

Appeals

Explanation: An appeal is a request for a hearing because there is a disagreement with a decision made by the Department of Human Services. Drug Prior Authorization denials may be appealed by either the member or the prescriber acting on behalf of the member. The Appeals Section provides fair, courteous and timely adjudicative services. Administrative hearings are legal proceedings similar to a non-jury trial in a court of law. An impartial administrative law judge presides over the hearing. The Appeals Section provides an efficient way of ensuring that persons affected by the Department of Human Services' decisions have access to due process of the law. The administrative law judge will ensure that the hearing process is accessible to all persons who have business before the Appeals Section. There is no fee or charge for filing an appeal.

How To File An Appeal:

- Complete an appeal electronically at www.dhs.state.ia.us/forms/appealrequest.htm,
- Write a letter explaining why you feel as though the decision made by DHS is wrong,
- Fill out an Appeal & Request Hearing form available at a county DHS office, or
- Call (515) 281-8774 or (515) 281-3094 or fax (515) 564-4044 the Appeals Section

Appeal requests not sent electronically can be mailed or faxed to:

Department of Human Services
Appeals Section, 5th Floor
1305 East Walnut Street
Des Moines, IA 50319-0114

FAX: (515) 564-4044

Prescribers submitting requests for appeals may include a letter including, but is not limited to, the following:

- List the name, address, and Medicaid number (state ID number) of the member who needs the decision appealed.
- Describe what medication is being requested.
- Explain why it is needed. If it is medical in nature, include the medical necessity of the medication.
- Tell what the member has been tried in the past.

Additional documentation that will help support the request, such as patient chart notes, peer reviewed medical literature, etc., should be mailed to the *Appeals Section* (contact information listed above) so it can be used when reviewing the appeal request.

Appeal Time Limits: All appeals must be requested within 90 calendar days of the date of a decision. If the appeal request is filed more than 90 calendar days after the date of a decision, a hearing cannot be issued.

Announcement of a Hearing: A hearing notice will be issued that provides the date and time a telephone hearing is scheduled. A letter will also be issued if a hearing request is denied and the reason(s) why. Within this denial letter will be instructions on what to do if you disagree with the decision to not issue a hearing.

Questions: If you have questions specific to the appeal process, you may contact your DHS worker. Your worker will be able to answer your questions, but will not be able to give you legal advice. For legal help, you may want to contact an attorney, or Iowa Legal Aid at 1-800-532-1275. If you live in Polk County, call (515) 243-1193. You also may call the Appeals Section at (515) 281-8774 or (515) 281-3094 if you have questions. We accept collect phone calls.