

How to Appeal a Decision About Your IPP or the IDT Process



If You Disagree with a Decision Made by Your Provider Agency through the IDT Process:

- ☆ You have a right to appeal if your agency has made a decision to deny, reduce, or delay your services and supports, or any decision made through the IDT process.
- ☆ Your agency will support your decision to appeal.
- ☆ No one at your agency is allowed to punish or discriminate against you because you decide to file any appeal.

How Do I Appeal a Decision?

Many people find it difficult to disagree with an agency when it makes decisions.

Some people get help from a friend, advocate or family member. This makes filing an appeal a lot easier.

You may file an appeal in writing, or verbally (if you are unable to put your appeal in writing) to have a decision made about your complaint.

The appeal may be filed with one of the following:

- Your agency
- The State MR/DD Waiver Program
- Medicaid Fair Hearing Process

Who appeals if I have a guardian?

If you are a child, your parent or legal guardian must file the appeal.

If you are an adult with a guardian, you or your guardian must file the appeal. If you have a guardian, they should discuss with you their intent of filing an appeal.

What if my guardian won't file an appeal?

If your parent (if you are a child) or your guardian refuses to file an appeal, you can ask another person to assist you with filing the appeal.

Who appeals if I don't have a guardian?

You do.

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Can I Ask an Agency Employee or Someone Else to Assist Me to File an Appeal?

Yes, if you are unable to put your appeal in writing, you may ask your service coordinator or another agency employee to assist you. You can do this if you feel comfortable with them assisting you.

Who Can File an Appeal?

- Any participant of the MR/DD Waiver Program
- The participants authorized representative.

How Much Time Do I Have to Appeal?

You have 90 days to file an appeal based on an IDT decision.

Do I Have to First File an Appeal at the Agency Level?

No, you may file an appeal with the State MR/DD Waiver Program or request a Medicaid Fair Hearing. It is always recommended to try to resolve disagreements at the lowest level possible.

Is My Decision to File an Appeal Confidential?

Yes, unless you decide to tell someone about it. The only persons who will know about the appeal are the officials responsible for investigating the appeal and rendering a decision.

What Happens if I Decide to File an Appeal with the Agency or the State MR/DD Waiver Office?

You will put your complaint or appeal in writing to the agency administration or the State MR/DD Waiver Office Program Manager. The agency

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administrator or the State MR/DD Waiver Office Program Manager has five (5) working days to provide a written response to your appeal.

What Happens if I File an Appeal with the Agency and I Am Not Satisfied with Their Response?

You may file an appeal with the State MR/DD Waiver Office or request a Medicaid Fair Hearing.

If you file an appeal with the State MR/DD Waiver Office concerning the appeal response from the agency, you must do so within ten (10) working days of receiving the response from the agency.

The State MR/DD Waiver Office will investigate the appeal and provide a written decision within five (5) working days.

Will My Waiver Services Continue During the Appeal Process?

Yes, you should not receive any disruption in the service delivery process. All undisputed services identified on the IPP must continue to be implemented.