

**Policies & Procedures**

**TIME FRAME FOR STANDARD APPEAL  
RESOLUTION AND NOTIFICATION**

**Section:** Grievance Policies

**Pages:** 1

**Subject:** Time Frame for Standard Appeal

**Effective Date:** 11/2011

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**POLICY**

DBH will set time frames to expeditiously resolve each Standard Appeal of an Action.

**PROCEDURE**

1. DBH will resolve each Standard Appeal of an Action and provide notice of resolution to affected parties, as expeditiously as the enrollee's health condition requires, but no later than 30 calendar days from the day DBH receives the Appeal(oral or written). An additional 14 calendar days may be allowed if:
  - a. The enrollee requests an extension, or
  - b. DBH shows that there is a need for additional information.
  - c. DBH states how the delay is in the enrollee's interest (upon the Utah Department of Health's request).
2. DBH will provide the enrollee with a written notice entitled "Notice of Appeal Extension" containing the reason for the delay when the extension was initiated by DBH and not the enrollee within two calendar days. In addition, reasonable efforts to give the enrollee prompt oral notice of the delay will be attempted. This written notice will include the enrollee's right to specifically grieve about the extension.
3. DBH will give the enrollee a notice entitled "Notice of Adverse Action, Appeal Resolution, and Right to Medicaid Hearing" if and when DBH determines that the required appeal time frame will not be met.
4. By declaring DBH's failure to provide resolution of the appeal within the required time frame (an action), the enrollee may now file a request for a State Fair Hearing as the enrollee has already exhausted DBH's internal appeals process. The enrollee need not go through DBH's internal appeals process again.