



STATE FAIR HEARING GUIDE

If you need help with the information in this document, including written/oral translation; or in a different format like large print or as an audio file, we can help you at no cost. Call NHP at 800-541-6870 or State Relay 711 for callers with speech or hearing disabilities.

Si necesita ayuda con la información en este documento, incluyendo traducción escrita u oral, o en un formato diferente como letra grande o archivo de audio, podemos ayudarle sin costo alguno. Llame a NHP al 800-541-6870 o al servicio de retransmisión del estado marcando 711 para personas con discapacidades del habla o auditivas.

If you filed an appeal with Northeast Health Partners (NHP) and the appeal decision was not in your favor, you can request a State Fair Hearing. In order to request a State Fair Hearing, you must make the request within 120 calendar days of the adverse appeal decision and you must have exhausted your appeal rights with NHP. If NHP does not follow the appeal timeframes, you may then request a State Fair Hearing. You can call our Member Services team if you need any help asking for a State Fair Hearing. They will let you know the steps to file a State Fair Hearing and can guide you through the process.

Who Can File a State Fair Hearing?

NHP Member Services

(800) 541-6870; State Relay: 711

nhpmembersupport@nhpllc.org

P.O. Box 31364 Salt Lake City UT 84131-0364

You can file a State Fair Hearing or you can ask someone to file a State Fair Hearing for you. If you want someone else to file a State Fair Hearing for you, you must make that person your Designated Client Representative (DCR). This person can be a family member, a service provider, or anyone else you choose to act on your behalf. You must sign a DCR form to name that person as your DCR. If you choose to have your service provider act on your behalf, you can sign a DCR January 2025 form or give your written consent in a letter. You will also need to sign a Release of Information (ROI) for Northeast Health Partners to share your information with your DCR. Both of these forms can be found on our website, nhprae2.org.

How to Request a State Fair Hearing:

Quick State Fair Hearing - You can ask for a Quick State Fair Hearing by calling the



Ombudsman for Medicaid Managed Care at 877-435-7123. The Ombudsman is an independent Advocate who helps members with Grievances and Appeals. The Healthcare Policy and Financing Department will make a decision within seventy-two (72) hours if your request for a quick State Fair Hearing is approved and their decision will be final.

Standard State Fair Hearing - When you request a State Fair Hearing, your appeal will be heard by an Administrative Law Judge (ALJ), and they will make the decision about your appeal. The standard timeframe for making a decision on a State Fair Hearing request is within ninety (90) days. You may represent yourself at the hearing, bring an advocate, or have someone else represent you. You can call NHP at 800-541-6870 if you need help asking for a State Fair Hearing. You must request a State Fair Hearing in writing or complete a Request for State Level Hearing Form. You must request the State Fair Hearing or complete the State Level Hearing Form within 120 days of the adverse appeal decision. You can find the form at <https://oac.colorado.gov/public-benefits/initiating-an-appeal>.

You can send your letter or the form to:

Office of Administrative Courts 1525 Sherman
Street, 4th Floor Denver, CO 80203
Main Phone: 303-866-2000
Fax: 303-866-5909
oac.colorado.gov/public-benefits/

Who Is Involved in a State Fair Hearing?

The people involved in the State Fair Hearing are NHP, you, your representative, or a representative of a deceased member's estate.

Can I Continue to Receive Services During a State Fair Hearing?

Yes, as long as you have been receiving services during the appeal process. If you want your services to continue while the State Fair Hearing is pending, you must ask that your services continue within ten (10) days from the date NHP mailed you the appeal decision letter that was not in your favor. Your provider cannot make this request on your behalf. You can contact NHP at 800-541-6870 to request that your services continue. There are certain standards that must be met. They include:

- The service must have been ordered by an authorized provider
- You must ask NHP to continue the service within 10 days
- You must request a State Fair Hearing within the time frame of 10 days



If you ask for services to continue, services will continue until you withdraw the request for a State Fair Hearing, you do not request a State Fair Hearing within 10 days, or a State Fair Hearing decision is made that is not in your favor.

What Happens if the State Fair Hearing Decision is Not in My Favor?

If you requested a State Fair Hearing for denied or reduced residential or inpatient substance use disorder treatment and the decision was not in your favor, then you or your provider can ask for an Independent Review. An Independent Review is also called a Secondary Medical Necessity Review. An Independent Review is when a medical provider who is not associated with NHP or Health First Colorado (Colorado's Medicaid Program) reviews the documentation to see if the services that were denied or reduced were medically necessary. To ask for an Independent Review, you must have used all your appeal options with NHP and Health First Colorado. If you or your provider would like to request an Independent Review, please contact NHP at 800-541-6870. We will help you with the process.