



HOW TO FILE AN APPEAL

*You can get this document in a larger print size or in a different format.
You can also get this document in some languages other than English.
Contact the MVBCN office to ask for this.*

- **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. The Appeal must be filed with your mental health plan, Mid-Valley Behavioral Care Network (MVBCN). 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.** The Appeal Form is included with the Notice of Action you received. If you don't have the form, you can ask for it from the MVBCN office. The phone number and address for the MVBCN office are listed below. Or you can use the Appeal Form in your MVBCN member handbook.
- **How to file an Appeal.** You can file an Appeal verbally or in writing.

To file an Appeal verbally:

- Call the MVBCN office at the phone number below. Tell them you received a Notice of Action and want to file an Appeal. You will be connected with the MVBCN staff member whose job is to receive Appeals.
- Explain to that staff member why you want MVBCN to review the decision about your services. They will ask you questions to get more information about the matter. They will ask how you can be reached. This is so they can get more information from you later if needed. This is also so they can tell you MVBCN's decision about the matter.
- If you file the Appeal verbally, you must still fill out and sign the Appeal Form. The form must be received by MVBCN within 5 working days from the date you filed the Appeal verbally. Send the completed Appeal Form to the MVBCN office at the address listed below. This address is also listed on the form.

To file an Appeal in writing:

- Fill out Parts 1 and 3 of the Appeal Form; be sure to sign Part 4. Fill out Part 2 only if someone else is filing the Appeal on your behalf. Send the completed Appeal Form to:

Mid-Valley Behavioral Care Network
Attn: Appeals
1660 Oak Street, Suite 230
Salem, Oregon 97301

Call the MVBCN office if you need help filling out the form

In Salem: 503-361-2647 • Toll-free: 1-866-422-6647

Oregon Telecommunications Relay Service:
TTY or Voice: 711 • VCO: 1-800-735-3260

- **Your Appeal is confidential.** Your Appeal will be kept confidential. This is required by federal and state laws and rules. Only MVBCN, the treatment agency, your provider and/or the Addictions and Mental Health Division of the Oregon Department of Human Services can look at, share and discuss your confidential information. They can do this to investigate and resolve your Appeal. They can do this also for certain other required purposes. You don't need to sign an authorization form for this.

You can have someone else file the Appeal for you. If this person is an authorized Member Representative, you don't need to sign an authorization form. They can look at, share and discuss your confidential information to help investigate and resolve your Appeal. If the person is not an authorized Member Representative, then you must sign an authorization form.

- **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 your life, health or ability to function is in serious jeopardy. Call the MVBCN office right away to request an Expedited Appeal. You do not need to fill out the Appeal Form for an Expedited Appeal.

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

If your situation does not meet the conditions for an Expedited Appeal, you will be notified 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.** You must file the Appeal *within 45 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" where the Appeal Form asks this question.

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 already authorized;
3. The services were authorized by an MVBCN treatment agency or the MVBCN office; and
4. The authorization has not already expired.

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

- **What happens when we receive an Appeal.** We will notify you within 5 working days to say we received your Appeal. We will review the information on the Appeal Form. If we need more information from you, we will contact you right away. We will review the Notice of Action you received and any information related to the Notice. We will review your mental health records. We will talk with your provider and/or the treatment agency. They will share any if there are other people involved we may talk with them. We may need you to sign an authorization form for this; we will tell you right away if this is needed.
- **When a decision will be made.** For standard Appeals, a decision will be made within 16 calendar days from the date the Appeal was filed. For *Expedited Appeals*, a decision will be made within 3 working days from the date the Appeal was filed. In either case, you will be notified if more time is needed, or if more information is needed from you.
- **If you disagree with the Appeal decision,** you can request a Hearing with the Addictions and Mental Health Division of the Oregon Department of Human Services. Information about how to request a Hearing is in the form called Notice of Hearing Rights (DMAP Form 3030).

You can request a Hearing after you have you have received a decision about your Appeal. Or you can request a Hearing instead of filing an Appeal.

- **Appeal records.** Any information collected for the Appeal can be used in the Hearing if you request a Hearing. The information will be shared with DHS Addictions and Mental Health Division. You don't need to sign an authorization form for this.