

**February 25, 2014, Webinar:  
"Appeals Process Under Health Care Reform"**

Item #	Slide # or ACL Pg #	Question	Answer
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1.	Slide 6	How can appeals workers get access to CalHEERS?	Contact your county CalHEERS liaison or Staff Development Department. Appeals staff must complete the training model required for eligibility staff in order to obtain access to CalHEERS.
2.	Slide 11	Slide 11 states that appeals can be made due to a "failure to make a timely determination." How many days do counties have to make a timely determination once all verifications are received?	Under 42 CFR Sections 435.912; 435.1200; 457.350; 45 CFR Sections 155.302, 305, 310, MAGI Medi-Cal determinations must be made promptly and without undue delay, i.e., within a few days after the county has received appropriate verifications either electronically or manually.
3.	Slide 12	For Aid Paid Pending requests, will the counties coordinate with Covered California for them to process that request and do the necessary entries? Or will counties be responsible to enter the corrections on CalHEERS?	Once the CDSS ACAB notifies Covered California or counties of the hearing request, it is up to the responsible entity to complete the Aid Paid Pending (APP) action as appropriate. Covered California's process is referred to as "Continued Enrollment." County responsibility to issue APP for Medi-Cal does not change from the existing Division 22 process.
4.	Slide 12	Who does the investigations?	Covered California will review the hearing request and make the determination for all programs cited on Slide 12.
5.	Slide 12	Counties have been advised to not make case changes with the exception of adding a person to the pre-ACA case, and discontinuances due to death, living out of state, and non-payment of premiums. Can counties process aid paid pending at this time?	Aid Paid Pending is not appropriate unless a negative action is taken. DHCS instructions to not take negative actions should not be confused with aid paid pending. Issuing aid paid pending is part of the due process beneficiaries are entitled to when aid paid pending is ordered or appropriate; therefore, there should not be any conflict.

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6.	Slide 17	Is it correct that counties are responsible for sending the MAGI/Non-MAGI Medi-Cal approval/denial Notices of Action (NOAs) once eligibility/ineligibility has been determined?	Yes. Counties send the NOAs; however MAGI Medi-Cal NOAs are generated out of CalHEERS.
7.	Slide 17	Is there a specific MAGI Medi-Cal Notice of Action (NOA) counties are to use?	There are several MAGI Medi-Cal NOAs that will be generated out of CalHEERS depending on the scenario.
8.	Slide 17	Will counties be told by Administrative Law Judges that a NOA is inadequate because the budget (i.e., calculation of the eligibility determination) is not included?	Each hearing has to be decided on the individual merits. Where a NOA denies a claimant's application for MAGI Medi-Cal based on the claimant's MAGI, a claimant is entitled to an explanation of the county's calculation of the claimant's MAGI in the NOA.
9.	Slide 19	Does the county need to receive the appeal request in writing? Can counties accept a verbal request?	The process for filing verbal hearing requests has not changed from the existing process with the exception that there is a separate toll free number to call for the ACAB issues. Claimants may file oral hearing requests by calling 1-855-795-0634. [Refer to page 9 of ACL No. 14-14.]
10.	Slide 19	Is the ACA hearing number on the hearing request that the county receives via SFT the number that the county will use or will the county get another hearing number to use?	ACA hearing numbers are similar to the existing hearing numbers except that they will always start with "ACA - " followed by the 9-digit number (example: ACA -123456789). The first 2 digits represent the year the hearing request is filed (14 for 2014, 15 for 2015). Any number received through SFT that does not resemble the existing formula is a Covered California case number.
11.	Slide 19	Who makes the determination of whether a hearing issue involves MAGI Medi-Cal, Covered California, or a Dual Case?	All ACA hearing requests received by Covered California or counties are to be sent to the ACAB. The appeal will be onlined and the responsible entity will be notified by the ACAB. [Refer to page 10 of ACL No. 14-14.]

