
STATE OF IOWA DEPARTMENT OF

Health ^{AND} Human

SERVICES

Appeals Process Overview for Providers

January 2023

Right to Appeal

- A Medicaid member, their representative or a provider may file a state fair hearing request (also known as an appeal) with the Department concerning any issue.

441 Iowa Administrative Code 7.5(17A)

Appeal Requirements

- Written authorization showing the member has authorized the individual or provider to file an appeal on their behalf is required.
 - MCO Appeals: Use form 470-5526, Authorized Representative for Managed Care Appeals.
 - Non-MCO Appeals: HHS Administrative Rules and Appeals will send authorization request once appeal is received.

641 Iowa Administrative Code 176.8(1)

Filing an Appeal

■ Appeal in writing

- Online at https://secureapp.dhs.state.ia.us/dhs_titan_public/appeals/appealrequest
- Mail a letter or fill out the Appeal and Request for Hearing form. Send it to:
Department of Health and Human Services
Administrative Rules and Appeals Bureau
Compliance Division
1305 E Walnut St. 5th Fl
Des Moines IA 50319
- Fax a letter or appeal form to (515) 564-4044

■ Appeal by phone

- Call the Administrative Rules and Appeals Bureau at (515) 281-3094

■ Appeal in person at any HHS office

Timeframes to Appeal

- A hearing will be held if the state fair hearing appeal request is made within 120 calendar days of the date on the MCO appeal determination.
- For all other Medicaid appeals, the appellant must file the appeal before the 90th day following the date on the NOD.

441 Iowa Administrative Code 7.4(3)

After Receipt of Appeal

- HHS Administrative Rules and Appeals Bureau will:
 - Obtain copy of Notice of Decision being appealed
 - Determine issue of appeal hearing
 - Determines if appealable action and appeal filed by aggrieved party
 - For example, providers cannot appeal post-service or claim disputes regarding MCO claims through HHS Administrative Rules and Appeals Bureau. These actions can only be appealed through the MCO's internal appeals processes.
 - Certifies appeal to Department of Inspections and Appeals (DIA) Administrative Hearings Division if eligible for hearing
 - Denies appeal is not eligible for hearing
- DIA Administrative Hearings Division schedules the appeal hearing date and time and notifies all parties.

441 Iowa Administrative Code 7.3(17A), 7.4(6), 7.5, and 7.6

Preparing for Hearing

- HHS staff are required to send a copy of their appeal summary and exhibits they propose to submit at hearing to the appellant and their representative prior to the appeal hearing
- Medicaid members, authorized representatives, or providers may submit their own exhibits.
 - Email to appeals@dhs.state.ia.us or
 - FAX to (515) 564-4044

HHS Administrative Rules and Appeals staff will upload to electronic appeal file and share with ALJ
- If issue originally appealed is resolved prior to hearing, Medicaid members, authorized representatives or providers may ask to withdraw their appeal using same methods as filing an appeal.

Hearing Procedures

- Most hearings are held by telephone, but can be held in-person or by videoconference, if requested and approved by the ALJ
- ALJ swears in all parties and provides instructions at the beginning of the hearing on how the hearing will proceed
- Each party will have an opportunity to:
 - Submit evidence
 - Provide testimony
 - Ask questions

481 Iowa Administrative Code 10.20(17A) and 10.21(17A)

Proposed Decision, Reviews, Final Decisions

- Administrative Law Judge issues a Proposed Decision based on testimony and evidence presented at appeal hearing, while taking federal and state regulations into account
- All parties given 14 calendar days to request a Director's review if disagree with Proposed Decision
- If no review request is received, a Final Decision is issued and the appeal is closed.

641 Iowa Administrative Code 176.8(4)

Questions

Contact:

Department of Health and Human Services
Administrative Rules and Appeals Bureau

Email: appeals@dhs.state.ia.us

Phone: (515) 281-3094