



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
BEHAVIORAL HEALTH DEPARTMENT

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YOUR RIGHTS UNDER MEDI-CAL

If you need this notice and/or other documents from the SLOBHD in an alternative communication format such as large font, Braille, or an electronic format, or, if you would like help reading the material, please contact SLOBHD by calling 1-800-838-1381

IF YOU DO NOT AGREE WITH THE DECISION MADE FOR YOUR MENTAL HEALTH OR SUBSTANCE USE DISORDER TREATMENT, YOU CAN FILE AN APPEAL. THIS APPEAL IS FILED WITH SLOBHD.

HOW TO FILE AN APPEAL

SLOBHD will acknowledge receipt of your appeal in writing within five (5) calendar days of receiving your appeal. The Patients' Rights Advocate will send an acknowledgment letter.

You have **60 days** from the date of this "Notice of Adverse Benefit Determination" letter to file an appeal. If your County decided to reduce, suspend or terminate treatment you are already getting, you have a right to request that the County continue providing that treatment while your appeal is being reviewed. This is called Aid Paid Pending. To qualify for Aid Paid Pending, you must ask your County for an appeal within 10 days from this date on this letter, or before the date your County says the services will stop, whichever is later. Even though your County must give you Aid Paid Pending when you ask for an appeal within these timelines above, you should let your County know when you ask for an appeal that you want to get Aid Paid Pending until your appeal is decided. You will not be held liable for the cost of continued treatment if the appeal decision upholds the County's adverse benefit determination.

If you miss the 10-day period to request an appeal OR do not ask for an appeal before the date your County says the services will stop, you still have 60 days from the date of this Notice of Adverse Benefit Determination letter to ask for an appeal. However, you will not get Aid Paid Pending while your appeal is being decided.

You can file an appeal by phone or in writing. If you file an appeal by phone, you must follow up with a written signed appeal. The County will provide you with free assistance if you need help.

The Health Agency complies with Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, sex or any other protected class

County of San Luis Obispo Health Agency

2180 Johnson Avenue | San Luis Obispo, CA 93401 | (P) 805-781-4719 | (F) 805-781-1273

slobehavioralhealth.org

- To appeal by phone: Contact SLOBHD between 8 AM and 5 PM, Monday through Friday by calling 1-800-838-1381 or call the Patients' Rights Advocate at (805) 781-4738. Or, if you have trouble hearing or speaking, please call 1-800-735-2922 California Relay Service/TTY.

- To appeal in writing: Fill out an appeal form or write a letter to your plan and send it to:

County of San Luis Obispo Behavioral Health Department,

Attn: Patients' Rights Advocate

2178 Johnson Avenue

San Luis Obispo, CA 93401

Your provider will have appeal forms available. SLOBHD can also send a form to you.

You may file an appeal yourself. Or, you can have someone like a relative, friend, advocate, provider, or attorney file the appeal for you. This person is called an "authorized representative." You can send in any type of information you want SLOBHD to review. Your appeal will be reviewed by a different provider than the person who made the first decision.

SLOBHD has 30 days to give you an answer. At that time, you will get a "Notice of Appeal Resolution" letter. This letter will tell you what the Plan has decided. **If you do not get a letter with the Plan's decision within 30 days, you can ask for a "State Hearing" and a judge will review your case.** Please read the section below for instructions on how to ask for a State Hearing.

EXPEDITED APPEALS

If you think waiting 30 days will hurt your health, you might be able to get an answer within 72 hours. When filing your appeal, say why waiting will hurt your health. Make sure you ask for an **"expedited appeal."**

STATE HEARING

If you filed an appeal and received a "Notice of Appeal Resolution" letter telling you that SLOBHD will still not provide the services, or **you never received a letter telling you of the decision and it has been past 30 days**, you can ask for a "State Hearing" and a judge will review your case. You will not have to pay for a State Hearing.

You must ask for a State Hearing within **120 days** from the date of the "Notice of Appeal Resolution" letter. If your County continued to provide you with the disputed treatment during the County's appeal process, you have a right to request that the County continue providing that treatment until there is a decision on your State Hearing. **If you are currently getting treatment and you want to continue your treatment while your State Hearing request is being reviewed, you must ask for a State Hearing within 10 days** from the date the "Notice of Appeal Resolution" was postmarked or delivered to you. When you ask for a State Hearing, you must say that you want to keep getting your treatment. You will not be held liable for the cost of continued

treatment if the State Hearing decision upholds the County's adverse benefit determination. You will not have to pay for a State Hearing.

You can ask for a State Hearing by phone, electronically, or in writing:

- By phone: Call **1-800-952-5253**. If you cannot speak or hear well, please call **TTY/TDD 1800-952-8349**.
- Electronically: You may request a State Hearing online. Please visit the California Department of Social Services' website to complete the electronic form: <https://secure.dss.cahwnet.gov/shd/pubintake/cdss-request.aspx>
- In writing: Fill out a State Hearing form or send a letter to:

California Department of Social Services

State Hearings Division

P.O. Box 944243, Mail Station 9-17-37

Sacramento, CA 94244-2430

Be sure to include your name, address, telephone number, Date of Birth, and the reason you want a State Hearing. If someone is helping you ask for a State Hearing, add their name, address, and telephone number to the form or letter. If you need an interpreter, tell us what language you speak. You will not have to pay for an interpreter. We will get you one.

After you ask for a State Hearing, it could take up to 90 days to decide your case and send you an answer. If you think waiting that long will hurt your health, you might be able to get an answer within three (3) working days. You may want to ask your provider or Plan to write a letter for you, or you can write one yourself. The letter must explain in detail how waiting for up to 90 days for your case to be decided will seriously harm your life, your health, or your ability to attain, maintain, or regain maximum function. Then, ask for an **"expedited hearing"** and provide the letter with your request for a hearing.

Authorized Representative

You may speak at the State Hearing yourself. Or someone like a relative, friend, advocate, provider, or attorney can speak for you. If you want another person to speak for you, then you must tell the State Hearing office that the person is allowed to speak for you. This person is called an "authorized representative."

LEGAL HELP

You may be able to get free legal help. You may also call the local Legal Aid program in your county at 1-888-804-3536.