

What is an Appeal?

El Dorado County Substance Use Disorder Services Frequently Asked Questions

What is an Appeal?

The Department of Health Care Services (DHCS) has defined an Appeal as “A request for review of an Action.” *What is an Action?* As defined by DHCS, “An Action occurs when the DMC-ODS plan at least one of the following:

1. Denies or limits authorization of a requested service, including the type or level of service;
2. Reduces, suspends, or terminates a previously authorized service;
3. Denies, in whole or in part, payment for a service;
4. Fails to provide services in a timely manner, as determined by the DMC ODS Plan, or;
5. Fails to act within the timeframes for disposition of standard grievances, the resolution of standard appeals, or the resolution of expedited appeals.”

The DMC-ODS plan must issue a “Notice of Action” to you in writing if the DMC-ODS plan has taken one of these 5 actions. You may also file an Appeal even if you have not received a Notice of Action. If you are unsure if any of these 5 actions apply to you, you can speak with any DMC-ODS staff, or phone (530) 621-6146 or (800) 929-1955.

Where do I receive an Appeal Form?

Appeal forms are available at all El Dorado County SUD Provider sites, as well as programs contracted that provide substance use disorder services. You can also ask any Behavioral Health employee for this form. If you are in need of any assistance, please phone (530) 621-6146 or (800) 929-1955.

How do I file an Appeal?

Within **sixty (60) days** of receiving a “Notice of Action”, you may file an Appeal. You can phone in an Appeal by calling (530) 621-6146 or (800) 929-1955, but you will also need to follow this up by completing and signing the written Appeal form. You can also ask that your services continue while waiting for the Appeal decision. To do this, your timeline is shorter – you must file the Appeal within **ten (10) days** of receiving the “Notice of Action”. In some circumstances you may have to pay for the services. If you need additional assistance in filing an Appeal or help with the Appeal process you can contact the Patient’s Rights Advocate at (530) 621-6183 or any staff person can assist you.

What should I expect after filing an Appeal?

El Dorado County’s Utilization Review Coordinator (or designee) will investigate your Appeal and respond to you in writing. You will receive 2 written responses to your Appeal. The first letter will be a notice (sent within **five (5) working days** of receipt of your Appeal) that we have received your Appeal, the second letter will inform you of the results of the investigation. Appeals shall be resolved within 30 calendar days of receipt. You have a right to no discrimination or penalty for filing an Appeal or requesting a State Fair Hearing. You may examine your case file at any time, including medical records and any other documents and records considered during the Appeals process.

What is the difference between a Standard Appeal and an Expedited Appeal?

An Expedited Appeal must be resolved and notification must be given to the person filing an Appeal within 3 working days after we receive it. An Expedited Appeal does not have to be in writing. An Appeal is considered an Expedited Appeal when using the Standard Appeal timeline could jeopardize your life, health, or ability to attain, maintain, or regain maximum function. The Utilization Review Coordinator (or designee) will determine whether or not your Appeal will be considered Standard or Expedited; you will be notified of this determination.

What if I do not agree with the results of the County investigation?

If you do not agree with the outcome of the Appeal that you have filed, you have the right to request a State Fair Hearing. To do this you can contact:

State Hearings Division
State Department of Social Services
744 P Street, MS 9-17-37
Sacramento, CA 95814
(800) 952-5253 or
(800) 952- 8349 TDD/TDY