



Office of Developmental Primary Care

Improving outcomes for people with developmental disabilities

How to File an Appeal with Your HMO

Background

You have the right to file an appeal if you disagree with a decision made by your health plan. Appeals can be made by phone, over the internet, or in a written letter.

If you feel that your HMO has wrongfully denied your request for services or treatment:

- Review your evidence of coverage to see whether the service you're requesting is covered under your contract
- Ask that they put the reason for their denial in writing
- Let your doctor know that the request has been denied
- Carefully document any telephone conversations you have regarding the request
- Keep copies of all written correspondence to and from your health plan

Timeline

Health Appeals should be made within **6 months** of receiving a denial from your insurance plan.

After filing an appeal, your health plan must give you a decision:

- Within **3 days** if the matter in question is urgent and considered a serious threat to your health
- Within **30 days** if the matter in question is not considered a serious threat to your health

For assistance with the appeal process, contact the Department of Managed Care's Health Center.

What to Do If Your Appeal is Denied

If your plan denies your appeal or if they do not respond within the required time, you can request an Independent Medical Review (IMR). An IMR can be requested in the following cases:

- Your health plan determines that a treatment or service is not medically necessary
- Your plan refuses to cover the cost of experimental or investigational treatments for a serious condition
- Your plan will not pay for emergency or urgent medical treatment that you have already received

If you qualify for an IMR, a group of independent doctors will medically review your case. If the IMR finds in your favor, your health plan must provide the treatment or service as requested. IMR's are conducted at no cost to you. To find out more information about the IMR process, visit the Department of Managed Care's Help Center.

Resources

Department of Managed Care: http://www.dmhc.ca.gov/dmhc_consumer/pc/pc_default.aspx

Disability Rights California: <http://www.disabilityrightsca.org/>

Disability Rights, Education & Defense Fund: <http://dredf.org>

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