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## Can the payment of the Apa at home be suspended?

Verified 20 septembre 2019 - Directorate of Legal and Administrative Information (Prime Minister), National Solidarity Fund for Autonomy (CNSA)

Home payment can be suspended:

- if you do not declare to the department within one month of notification of the decision to award the Apa that the aid is used to pay for your home help (whether you are an employee or an employee of an approved association or company), or host family (<https://www.service-public.fr/particuliers/vosdroits/F15240?lang=en>). You can use the form cerfa n°10544\*02 (<https://www.service-public.fr/particuliers/vosdroits/R1331?lang=en>),
- if you do not pay your participation (<https://www.service-public.fr/particuliers/vosdroits/F1802?lang=en>),
- if you do not produce the proof of expenditure corresponding to the amounts of the allowance received and your financial contribution, within one month of the request of the department's departments,
- on a report from the medical and social team, in the event of non-compliance with the recommendations of the aid plan or if the service rendered poses a risk to your health, safety or physical or moral well-being,
- in the event of hospitalization for treatment, for more than 30 days.

You can challenge the suspension of the Apa payment.

An amicable appeal must first be brought, and then a contentious appeal can be brought.

### Prior administrative action (Rapo)

If you challenge a decision on the Apa, you can form a *prior administrative appeal* by contacting the department by registered letter with acknowledgement of receipt.

This appeal must be made within 2 months of notification of the contested decision.

Who shall I contact

Specify your city or postcode. The choice of a municipality in the suggestion list will automatically trigger an update of the content

- Department Services (<https://annuaire.service-public.fr/recherche?whoWhat=Conseil+d%C3%A9partemental&where=>)

### Litigation


An appeal may be brought against the decision of the *prior administrative appeal*. Such contentious appeal must be filed with the Administrative Court.

- Administrative Tribunal  (<https://www.conseil-etat.fr/tribunaux-cours/la-carte-des-juridictions-administratives>)

You must file your appeal within 2 months of notification of the contested decision.

Then, if you wish, you can challenge the decision of the administrative court by appeal to the Council of State (<https://www.service-public.fr/particuliers/vosdroits/F2496?lang=en>).

### Statute and miscellaneous references

- Social Action and Family Code: Article L232-7  (<http://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000027572851&cidTexte=LEGITEXT000006074069>)  
*Mandatory reporting (remuneration of an employee or support service)*
- Social Action and Family Code: Article L232-12 to L232-20  (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006174429/>)  
*Mutual remedy: Article L232-20*
- Social Action and Family Code: Articles L232-22 to L232-28  (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006174351/>)  
*Compulsory reporting (hospitalization): Article L232-22*
- Social Action and Family Code: Articles R232-30 to R232-32  (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006196014/>)  
*Mandatory reporting (hospitalization): Article R232-22*
- Social Action and Family Code: Articles L134-1 and L134-2  ([https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006074069/LEGISCTA000033425308](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006074069/LEGISCTA000033425308))  
*Litigation: Article L134-2 paragraph 1*

### Online services and forms

- Declaring a Custom Autonomy Allocation (<https://www.service-public.fr/particuliers/vosdroits/R1331?lang=en>)  
Form

### For more information, please contact

- Site "For the elderly.fr" (elderly people in loss of autonomy) [✉](http://www.pour-les-personnes-agees.gouv.fr) (<http://www.pour-les-personnes-agees.gouv.fr>)  
*National Solidarity Fund for Autonomy (CNSA)*