



JEFFERSON
BEHAVIORAL
HEALTH

Managed Mental Health Care Organization for Coos, Curry, Douglas, Jackson, Josephine, and Klamath Counties
900 SE 8th Street, Suite 100 Grants Pass, Oregon 97526 • Phone: 541-955-9565 • Fax: 541-955-8290

Date of Notice

Notice ID Number

Member ID Number

Name of Member

Practitioner Name

Street Address

City, State and Zip Code

Proposed Treatment/ Condition

Dear *[Name of Member]*:

Notice of Action: This is a notice that *[TYPE OF MENTAL HEALTH SERVICE]* will be *[REDUCED/SUSPENDED/TERMINATED]* on *[DATE]*. This *[TYPE OF TREATMENT]* is denied because of *[REASON FOR DENIAL]*. ***This notice should also be used for grievances that are unfounded or denied.***

If you disagree with this decision and you want to do something about it, you must do one or both of the following:

- **File an Appeal.** You can file an Appeal. Information about how to file an Appeal is attached to this letter. If you file an Appeal, it must be filed within 30 calendar days of this letter.
- **Request a hearing.** If you request a hearing, you must make the request within 45 calendar days of the date of this letter or, if you do the Appeal first, within 45 calendar days of the date of the Appeal decision. You must exhaust the Appeals process prior to requesting an Administrative Hearing. Information about how to request a hearing is attached to this letter.

You can call *[NAME AND PHONE NUMBER OF MHO OR COUNTY REPRESENTATIVE]* for more information.

IMPORTANT!

If you want your son's day treatment services to stay the same while you wait for an appeal or hearing decision, you must file your appeal or request a hearing according to the dates above. You need to say on your appeal form or hearing request form that you want your benefits/services to stay the same. If the benefits/services stay the same and you lose the appeal or hearing, you may be required to pay for the cost of the benefits/services from the date you receive this letter until the date a decision is made.



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How to file an Appeal

If you need this document in a larger print size, in a different format, or in a language other than English, please contact JBH at 541-955-9565 or 1-888-214-3337.

What is an Appeal? If you received a Notice of Action about your Mental Health services and want to have that decision reviewed, you can file an Appeal. You can file an Appeal with the provider agency that sent the Notice or you can file an Appeal with your mental health plan, Jefferson Behavioral Health (JBH). You have the right to file an Appeal and to not be treated differently or badly for doing so.

Where to get the Appeal form? Your provider agency and your mental health plan use the same form for Appeals. This form is called the *Grievance and Appeal Form*. You can also call or ask the agency for this form, or pick it up at the agency's office. Or you can call JBH at 1-541-955-9565 or 1-888-214-3337. You can also use the form in your JBH Member Handbook.

How to file an Appeal? Please write on the form why you want to have the decision reviewed. Tell why you disagree with the decision and what you would like to see happen. Be sure to sign the form and return it to:

JBH Member Services
900 SE 8th Street, Suite 100
Grants Pass, OR 97526
1-800-214-3337 or
541-955-9565

-or-

**State's Addictions and
Mental Health Division**
(503) 947-5528

You may call JBH if you need help filling out the form.

Your information is confidential. Your mental health records at the provider agency must be reviewed in order to resolve the Appeal. These records are confidential. By signing the *Grievance and Appeal Form*, you give permission for your records to be used for this purpose.

If someone else is filing the Appeal on your behalf, you give permission for that person to see your records when both of you sign the form. In some cases you may be asked to sign a special form to give permission for someone else to see your confidential records.

If you have an urgent problem. You have the right to request to have the Appeal treated as an urgent matter. This is called an Expedited Appeal. You can ask for this if you feel that your life, health or ability to function is very difficult. You must try to explain why you feel this way.

The agency will review your situation to decide whether the Appeal can be treated as an urgent matter. Your mental health records at the agency will be reviewed. A decision will then be made about whether your situation meets the conditions for an Expedited Appeal.

If the Expedited Appeal request is approved, you will get a decision about your Appeal within 3 calendar days from the date that your Appeal was received.

If your situation does not meet the conditions for an Expedited Appeal, the agency will tell you within 2 calendar days. The Appeal will follow the standard process if your request for an Expedited Appeal cannot be approved.

Deadlines for filing the Appeal. For standard Appeals, you must file the Appeal *within 20 calendar days from the date of the Notice of Action*.

If you want your services to continue while you wait for the Appeal decision, you must file the Appeal *by the date your services will change or within 10 calendar days from the date the Notice was mailed or given to you, whichever is later*. To ask for your services to continue, you must mark "yes" on the *Grievance and Appeal Form*.

Your request to continue services will be approved if all of these conditions are met:

1. The Appeal was filed on time;
2. The services were approved by the provider agency or JBH; and
3. The authorization has not expired.

If the Appeal decision is not in your favor, you may be required to pay for the cost of the services that you received during the Appeal process.

When a decision will be made. For standard Appeals, a decision must be made within 20 calendar days from the date that the Appeal was received. For *Expedited Appeals*, a decision will be made within 3 calendar days from the date that the Appeal was received. In either case, you will be notified if more time is needed, or if more information is needed from you. You will also receive a written decision notice.

If you disagree with the Appeal decision, you can request a Hearing with the State of Oregon's Addictions and Mental Health Division. Information about how to request a Hearing is in the form called *Notice of Hearing Rights*. The process is the same for Appeals filed with the agency or with JBH. If you filed an Appeal with your provider agency and you disagree with the agency's decision, you can file a second Appeal with JBH.

You can request a Hearing at any time before or during the Appeal process. However, if you request a Hearing before you get an Appeal decision, you lose the right to continue in the Appeal process.

