

Appeals for Title XIX/XXI AHCCCS eligible persons

If you are Title XIX/XXI AHCCCS eligible, you have the right to request a review of the following actions:

- The denial or limited approval of a service asked for by your provider;
- The reduction, suspension or termination of a service that was approved in the past;
- The denial, in whole or part, of payment for a service;
- The failure to provide services in a timely manner;
- The failure to act within timeframes for resolving an appeal or complaint; and
- If you live in a rural area, the denial of a request for services outside of the provider network when services are not available within the provider network.

What happens after I file an appeal?

As part of the appeal process, you have the right to give evidence that supports your appeal. You can provide the evidence to the RBHA or ADHS/DBHS in person or in writing. In order to prepare for your appeal, you may examine your case file, medical records, and other documents and records that are being considered before and during the appeal process, as long as the documents are not protected from disclosure by law. If you would like to review these documents, contact your provider or the Gila River RBHA. The evidence you give to the RBHA or ADHS/DBHS will be considered when deciding the resolution of the appeal.

How is my appeal resolved?

The ADHS/DBHS must give you a decision, called a “Notice of Appeal Resolution,” in person or by certified mail within 30 days of getting your appeal for standard appeals, or within 3 working days for expedited appeals. The Notice of Appeal Resolution is a written document that tells you the results of your appeal.

The time frames in which the ADHS/DBHS must give you the Notice of Appeal Resolution may be extended up to 14 days. You, the ADHS/DBHS, the Gila River RBHA or the provider can ask for more time in order to gather more information. If the ADHS/DBHS, the Gila River RBHA or the provider ask for more time, you will be given written notice of the reason for the delay.

The Notice of Appeal Resolution will tell you:

- The results of the appeal process; and
- The date the appeal process was completed.

If your appeal was denied, wholly or in part, then the Notice of Appeal Resolution will also tell you:

- How you can request a State Fair Hearing;
- How to ask that services continue during the State Fair Hearing process, if applicable;
- The reason why your appeal was denied and the legal basis for the decision to deny your appeal; and
- That you may have to pay for the services you get during the State Fair Hearing process if your appeal is denied at the State Fair Hearing.

What if I am not happy with my appeal results?

You can ask for a State Fair Hearing if you are not happy with the results of an appeal. If your appeal was expedited, you can ask for an expedited State Fair Hearing. ***YOU HAVE THE RIGHT TO HAVE A REPRESENTATIVE OF YOUR CHOICE ASSIST YOU AT THE STATE FAIR HEARING.***

How do I ask for a State Fair Hearing?

You must ask for a State Fair Hearing in writing within 30 days of getting the Notice of Appeal Resolution. This includes both standard and expedited requests for a State Fair Hearing. Requests for State Fair Hearings should be mailed to: ADHS/DBHS Office of Grievance and Appeals, 150 North 18th Avenue, Phoenix, Arizona 85007.

What is the process for my State Fair Hearing?

You will receive a Notice of State Fair Hearing at least 30 days before your hearing is scheduled. The Notice of State Fair Hearing is a written document that will tell you:

- The time, place and nature of the hearing;
- The reason for the hearing;
- The legal and jurisdictional authority that requires the hearing; and
- The specific laws and statutes that are relevant to the hearing.

How is my State Fair Hearing resolved?

For standard State Fair Hearings, you will receive a written Director's Decision no later than 90 days after your appeal was first filed. Any timeframe extensions that you requested and the number of days from the time you received the Notice of Appeal Resolution to the date you requested for a State Fair Hearing was submitted do not count toward the 90 days. The Director's Decision will tell you the outcome of the State Fair Hearing and the final decision about your services.

For expedited State Fair Hearings, you will receive a written Director's Decision within 3 working days after the date that AHCCCS receives your case file and appeal information from the RBHA or ADHS/DBHS. AHCCCS will also try to call you to notify you of the Director's Decision.

Will my services continue during the Appeal/State Fair Hearing process?

You may ask that the services you were already getting continue during the appeal process or the State Fair Hearing process. If you want to keep getting the same services, you must ask for your services to be continued in writing. If the result of the appeal or State Fair Hearing is to agree with the action to either end or reduce your services, you may have to pay for the services received during the appeal or State Fair Hearing process.