



Appeal and Grievance Rights

What is an appeal?

An appeal is when you ask your MCO (managed care organization) to review a decision you do not agree with that affects your care. You can also call the Maryland Department of Health for help when you ask for an appeal.

Why would I appeal?

You might file an appeal if:

- Your MCO denies a service your provider orders/prescribes for you because:
 - The treatment is not needed for your condition or would not help you in diagnosing it.
 - Another service could be more effective.
 - The service could be offered in a better setting, like a provider's office instead of the hospital.
- Your MCO limits, reduces, suspends, or stops a service you are already receiving.
- Your MCO denies all or part of payment to a provider for one of your services.
- Your MCO takes too long to approve a service you or your provider requested.
- Your MCO denies your request to speed up a decision about a medical issue.
- Your provider charges you for a service that you think the MCO should pay for.

What is a grievance?

A grievance is when you complain about your MCO or provider because you are unhappy.

Why would I file a grievance?

You might file a grievance if:

- Your provider's office was dirty, understaffed, or difficult to access, or the provider was rude or unprofessional.
- You cannot find a provider that is close to where you live for your healthcare needs.
- You are unhappy with the help you received from your provider's staff or MCO.
- You have issues with filling your prescriptions, contacting your provider, or making appointments.
- You do not feel you are getting the right care for your health condition.
- Your MCO takes too long to resolve your appeal or grievance.
- Your MCO denies your request for a faster appeal.

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Filing an Appeal

How do I appeal to my MCO?

You or your representative can appeal an MCO's decision within 60 days from the date of the denial notice by contacting the MCO using the information provided in the letter. Your MCO will send you a letter to confirm your appeal. If you would like help from the Department with appealing to your MCO, call the HealthChoice Help Line at 1-800-284-4510.

What is a representative?

A representative is someone you give written permission to act or speak on your behalf, like a family member, a friend, a provider, or a lawyer. You can also represent yourself in the appeal. You must give your MCO written documentation, signed and dated by you, naming a representative for your appeal.

How do I get the information the MCO used to make its decision?

Your denial notice will explain how your MCO made the decision, including the information reviewed. You can request the following information for free by calling your MCO:

- Your medical records
- Any benefit provision, guideline, protocol, or criterion your MCO used to make its decision
- Oral interpretation and written translation assistance
- Help with filling out your MCO's appeal forms

You can also call the Maryland Department of Health's HealthChoice Help Line at 1-800-284-4510 for help with filing an appeal, finding care alternatives, and learning about your rights and responsibilities.

How long will the MCO take to decide my appeal?

Your MCO will decide within 30 days from the date you appeal and send you a letter with the decision.

You or the MCO may ask for up to 14 more days. If the MCO needs more time, they will send you a letter and call you, your representative, and your provider. If you need more time to send information to help the MCO decide, you, your representative or your provider can call your MCO to ask for more time.

How can I receive a faster decision on my appeal?

You can get a faster decision if your provider tells the MCO you have a serious medical condition. Your provider can call your MCO to ask for a faster decision time. If your MCO agrees, your MCO will contact your provider with a decision within three days and send you a letter. If your MCO denies your request, they will contact you and your provider and make a decision in 30 days.

How can I request a State fair hearing if I disagree with the result of my MCO appeal?

A State fair hearing is a review of the MCO's appeal decision by the Maryland Office of Administrative Hearings. You have the right to ask for a State fair hearing within 120 days of the date of the MCO's appeal decision. You can also ask for a State fair hearing if the MCO does not decide by the date on your appeal confirmation letter.

The hearing is a meeting between you, someone from your MCO, and an independent hearing officer. You can talk to them about why you do not agree with the MCO's decision, share more information, call witnesses, and more. Bring any documents or information to help the hearing officer understand your concerns. You can also look at any records related to your hearing, including your medical records, for free.

To learn more about State fair hearings and ask for one, call the HealthChoice Help Line at 1-800-284-4510. They will explain what you need to do to ask for a State fair hearing virtually, or you can also ask for the hearing to take place closer to where you live by sharing dates and times you are available."

Can I continue receiving services during an appeal or State fair hearing?

Yes. If you are already getting services, and the MCO decides that your services should stop or end soon, you might be able to continue receiving those services during the appeal or State fair hearing. You can request to continue your services by calling your MCO within 10 days from the date on your notice or before the last day of your services.

Note: If you lose the appeal or State fair hearing, you might need to pay for the services.

Filing a Grievance

How do I file a grievance?

You can file a grievance with your MCO and/or the Maryland Department of Health.

To file a grievance with your MCO, call the Member Services line on your MCO identification card. Your MCO is required to respond.

To file a grievance with the Maryland Department of Health, call the HealthChoice Help Line at 1-800-284-4510. A representative will assist you.

When can I file a grievance?

You can file a grievance at any time.

How long does it take the MCO to resolve a grievance?

For administrative grievances, you will get a letter within 30 days. For medical grievances, you will get an answer within 24 hours if it is an emergency or within 5 days if it is not. If the MCO needs more time, they will contact you and ask for up to 14 more days to respond.