TO: RBHA CEOs and Grievance Coordinators

FROM: Cory Nelson
Deputy Director
Margaret McLaughlin
Branch Chief of Compliance

SUBJECT: POLICY CLARIFICATION: Title XIX/XXI Notice and Appeal Requirements

DATE: August 29, 2013

This memorandum is intended to clarify the responsibilities of Regional Behavioral Health Authorities (RBHAs) and RBHA providers in meeting the Arizona Department of Health Services/Division of Behavioral Health Services’ (ADHS/DBHS) expectations regarding the following policy and form:

- Policy and Procedures Manual Section GA 3.3, Title XIX/XXI Notice and Appeal Requirements;
- Provider Manual Section 5.1, Notice Requirement and Appeal Process for Title XIX and Title XXI Eligible Persons

Currently, Policy and Procedures Manual Section GA 3.3, Title XIX/XXI Notice and Appeal Requirements, and Provider Manual Section 5.1, Notice Requirement and Appeal Process for Title XIX and Title XXI Eligible Persons contain language that requires the T/RBHA and T/RBHA providers to write Notices for denials of continued stay as same-day denial Notices with no continuation of services possible.

As a result of discussions with AHCCCS and effective immediately, DBHS will now require the process of writing 2-day Termination Notices for denials of continued stay request in regard to inpatient services only. All other denials of continued stay request will be considered terminations requiring a 10-day advance notice as stated in Policy and Procedures Manual Section GA 3.3, 2. Notice Requirements, d. Notice of Action Time-frame for Service Termination, Suspension of Reduction, (1); and Provider Manual Section 5.1.7-D., Notice of Action timeframes, Paragraph 2.

The Policy and Procedures and Provider Manual sections will be revised accordingly and disbursed to the T/RBHAs following the regular DBHS policy revision process. Questions regarding this clarification may be directed to Kara Burke, Manager of ADHS/DBHS Office of Grievance and Appeals, at (602) 364-4572 or kara.burke@azdhs.gov.