

03/26/2020

COVID-19 Guidance: Fair Hearing Request Extensions

The following flexibility will end with the ending of the public health emergency, on May 11, 2023. For updated guidance, view the MCO Notice posted on March 10, 2023 titled: "Update to COVID-19 Accommodations for the Member State Fair Hearing Process".

The notice was updated on March 10, 2023, to reflect the new extension date.

Background:

In response to COVID-19, HHSC is informing STAR, STAR Health, STAR Kids, STAR+PLUS MCOs, Dual Demonstration Medicare-Medicaid Plans (MMPs), and DMOs that HHSC is extending the timeframe individuals, legally authorized representatives, or member authorized representatives have to request a fair hearing.

Guidance:

Individuals normally have 120 days to request a fair hearing after the internal MCO appeal. HHSC is extending the timeframe to **150 days** for fair hearing request timeframes expiring through **the end of the public health emergency, May 11, 2023.**

This means if the individual's timeframe to request a fair hearing would have expired in August 2020, the individual will have an extra 30 days from that expiration date to request a fair hearing.

Additional Information:

HHSC will continue to monitor the situation and will release additional guidance if needed.

Contact:

MCO_COVID-19_Inquiries@hhsc.state.tx.us

Type: Informational

To: CHIP; CMDS; DMO; MMP; STAR; STAR+PLUS; STARHEALTH; STAR_KIDS

From: Policy