



COLORADO

Department of Health Care
Policy & Financing

Department of Health Care Policy and Financing
1570 Grant Street
Denver, CO 80203

AGENCY LETTER

AGENCY LETTER NUMBER: 17 - 008

SUPRECEDES NUMBER:

DATE: 10/01/2017

DIVISION OR OFFICE: HEALTH INFORMATION OFFICE ELIGIBILITY DIVISION

SUBJECT AREA: HEALTH FIRST COLORADO

**SUBJECT: COUNTY OR MEDICAL ASSISTANCE SITE DISPUTE RESOLUTION
CONFERENCE**

TYPE: I-INFORMATION

APPROVED BY: CHRIS UNDERWOOD

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Purpose:

The purpose of this agency letter is to advise counties and eligibility sites of a new rule governing the dispute resolution conference effective October 1, 2017.

Background:

On September 1, 2016, House Bill 16-1277 was signed into law. The bill requires that every county and eligibility site adopt procedures for the resolution of disputes arising between the county or eligibility site, and any applicant or recipient of Medicaid. The dispute resolution process must be consistent with rules set forth by the Medical Services Board (MSB).

In July 2016, the Department began collaborating with county and community partners to help formulate the rule for the dispute resolution conference. The final rule was approved by the Medical Services Board on August 11, 2017.

Information/Procedure:

Beginning on October 1, 2017, every county or eligibility site is required to adopt procedures in accordance with the following rule regarding the dispute resolution conference.

10 CCR 2505-10, Volume 8 at Section 8.057.3.F Opportunity for County or Service Agency Dispute Resolution Conference. In addition to the opportunity for a hearing, a recipient shall have an opportunity to have their approval, denial, termination, suspension, or reduction of Medicaid benefits resolved through an informal dispute

resolution conference. County and service agencies shall afford recipients the opportunity for informal dispute resolutions as follows:

1. An applicant/recipient who disagrees with a decision regarding their eligibility may request dispute resolution either in writing or by phone within 60 calendar days of the eligibility determination date listed on the Notice of Action (NOA). If available through the county or service agency, applicants/recipient may use email to make a request.
2. Within 10 calendar days after receipt of the request for dispute resolution, the county or service agency, after a review of the case by for accuracy and completeness, shall notify the applicant/recipient, in writing, of the date, time, and location of the conference. The notification shall also include the applicant/recipient's rights to a state level appeal and a deadline date for requesting such an appeal.
3. The county or service agency shall hold the conference within no more than 25 calendar days from the date the request was received, unless both parties agree, in writing, to extend the date of the conference.
4. The applicant/recipient shall have the choice to have the dispute conference held in person or by phone.
5. The dispute resolution conference facilitator shall, within 3 business days, notify the applicant/recipient of the finding from the conference via U.S. Mail.
6. If the finding is that the dispute has been resolved and the member has already filed an appeal, the county or service agency may assist the applicant/recipient in dismissing the state appeal.

Effective Date:

October 1, 2017

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