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## 42 C.F.R. § 411.124

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### Administrator's review of hearing decision.

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- (a) *Request for review.* A party's request for review of a hearing officer's decision must be in writing (not in facsimile or other electronic medium) and must be received by the Administrator within 25 days from the date on the decision.
- (b) *Office of the Attorney Advisor responsibility.* The Office of the Attorney Advisor examines the hearing officer's decision, the requests made by any of the parties or CMS, and any submission made in accordance with the provisions of this section in order to assist the Administrator in deciding whether to review the decision.
- (c) *Administrator's discretion.* The Administrator may—
- (1) Review or decline to review the hearing officer's decision;
  - (2) Exercise this discretion on his or her own motion or in response to a request from any of the parties; and
  - (3) Delegate review responsibility to the Deputy Administrator. (As used in this section, the term “Administrator” includes “Deputy Administrator” if review responsibility has been delegated.)

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