



Appeals Update and Individual Responsibility Options

July 31, 2013

Agenda

- Types of appeals handled by C4HCO
- Operations
- Individual Shared Responsibility Delegation
- SHOP Eligibility Appeals
- QHP Decertification
- Future items

Types of appeals handled by C4HCO

1. Individual eligibility
 - a. Determination/Amount of APTC/CSR
 - b. Catastrophic health plan
 - c. Special enrollment period
 - d. Timeliness of Marketplace determination
2. Individual shared responsibility exemption
3. Employer shared responsibility (likely delayed)
4. SHOP eligibility
5. QHP decertification
6. Producer arbitration

Uncertainties

- Volume of appeals
- Final Regulations
- Coordination with HCPF, CHP+
- Office of Marketplace Eligibility and Appeals (OMEA) implementation and operations

Research

We've conducted extensive research to inform our policy and procedures from:

- Other states: NY, MA, OR, and WA.
- Current OAC process for Medicaid appeals, OAC capacity to handle C4HCO appeals
- Current Maximus process for CHP+ appeals
- Discussions with CMS/CCIIO and OMEA on Appeals
- Working sessions with Manatt and HCPF
- Individual Experience AG comments on formal hearings process

Operations

Staffing Decision

- 1 Paralegal and 1 Analyst will be hired in August and trained in September for go-live.
- Director of Appeals and Legal Counsel will also help process appeals

Systems Supporting Appeals

- Service Portal, Oracle CX, OnBase, and hCentive-OnBehalfOf.

Intake of Appeals

- Online, mail, fax, and telephone.

Training

- 3 weeks of training for Appeals staff
 - Online (self-guided)
 - Systems (classroom-based)
 - Scenarios (classroom-based)
- Goal: Leverage existing training modules and create scenarios specific to appeals

Privacy and Security

- Information within the Appeals process will be protected in accordance with the C4HCO Security and Privacy program.
- Personally Identifiable Information (PII) and Protected Health Information (PHI) provided to C4HCO will be labeled and protected.
- Appeals staff will receive security and privacy training as part of their onboarding as well as routine refresher training

Individual Shared Responsibility Appeals

- C4HCO Board unanimously voted for using HHS' federal service to determine individual shared responsibility exemptions (6/11/12)
- Advantages of delegating appeals:
 - Ensure compliance with federal law
 - Reduce implementation workload and risk
 - Eliminate need to technology to send and receive exemption case info
- Disadvantages:
 - The level of coordination is unknown as Marketplace action will be required based on federal determinations.
- Unknown:
 - Office of Marketplace Eligibility and Appeals (OMEA) procedures and capacity
- Staff recommends delegating exemption appeals to HHS

SHOP Eligibility

- Small businesses and their employees can appeal their eligibility for coverage in the Small Business Marketplace
- C4HCO will conduct a desk review of SHOP appeals
- Decisions will be made within 90 days of the appeal request.

QHP Decertification

- QHP appeal rights are outlined in carrier contract
- C4HCO will coordinate with Division of Insurance (DOI) on applicable QHP certification appeals
- Carriers will receive appeal decisions within 60 days of submission

Outstanding Questions

CMS/CCIIO

- Expedited appeals
- Reporting requirements
- Screening for appeals types

HCPF

- Informal resolution coordination
- Case transferring and general information sharing

C4HCO

- Formal hearings entity
- Individual shared responsibility appeals
- Systems functionalities

What's to come...

- Recommendation on formal hearings entity
- Individual Eligibility Appeals
- Informal Resolution Procedures
- Producer Arbitration
- Details on coordination with the state

Questions?
