

March 31, 2023

UPDATE TO COVID-19 ACCOMMODATIONS FOR THE MEMBER STATE FAIR HEARING PROCESS

SUMMARY OF NOTIFICATION

In response to the COVID-19 Public Health Emergency (PHE), the Health and Human Services Commission (HHSC) extended the timeframe individuals, legally authorized representatives, or member authorized representatives have to request a fair hearing. Individuals normally have up to 120 days to request a fair hearing after the internal MCO appeal. HHSC extended the timeframe to 150 days during the COVID-19 PHE.

HHSC is informing STAR, Children's Health Insurance Program (CHIP), STAR Health, STAR Kids, STAR+PLUS MCOs, Dual Demonstration Medicare-Medicaid Plans (MMPs), and Dental Maintenance Organizations (DMOs) that this flexibility is ending on **May 11, 2023**, when the federal PHE ends.

KEY DETAILS

HHSC is ending the additional 30 days a member has to request a fair hearing starting **May 12, 2023**.

- For services provided up until May 11, 2023, MCOs, MMPs, and DMOs should continue to allow the additional 30 days.
- For services provided beginning May 12, 2023, and ongoing, the normal policy of allowing no less than 90 calendar days and no more than 120 calendar days from the date of the notice of resolution to request a State fair hearing will apply.