Important: This notice explains your right to appeal our decision. Read this notice carefully. If you need help, you can call one of the numbers listed on the last page under “Get help & more information.”

Notice of Denial of Medical Coverage

{Replace *Denial of Medical Coverage* with *Denial of Payment*, if applicable}

**Date: Member number:**

**Name:**

[Insert other identifying information, as necessary (e.g., provider name, enrollee’s Medicaid number, service subject to notice, date of service)]

**Your request was denied**

We’ve {Insert appropriate term: *denied, stopped, reduced, suspended*} the {*payment of*} medical services/items listed below requested by you or your doctor [*provider*]:

**Why did we deny your request?**

We {Insert appropriate term: *denied, stopped, reduced, suspended*} the {*payment of*} medical services/items listed above because {Provide specific rationale for decision and include State or Federal law and/or Evidence of Coverage provisions to support decision}:

**You have the right to appeal** **our decision**

You have the right to ask {health plan name} to review our decision by asking us for an appeal (also called a “Level 1 Appeal” or “internal appeal”).In all cases, you must file your first appeal with {health plan name}. Ask {health plan name} for an appeal within **60 calendar days** of the date of this notice. We can give you more time if you have a good reason for missing the deadline.

|  |
| --- |
| *If we’re stopping or reducing a prior-approved non-Part D service, you can keep getting the service while your case is being reviewed.* ***If you want the service to continue, you must ask for an appeal within 10 days*** *of the date of this notice**or before the service is stopped or reduced, whichever is later. If you lose your appeal, you may have to pay for those services.* |

**If you want someone else to act for you**

You can name a relative, friend, attorney, doctor, or someone else to act as your representative. If you want someone else to act for you, call us at: {number(s)} to learn how to name your representative. TTY users call {number}. Both you and the person you want to act for you must sign and date a statement confirming this is what you want. You’ll need to mail or fax this statement to us.

**Important Information About Your Appeal Rights**

**There are 2 kinds of appeals**

**Standard Appeal –** We’ll give you a written decision on a standard appeal within **30 calendar days** after we get your appeal. Our decision might take longer if you ask for an extension, or if we need more information about your case. We’ll tell you if we’re taking extra time and will explain why more time is needed. If your appeal is for payment of a service you’ve already received, we’ll give you a written decision within **60 calendar days**.

**Fast Appeal** – We’ll give you a decision on a fast appeal within **72 hours** after we get your appeal. You can ask for a fast appeal if you or your doctor believe your health could be seriously harmed by waiting up to 30 calendar days for a decision.

**We’ll automatically give you a fast appeal if a doctor asks for one for you or supports your request.** If you ask for a fast appeal without support from a doctor, we’ll decide if your request requires a fast appeal. If we don’t give you a fast appeal, we’ll give you a decision within 30 calendar days.

**How to ask for an appeal with {health plan name}**

**Step 1:** You, your representative, or your doctor [*provider*] must ask us for an appeal. Your request must include:

* Your name
* Address
* Member number
* Reasons for appealing
* Any evidence you want us to review, such as medical records, doctors’ letters, or other information that explains why you need the item or service. Call your doctor if you need this information.

[Insert, if applicable: *You can ask to see the medical records and other documents we used to make our decision before or during the appeal. At no cost to you, you can also ask for a copy of the guidelines we used to make our decision*.]

**Step 2:** Mail, fax, or deliver your appeal {*or call us*}.

**For a Standard Appeal:** Address:

{Phone:} Fax:

{Insert, if applicable: *If you ask for a standard appeal by phone, we will send you a letter confirming what you told us.*}

**For a Fast Appeal:** Phone: Fax:

**What happens next?**

If you ask for an appeal and we continue to deny your request for {*payment of*} a service, we’ll send you a written decision. The letter will tell you if the service or item is usually covered by Medicare and/or Medicaid.

* If the service is a Medicare service or a Medicare-Medicaid overlap service (i.e. services that both programs may cover), we will automatically send your case to an independent reviewer. **If the independent reviewer denies your request, the written decision will explain if you have additional appeal rights.**
* If the service is a Medicaid service, or a Medicare-Medicaid overlap service (as mentioned above), you can ask for a State Fair Hearing. Your written decision will give you instructions on how to request a State Fair Hearing (information is also below).

|  |
| --- |
| How to ask for a Medicaid State Fair Hearing  You can only ask for a State Fair Hearing after you have appealed to our health plan and received a written decision with which you disagree. You or your representative must ask for a State Fair Hearing within 60 calendar days of the date of this notice. You may write a letter or complete an Appeal Request Form. The form is available at your local Department of Social Services or on the internet at http://www.dmas.virginia.gov/Content\_atchs/forms/dmas-200.pdf. You can also call 804-371-8488 to request the form.  Your written request must include:   * Your name * Address * Member number * Reasons for appealing * Any evidence you want us to review, such as medical records, doctors’ letters, or other information that explains why you need the item or service. Call your doctor if you need this information.   You must sign the appeal request and send it to:  Appeals Division  Department of Medical Assistance Services  600 E. Broad Street, 11th Floor  Richmond, Virginia 23219  Appeal requests may also be faxed to 804-612-0036.    What happens next?  The State will hold a hearing. You may attend the hearing in person or by phone. You’ll be asked to tell the State why you disagree with our decision. You can ask a friend, relative, advocate, provider, or lawyer to help you. You’ll get a written decision within {enter 90 during year one of the CCC Program; 75 during year two; 30 during year three} calendar days. The written decision will explain if you have additional appeal rights.  [A copy of this notice has been sent to:] |
|  |

**Get help & more information**

* {Health Plan Name} Toll Free: TTY users call:

{Insert plan hours of operation}

* 1-800-MEDICARE (1-800-633-4227), 24 hours, 7 days a week. TTY users call: 1-877-486-2048
* Medicare Rights Center: 1-888-HMO-9050
* Elder Care Locator: 1-800-677-1116
* [Medicaid/State contact information]