

Filing a Health Insurance Appeal

MARYLAND

Medicaid Plans

Did Medicaid deny your request for mental health or substance use disorder (MH/SUD) services? If so, Medicaid may be violating your health insurance rights. You can challenge the decision by filing an appeal.

The Mental Health Parity and Addiction Equity Act (Parity Act) is a federal law that requires most Medicaid programs to provide the same level of coverage for MH/SUD care as they do for other health conditions. In other words, Medicaid cannot make it more difficult to get or stay in treatment for conditions like depression or substance use than for conditions like asthma or diabetes.

WHEN SHOULD YOU APPEAL?

- If Medicaid denies your request for MH/SUD treatment or will only cover part of your treatment, you have the right to appeal that decision. You can also challenge Medicaid if you see any of the [Parity Act warning signs](#).

HOW CAN AN APPEAL HELP YOU?

- Medicaid's decision may be **overturned**, and you will not have to pay for the services Medicaid is supposed to cover.
- If you are receiving treatment, Medicaid will continue to pay for it **during** the appeals process if you appeal within **10 days** of the denial.

WHEN SHOULD YOU FILE AN APPEAL?

- As **soon** as you know you have been denied MH/SUD treatment.
- You must file your appeal with Medicaid within **90 days** of the date on your denial letter.

WHAT SHOULD YOU DO IF YOUR CONDITION IS URGENT?

- Contact Medicaid immediately to ask for an **expedited appeal**.

IMPORTANT TERMS

Expedited appeal: If your condition is very serious, you can ask Medicaid to review your appeal and make a decision as quickly as possible. Contact the Office of Health Services to learn what counts as an "urgent condition."

Medical Necessity Criteria: A set of standards used by Medicaid to decide what level of care, such as inpatient or outpatient treatment, is needed to treat your health condition.

State fair hearing: An appeal of Medicaid's decision to not cover your treatment. A state fair hearing officer will decide whether Medicaid should cover your treatment and may overturn Medicaid's decision in your favor.

Reason for denial: The explanation from Medicaid that describes why it denied your treatment.

HOW TO FILE AN APPEAL



SEND AN APPEAL LETTER TO THE MARYLAND DEPARTMENT OF HEALTH, OFFICE OF HEALTH SERVICES ASKING FOR A STATE FAIR HEARING

Explain why you need the services and include back-up medical information from your treatment provider.

- The denial letter from Medicaid will tell you where to send your appeal letter and give the deadline for filing your appeal.
- The Appeals Coordinator at the Office of Health Services will send your state fair hearing request to the Maryland Office of Administrative Hearings.
- The Maryland Office of Administrative Hearings will send you information about the state fair hearing date and process and the location of the state fair hearing.



REQUEST THE REASON FOR DENIAL

You have the right to know **why** your treatment was denied.

- If Medicaid did not give you the reason for its denial, ask for the reason.
- Request the **Medical Necessity Criteria** used to make its decision.



GET HELP FROM YOUR TREATMENT PROVIDER

- Your treatment provider may ask Medicaid to reconsider its decision before you file your appeal. If that does not fix the problem, include a **letter** from your treatment provider explaining why you need this treatment.
- Your treatment provider can file the appeal for you with your consent.



GET HELP FROM MEDICAID

- Call the Appeals Coordinator at the Office of Health Services at 1-410-767-1696 and ask for help with a state fair hearing request. Fax your letter to 1-410-333-5154 or send it to Maryland Department of Health, Office of Health Services, Attention: Appeals, 201 W. Preston Street, Room 127, Baltimore, Maryland 21201.
- Call the Office of Administrative Hearings at 1-410-229-4100 and ask for a person who works on Medicaid appeals to make sure the office received your appeal. The address is 11101 Gilroy Road, Hunt Valley, Maryland 21031.



CALL LEGAL AID FOR HELP

- Ask your local Maryland Legal Aid Office for help with your state fair hearing. The Maryland Legal Aid Bureau state directory is found at www.mdlab.org/contact.
- Maryland Volunteer Lawyers Service can also help identify legal assistance. Call 1-800-510-0050.

IF YOUR APPEAL IS DENIED



YOU HAVE A RIGHT TO FILE A COURT ACTION

- If the state fair hearing officer denies your appeal, get legal advice about filing a court action.

**MAKE COPIES OF ALL MATERIALS YOU SEND TO MEDICAID AND THE OFFICE OF ADMINISTRATIVE HEARINGS AND KEEP NOTES ON YOUR CONVERSATIONS.
KEEP THESE MATERIALS FOR YOUR OWN RECORDS.**