The process is the same for Appeals filed with the agency or with JBH. If you filed an Appeal with your provider agency and you disagree with the agency's decision, you can file a second Appeal with JBH.

Hearing records: Any information collected for your Appeal can be used in the Hearing. This includes information about your mental health services at the agency.

Your information must be kept confidential and will only be shared with people involved in resolving your situation. This may include people from the Department of Human Services, the State of Oregon's Addictions and Mental Health Division, and/or anyone that you give written permission to see your information.

Where to get a Hearing request form. The form is called the Administrative Hearing Request (Form DHS 443). You can get the form by calling the local Department of Human Services (DHS) office and asking for it. You can also get the form from your provider agency, JBH, or by calling the Addictions and Mental Health Division at (503) 945-7821.

How to file your request for a hearing: Fill out the hearing request form. Give the form to your provider agency or JBH. You may also call the name and phone number on the attached letter for an address or you may send the form directly to AMH at:

Addictions and Mental Health Division
Attn: Administrative Hearings
Human Services Building
500 Summer St. NE E-86
Salem, Oregon 97301

If you have an urgent problem: If you need a decision quickly, you may ask for an Expedited Hearing. You need to write on your request that it is an expedited request and why you think you need to have a decision right away. The AMH Medical Director will look at your records and the reason you gave and decide if you need a decision right away.

Deadlines for filing your request for a hearing. If your hearing request is about a decision in a letter you received, you must file your hearing request within 45 calendar days of the date of the letter you received or within 45 calendar days of the date of the first decision (Formal Complaint decision) if you waited for a Formal Complaint decision. AMH may consider your request even if you are late in filing for a hearing.

If your hearing request is about a change in services and you want them to stay the same while you wait for the hearing decision, you must file a hearing request by the date your services will change or within 10 calendar days after the date the attached letter was mailed or given to you, whichever is later.

If you waited for a Formal Complaint decision and you want the services to stay the same while you wait for a hearing decision, you must file the hearing request within 10 calendar days of the date the Formal Complaint decision was mailed or given to you, whichever is later.

What will happen: You have a right to a pre-hearing conference with AMH Representative. The AMH Representative will ask you what you think was wrong. You may be able to resolve the problem during this meeting. If the problem is not resolved, you will have a hearing. At the hearing, you can tell the DHS Hearing Officer your position and you can have other people testify for you. The State of Oregon will be represented and can also have people testify. The Hearing Officer will issue a proposed decision called an order, but DHS will make the final decision. You will hear the final decision from DHS within 90 days from the date of your request for a hearing.

If you disagree with the decision: You can request a re-consideration or appeal to the Court of Appeals for an Administrative Hearing if you disagree with the DHS decision.

Who can help? You can have a lawyer or someone else help you at the hearing. The State of Oregon will not pay for a lawyer. Your local legal aid office or Oregon Advocacy Center (1-800-452-1694) may be able to give you advice or help you with your hearing.

When a decision will be made? DHS must make the decision within 90 days of your request for a hearing.



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Notice of Hearing Rights

If you need this document in a larger print size, in a different format, or in a language other than English, please contact JBH at 541-955-9565 or 1-888-214-3337.

- **Where to get a hearing request form.** The form is called the Administrative Hearing Request (form AFS 443). You can get the form by calling the local Department of Human Services (DHS) office and asking for it. Also, you can get the form from your mental health provider or by calling the name and phone number of the Mental Health Plan on your I.D. card, or by calling the Addictions and Mental Health Division at (503) 945-5528.
- **How to file your request for a hearing.** Fill out the hearing request form. Give the form to your provider or call the name and phone number on the attached letter for an address. You also may send the form directly to the Addictions and Mental Health Division at, 500 Summer St NE, E-86, Salem, OR 97301-1118.
- **If you have an urgent problem.** If you need a decision quickly, you may ask for an Expedited Hearing. You need to write on your request that it is an expedited request and why you think you need to have a decision right away. The AMH Medical Director will look at your records and the reason you gave and decide if you need a decision right away.
- **Deadlines for filing your request for a hearing.** If your hearing request is about a decision in a letter you received, you must file your hearing request within 45 calendar days of the date of the letter you received or within 45 calendar days of the date of the Grievance decision. You may be able to get more time if you have good cause for being late.

- **What if I need my services to continue?** If your hearing request is about a change in services/benefits and you want the services/benefits to stay the same while you wait for the hearing decision, you must file a hearing request by the date your services/benefits will change or within 10 calendar days after the date the attached letter was mailed or given to you, whichever is later. If you waited for a Grievance decision and you want the services/benefits to stay the same while you wait for a hearing decision, you must file the hearing request within 10 calendar days of the date the Grievance decision was mailed or given to you, whichever is later.
- **What will happen?** An AMH Representative will ask you what you think was wrong. You have a right to a pre-hearing conference with an AMH Representative. You may be able to resolve the problem without a hearing. If the problem is not resolved, you will have a hearing. At a hearing, you can tell the Administrative Hearing Officer your position and you can have other people testify for you. The State of Oregon will be represented and can have people testify. The Administrative Hearing Officer will issue a proposed order and DHS will make a final decision within 90 days from the date of your request for a hearing.
- **If you disagree with the decision.** You can request a re-consideration or appeal to the Court of Appeals if you disagree with the decision.
- **Who can help?** You can have a lawyer or someone else help you at the hearing. The state will not pay for a lawyer. Your local legal aid office or Oregon Advocacy Center (1-800-452-1694) may be able to give you advice or help you with your hearing.
- **When a decision will be made.** DHS must make a decision within 90 days of your request for a hearing.