

Organization Information Extracted from: sections 501-510.docx

****PART 1: INFORMATION FOR ROPSSA****

The Operations Manual contains information relevant to two organizations: Republic of Palau Social Security Administration (ROPSSA) and Republic of Palau Health Care Fund (HCF). Here is the extracted information for ROPSSA in PART 1:

****Section 501. Matters for Determination****

- The Board and the Administrator may make determinations for various Social Security matters, including rights, benefits, entitlement, continuing entitlement, amounts of benefits, application of earnings test, period of disability, payee(s) of survivor's insurance benefits, overpayments, suspension of benefits, date of birth, date of death, or guardianship determinations.
- Determinations are binding unless a person requests a reconsideration within 30 days of receipt of the decision.
- A determination is deemed received upon delivery or mailing, with a hand delivered determination considered received upon delivery and a mailed determination received three (3) days from the postmark date outside the Republic of Palau, and ten (10) days from the postmark date inside the Republic of Palau.
- A person aggrieved by a determination may ask for a reconsideration within 30 days of receipt of the decision, along with any reasons or additional documentary evidence.
- The reconsideration process consists of a case review by the Administrator, where all parties are given the opportunity to submit additional evidence. The Administrator issues a written decision upholding, amending, or reversing the initial determination.
- Failure to adhere to the determination and reconsideration procedure or failure to file a request within the stated time period results in the denial of the reconsideration and the loss of the right to further appeal the decision.
- A reconsideration by the Administrator upholding the initial determination is binding unless appealed to the Board within 30 days of receipt of the decision. An appeal must be made in writing and include any additional documentary evidence or arguments. The Board reviews and considers the entire record of the matter and renders its written decision on the appeal within 45 days of the date of the filing of the appeal.
- When a party appeals or requests reconsideration of a determination made by the Board, the party is entitled to an opportunity for hearing after reasonable notice. The notice shall include a statement of the time, place, and nature of the hearing, legal authority, jurisdiction, reference to statutes, by-laws, and rules involved, short and plain statement of the matters asserted, and the names and addresses of all parties and other persons to whom notice is being given.
- The record in an appeal to the Board may include various documents, evidence received or considered, statements of matters officially noticed, questions and offers of proof, objections and rulings thereon, proposed findings and exceptions, and any decision, opinion, or report by the officer presiding at the hearings.
- The following procedures concerning evidence are observed in appeals to the Board: irrelevant, immaterial, or unduly repetitious evidence is excluded, and the Courts of Republic of Palau Rules of Evidence are followed. Documentary evidence may be received in the form of copies of excerpts, and a party may conduct cross-examinations required for a full and true disclosure of the facts.
- A final decision, or order adverse to a party in an appeal to the Board, shall be in writing or stated in the Board's

record, including findings of fact and conclusions of law, separately stated. If a party submitted proposed findings of fact, the decision shall include a ruling upon each proposed finding.

****PART 2: INFORMATION FOR HCF****

The Operations Manual contains information relevant to two organizations: Republic of Palau Social Security Administration (ROPSSA) and Republic of Palau Health Care Fund (HCF). Here is the extracted information for HCF in PART 2:

****Section 501. Matters for Determination****

- The Board and the Administrator may make determinations for various Social Security matters, including rights, benefits, entitlement, continuing entitlement, amounts of benefits, application of the earnings test, period of disability, payee(s) of survivor's insurance benefits, overpayments, suspension of benefits, date of birth, date of death, or guardianship determinations.
- Determinations are binding unless a person requests a reconsideration within 30 days of receipt of the decision.
- A determination is deemed received upon delivery or mailing, with a hand delivered determination considered received upon delivery and a mailed determination received three (3) days from the postmark date outside the Republic of Palau, and ten (10) days from the postmark date inside the Republic of Palau.
- A person aggrieved by a determination may ask for a reconsideration within 30 days of receipt of the decision, along with any reasons or additional documentary evidence.
- The reconsideration process consists of a case review by the Administrator, where all parties are given the opportunity to submit additional evidence. The Administrator issues a written decision upholding, amending, or reversing the initial determination.
- Failure to adhere to the determination and reconsideration procedure or failure to file a request within the stated time period results in the denial of the reconsideration and the loss of the right to further appeal the decision.
- A reconsideration by the Administrator upholding the initial determination is binding unless appealed to the Board within 30 days of receipt of the decision. An appeal must be made in writing and include any additional documentary evidence or arguments. The Board reviews and considers the entire record of the matter and renders its written decision on the appeal within 45 days of the date of the filing of the appeal.
- When a party appeals or requests reconsideration of a determination made by the Board, the party is entitled to an opportunity for hearing after reasonable notice. The notice shall include a statement of the time, place, and nature of the hearing, legal authority, jurisdiction, reference to statutes, by-laws, and rules involved, short and plain statement of the matters asserted, and the names and addresses of all parties and other persons to whom notice is being given.
- The record in an appeal to the Board may include various documents, evidence received or considered, statements of matters officially noticed, questions and offers of proof, objections and rulings thereon, proposed findings and exceptions, and any decision, opinion, or report by the officer presiding at the hearings.
- The following procedures concerning evidence are observed in appeals to the Board: irrelevant, immaterial, or unduly repetitious evidence is excluded, and the Courts of Republic of Palau Rules of Evidence are followed. Documentary evidence may be received in the form of copies of excerpts, and a party may conduct cross-examinations required for a full and true disclosure of the facts.
- A final decision, or order adverse to a party in an appeal to the Board, shall be in writing or stated in the Board's record, including findings of fact and conclusions of law, separately stated. If a party submitted proposed findings of fact, the decision shall include a ruling upon each proposed finding.

****Section 508. Final Decisions and Orders****

- A final decision, or order adverse to a party in an appeal to the Board, shall be in writing or stated in the Board's record. The decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. If a party submitted proposed findings of fact, the decision shall include a ruling upon each proposed finding. A copy of the decision or order shall be delivered or mailed forthwith to each party and to his or her attorney of record.

****Section 509. Ex Parte Consultations****

- Unless required for the deposition of ex parte matters authorized by law, Board members assigned to render a decision or to make findings of fact and conclusions of law in an appeal to the Board shall not communicate, directly or indirectly, in connection with any issue of law, with any party or his or her representatives. Board members may: (1) communicate with other members of the Board; and (2) have the aid and advice of one or more personal assistants.

****Section 510. Review of Board Final Decision or Order****

- Any person, aggrieved by a final decision, order, or determination rendered by the Board after hearing may obtain a review of the decision in the Supreme Court of the Republic of Palau by filing with the Clerk of Courts, within sixty (60) days after receiving notice of the decision, a written petition praying that the decision be modified or set aside in whole or in part. A copy of the petition shall be served on the Board. The Board shall certify and file with the Clerk of Courts a copy of the record on which the order was based. The findings of the Board as to all material facts, if supported by competent material and substantial evidence, are final.