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12.	Slide 19	When will counties have access to the ACAB appeal database?	There is no appointed date for this access. All communication is to be through the ACAB SFT system, telephone, fax and email.
13.	Slide 19	The ACAB SFT does not currently have all of the same folders as the General Jurisdiction SFT (i.e., Withdrawals, Calendars, Appeals Listing, etc). When will the ACAB SFT include these folders?	At this time, all documents to be transmitted from counties to ACAB go in the County to ACAB folder. All documents to be transmitted from ACAB to counties will be uploaded to the ACAB to County folder.
14.	Slide 19	Will counties receive non-MAGI Medi-Cal hearing information through the new County SFT or the existing SFT? When will counties gain access to the new County SFT?	Counties will receive hearing information in the new ACAB SFT system. If counties do not yet have access to the ACAB SFT system, they may do so by contacting Shaun Moore at <a href="mailto:Shaun.Moore@dss.ca.gov">Shaun.Moore@dss.ca.gov</a> . Counties will need to provide the name of the user, county name, email address and telephone number of the user. Access will be then be authorized.
15.	Slide 20	Will the hearing calendar for MAGI/Non-MAGI Medi-Cal hearings align with the current hearings calendar for all other programs? Or will this be a separate hearings calendar?	Hearings will be scheduled in the same 4-week calendar model currently used in General Jurisdiction. The ACAB will coordinate scheduling with each county, taking into consideration, to the extent possible, each county's resources and needs. If counties have not as yet notified the ACAB of their scheduling preference, they may do so by emailing Leslie Redfearn at <a href="mailto:Leslie.Redfearn@dss.ca.gov">Leslie.Redfearn@dss.ca.gov</a>
16.	Slide 20	For Non-MAGI Medi-Cal appeals (APTC/CSR only), will these appeals be heard on the county's regular hearing day?	Counties should contact the ACAB Scheduling Analyst, Leslie Redfearn at <a href="mailto:Leslie.Redfearn@dss.ca.gov">Leslie.Redfearn@dss.ca.gov</a> and advise her of the county's scheduling preference.
17.	Slide 22	When counties receive a verbal unconditional withdrawal, will it be removed from the calendar as is done now?	A verbal unconditional withdrawal submitted by the county will remain scheduled until such time that the ACAB is able to verify with the claimant that the withdrawal is voluntary. [Refer to page 12 of ACL No. 14-14.]

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18.	Slide 23	For a verbal non-conditional, if the appellant has not returned, can counties still call the duty judge to issue a dismissal for the hearing before the date of the hearing?	Yes. Counties may call the Duty Judge and request a stipulated decision. That call must include both the county representative and the claimant, as stipulations are only valid when all parties are in agreement.
19.	Slide 23	Is it correct that counties should have the claimant on the phone when calling the Duty Judge?	The existing process has been for the judge to initiate the telephone call to the claimant. The Duty Judge should be consulted for each individual hearing to clarify any updated change to the process.
20.	Slide 25	Please define non-privileged information.	Please refer to CDSS Manual of Policies and Procedures, Division 19, Regulation 19-006. Other information may also be available on the CDSS website or from county program staff.
21.	Slide 26	When a claimant files at the same time for a hearing on both a MAGI (or Non-MAGI) Medi-Cal issue and for a CalFresh issue, will the claimant be given two different hearing times/dates?	One hearing will be scheduled. Counties and Covered California staff must coordinate the flow of information and preparation of the hearing. [Refer to page 17 of ACL No. 14-14.]
22.	Slide 26	Please provide the contact information for Covered California when counties need to make a Dual Agency Determination.	Counties may contact Covered California by calling (916) 437-5056 and speaking with either Virginia Baldock or Patricia Lamantia.
23.	Slide 26	Do county appeals workers get access to the CalHEERS budget information when determining MAGI eligibility?	Counties should coordinate with Covered California to obtain any needed information that is not accessible and yet needed to review the appropriateness of the action under appeal. Counties may call Covered California at (916) 437-5056.
24.	Slide 30	What role, if any, will the County Appeals Specialists have at the MAGI Medi-Cal hearings?	Their role will be the same under the ACA hearings as it is currently under the General Jurisdiction hearings. The role does not change with the move of Medi-Cal hearings to the ACAB.

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25.	MISC	What ACL is being referenced? Has the ACL been published?	The information provided in this webinar follows closely All County Letter (ACL) No. 14-14 which was released on February 7, 2014.
26.	ACL Page 8	Page 8 of ACL14-14 talks about a home hearing alternative for people with disabilities. Please explain how that works.	Claimants may not be denied an in-person hearing because of their disability. If the disabled claimant is not able to appear by telephone, the ACAB and the individual county must work together to accommodate the disabled claimant and ensure that due process rights are not violated which could include conducting the hearing at the claimant's home.
27.	ACL Page 9	How should counties handle customers who want to file an appeal but have not yet received a MAGI Notice of Action due to CalHEERS' delay in sending these notices?	Customers should be told to call 1-855-795-0634 to file appeals of negative actions concerning Medi-Cal and Covered California program eligibility and enrollment.
28.	ACL Page 10	Page 10 of ACL No. 14-14 states that the date of the hearing request is the date the county received the request. If the request is mailed, should the filing date still be the postmarked date?	For all ACA hearing requests including MAGI and non-MAGI, the date of the hearing request (or what is normally referred to as "filing date") and the date for appeals that are mailed to Covered California or the counties is the date that it is received by Covered California or the county. It is not the date of the postmark.
29.	MISC	Will the presenter's speaking notes be made available following this webinar?	Yes. The presenter's script has been posted to the <a href="http://CWDA.org">CWDA.org</a> website under "County Tools" under "Health Care Reform" under the name of this webinar.