

Title of Manual: Mid-South Substance Abuse Commission Policy and Procedures			Page 1 of 2	
			History	
Policy Number: A003	Subject/Title: Formal Appeal to the Commission		Replaces:	10/2004
			Last Reviewed:	5/2009
Issued By: Executive Director	Approved By: Board of Directors Date: 5/26/2009	Scope: All Contracted Providers	Effective:	5/26/2009

1. POLICY

If any individual or agency has serious disagreement with the actions of Mid-South, the right to appeal such actions shall be granted according to the steps outlined below. All steps shall be followed in sequence and documented. Any decision not appealed to the next higher step within the provided time limits shall be deemed resolved on the basis of the last decision rendered. Refer to other policies for Medicaid Administrative Hearing (Q003), Recipient Rights (A007), and Grievance and Appeal (T007). Additionally, suspected Medicaid fraud must be reported to the appropriate Prepaid Inpatient Health Plan. Other alleged irregularities may be reported to the Mid-South Audit Committee and directed to the Treasurer of the Commission. The correspondence should be marked confidential material.

2. PROCEDURE

Step #1: A satisfactory resolution of any disagreement shall be sought through discussion and correspondence with the Executive Director of Mid-South. Should acceptable resolution not be reached, a written appeal may be submitted.

Step #2: The initiation of a written appeal must occur within ninety (90) days of the alleged action precipitating the complaint.

2.1. The Executive Director shall issue a written determination to the complainant within fifteen (15) working days from the receipt of the complaint.

2.2. If additional information is needed by the Executive Director to reach a decision, the Executive Director shall inform the appealing party or parties within fifteen (15) working days of receipt of the appeal exactly what additional information is needed. Such response by the Executive Director shall include action taken to-date, reasons for delay, and the anticipated date of disposition.

Step #3: If the disagreement is not satisfactorily resolved in Step 2 above, written notification of the appeal shall be submitted to Mid-South's Executive/Personnel/Finance Committee (Committee) for action.

3.1. This notification of appeal shall contain documentation by attachment or reference of the problems caused by the appealed action. It must also cite other avenues of relief previously followed or any planned in the future.

3.2. The appeal notification may also request a meeting before the Committee, or their designee, to be scheduled by the Chairperson of the Commission.

3.3. Notification of appeal to Step #3 must be received no later than fifteen (15) working days from the date of the Executive Director's disposition in Step #2.

3.4. The Committee shall respond within twenty-five (25) days after receipt of an appeal notification.

3.5. Unless additional information is needed, the Committee's response will detail its decision and include rationale for upholding or denying the appeal.

3.6. If additional information is needed by the Committee to reach a final decision, the Committee shall inform the appealing party or parties within twenty-five (25) working days of receipt of the appeal notification exactly what additional information is needed.

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Such response by the Committee shall include action taken to-date, reasons for delay, and the anticipated date of disposition by the Committee.

- 3.7. If the Committee rules in favor of the appealing party or parties, a written and verbal report on its ruling shall be submitted to the full Commission. The Commission must then act on the report at its next regular meeting and notify the appealing party or parties of its decision within five (5) days after the meeting.

Step #4: If the disagreement is not satisfactorily resolved in Step 3 above, written notification of the appeal shall be submitted to Mid-South's Board of Directors for action.

- 4.1. The appeal must be made in writing and include a response to the Committee's stated rationale for denial.
- 4.2. A presentation before the Commission at its next regularly scheduled meeting may also be requested.
- 4.3. The Mid-South Board of Directors shall respond within thirty (30) days of receiving the written appeal when a presentation is not requested in Step #4.2, otherwise a response shall be made fifteen (15) days following the Board presentation. This response to the appealing party or parties shall state the rationale used in arriving at a decision.
- 4.4. **This step shall be the final recourse in the appeals process of any action taken by the Mid-South Substance Abuse Commission.**

References:

None