

## **445 SUBMISSION OF HEARING REQUESTS**

REVISION DATE: 10/11/2023

EFFECTIVE DATE: October 1, 2019

REFERENCES: A.R.S. §36-2901, A.R.S. § 41-1092 et seq, ACOM Policy 445,  
Attachment A

### **PURPOSE**

This Policy sets forth guidance for Administrative Services Subcontractors (AdSS) contracted with the Division of Developmental Disabilities (Division) when submitting a request for a hearing to the Arizona Health Care Cost Containment System Administration.

### **DEFINITIONS**

1. "Arizona Health Care Cost Containment System (AHCCCS)" - means Arizona's Medicaid Program, approved by the Centers for Medicare and Medicaid Services (CMS) as a Section 1115 Waiver Demonstration Program and described in A.R.S. Title 36, Chapter 29.
2. "Appeal" means the review of an adverse benefit determination.
3. "Business Day" means the same as Day – Business/Working.

4. "Day – Business/Working" means Monday, Tuesday, Wednesday, Thursday, or Friday unless a legal holiday falls on Monday, Tuesday, Wednesday, Thursday, or Friday.
5. "Director's Decision" - The final administrative decision under A.R.S. § 41-1092(5).
6. "Member" means the same as "Client" as defined in A.R.S. § 36-551.
7. "State Fair Hearing" - An administrative hearing under A.R.S. A.R.S. § 41-1092 et seq.
8. "Support Coordinator" means the same as "Case Manager" under A.R.S. § 36-551.

## **POLICY**

### **A. HEARING REQUEST FILE SUBMISSION TIMEFRAMES**

The AdSS shall submit hearing requests within the following timeline:

1. Expedited Member Appeal hearing requests must be submitted no later than one Business Day from receipt of the expedited hearing request.

2. Standard Member Appeal hearing requests must be submitted no later than three Business Days from receipt of the hearing request.
3. Claim dispute hearing requests must be submitted no later than three Business Days from receipt of the hearing request.

**B. HEARING REQUEST FILE SUBMISSION METHOD**

1. The AdSS shall submit the hearing request files to the Division's Office of Administrative Review for Member Appeals and provider claim dispute hearing requests
2. The AdSS must submit a standard Submission of Request for Hearing Form ACOM Policy 445, Attachment A with the Member Appeal or provider claim dispute file.

**C. HEARING FILE CONTENT**

Hearing files must be submitted with all of the following:

1. Submission of Request for Hearing Form, ACOM Policy 445, Attachment A,
2. Request for Hearing,
3. Notice of Appeal Resolution or Notice of Decision,

4. Appeal or Claim Dispute,
5. Notice of Adverse Benefit Determination for Member Appeals;  
and
6. Signed Appointment of Representative for Member Appeals.

**D. SUBMISSION OF REQUEST FOR HEARING FORM ATTACHMENT A**

1. The AdSS shall include an accurately completed Submission of Request for Hearing Form ACOM Policy 445, Attachment A that:
  - a. Is the first page of the file submission, and
  - b. Have all applicable fields completed.
2. The AdSS shall not submit a request without an accurately completed Submission of Request for Hearing Form ACOM Policy 445, Attachment A.
3. The Division shall forward the hearing request file to the AHCCCS Office of General Counsel (OGC).

**E. SUBMISSION OF ADDITIONAL SUPPORTING DOCUMENTS**

Any changes or additional information to be included to the issue or citations after a hearing file is submitted to AHCCCS, shall be:

1. Filed by the AdSS with the Office of Administrative Hearing as a Motion to Amend the Notice of Hearing, and
2. Copied to the Office of Administrative Review.

### **SUPPLEMENTAL INFORMATION**

1. The Submission of Request for Hearing Form ACOM Policy 445, Attachment A submitted by the AdSS is used to identify the hearing issue and applicable citations.
2. Additional information or changes submitted to the Division or AHCCCS is not added to the Administrative record on the AdSS's behalf.
3. The Division and AHCCCS OGC reserve the right to make changes to the issue and any legal citations for accuracy.