9. Consistent application of all strategies occurs throughout the fiscal year.	A						
10. No OAH case decisions in this fiscal year were issued in violation of an adjudication deadline required by law.	A						
11. Parties often waive adjudication deadlines. Continuations must be justified by good cause and serve to lawfully extend the ordinary due dates otherwise specified by procedural guidelines.	A						

Funding

Funding Source	*FY 2018*	*FY 2019*	*FY 2020*	*FY 2021*	*FY 2022*	*FY 2023*
State General Fund	$ -	$ -	$ -	$ -	$ -	$ -
Non-SGF State Funds	$ 1,088,574	$ 1,036,569	$ 1,125,150	$ 1,187,769	$ 1,491,479	$ 1,533,927
Federal Funds	$ -	$ -	$ 49	$ 44,203	$ -	$ -
Total	$ 1,088,574	$ 1,036,569	$ 1,125,199	$ 1,231,972	$ 1,491,479	$ 1,533,927

Notes:
- OAH is working to set up a Bench Bar Committee to obtain input and improve services to constituents
- OAH is working on text notification of hearings for constituants to red defaults for failure to participate
- OAH is working on a fillable and submittable PDF for the unrepresented to more easily gain access to e-Filing
- OAH is an off-budget fee funded agency