

**YOUR RIGHTS
UNDER MEDI-CAL MANAGED CARE**

IF YOU DO NOT AGREE WITH THE DECISION MADE FOR YOUR MEDICAL TREATMENT, YOU CAN FILE AN APPEAL. THIS APPEAL IS FILED WITH YOUR HEALTH PLAN.

HOW TO FILE AN APPEAL

You have **60 days** from the date of this "Notice of Action" letter to file an appeal. But, **if you are currently getting treatment and you want to continue getting treatment, you must ask for an appeal within 10 days** from the date this letter was postmarked or delivered to you, OR before the date your health plan says services will stop. You must say that you want to keep getting treatment when you file the appeal.

You can file an appeal by phone, in writing, or electronically:

- **By phone:** Contact *[Health Plan]* between *[hours of operation]* by calling *[telephone number]*. Or, if you cannot hear or speak well, please call *[TYY/TDD number]*.
- **In writing:** Fill out an appeal form or write a letter and send it to:

*[Health Plan]
[address]*

Your doctor's office will have appeal forms available. Your health plan can also send a form to you.

- **Electronically:** Visit your health plan's website. Go to *[Health Plan's weblink]*.

You may file an appeal yourself. Or, you can have someone like a relative, friend, advocate, doctor, or attorney file the appeal for you. This person is called an "authorized representative." You can send in any type of information you want your health plan to review. A doctor who is different from the doctor who made the first decision will look at your appeal.

Your health plan has 30 days to give you an answer. At that time, you will get a "Notice of Appeal Resolution" letter. This letter will tell you what the health plan has decided. **If you do not get a letter within 30 days, you can ask for a "State Hearing" and a judge will review your case.** Please read the section below for instructions on how to ask for a State Hearing.

For non Knox-Keene Plans (NOA)

EXPEDITED APPEALS

If you think waiting 30 days will hurt your health, you might be able to get an answer within 72 hours. When filing your appeal, say why waiting will hurt your health. Make sure you ask for an **“expedited appeal.”**

STATE HEARING

If you filed an appeal and received a “Notice of Appeal Resolution” letter telling you that your health plan will still not provide the services, or **you never received a letter telling you of the decision and it has been past 30 days**, you can ask for a “State Hearing” and a judge will review your case. You will not have to pay for a State Hearing.

You must ask for a State Hearing within **120 days** from the date of the “Notice of Appeal Resolution” letter. You can ask for a State Hearing by phone or in writing:

- **By phone:** Call **1-800-952-5253**. This number can be very busy. You may get a message to call back later. If you cannot speak or hear well, please call **TTY/TDD 1-800-952-8349**.
- **In writing:** Fill out a State Hearing form or send a letter to:

**California Department of Social Services
State Hearings Division
P.O. Box 944243, Mail Station 9-17-37
Sacramento, CA 94244-2430**

Be sure to include your name, address, telephone number, Social Security Number, and the reason you want a State Hearing. If someone is helping you ask for a State Hearing, add their name, address, and telephone number to the form or letter. If you need an interpreter, tell us what language you speak. You will not have to pay for an interpreter. We will get you one.

After you ask for a State Hearing, it could take up to 90 days to decide your case and send you an answer. If you think waiting that long will hurt your health, you might be able to get an answer within 3 working days. Ask your doctor or health plan to write a letter for you. The letter must explain in detail how waiting for up to 90 days for your case to be decided will seriously harm your life, your health, or your ability to attain, maintain, or regain maximum function. Then, make sure you ask for an **“expedited hearing”** and provide the letter with your request for a hearing.

You may speak at the State Hearing yourself. Or, someone like a relative, friend, advocate, doctor, or attorney can speak for you. If you want another person to speak for you, then you must tell the State Hearing office that the person is allowed to speak for you. This person is called an “authorized representative.”

For non Knox-Keene Plans (NOA)

LEGAL HELP

You may be able to get free legal help. Call the *[name and telephone number of the county's consumer rights hotline]*. You may also call the local Legal Aid Society in your county at 1-888-804-3536.