

How To Appeal Your Basic Health Disenrollment

The Washington Administrative Code, WAC [182-22-320](#), online at <http://apps.leg.wa.gov/wac/default.aspx?cite=182-22>, describes the appeal process.

To appeal the decision to stop your Basic Health benefits, you must send a letter to the Health Care Authority (HCA)¹. You must sign the letter and make sure that the HCA receives it at PO Box 42690, Olympia, WA 98504 **within 30 calendar days** after their decision. You may use the Basic Health appeal form available at <http://www.hca.wa.gov/basichealth/documents/25-107.pdf>. Make sure to include:

- Your name, mailing address, and BH account number, and the same information for any other person for whom you are appealing.
- A copy of the HCA notice that says you will lose your coverage. If you can't find that, state what decision you are appealing.
- A statement explaining why you believe the decision was incorrect, outlining the facts surrounding the decision and including documents that support your case.
- If you are not on the BH account, a signed agreement from the person you are appealing for authorizing you to act on his or her behalf, AND.
- Whether you want to participate by phone or in-person during the Initial HCA review.
- Whether you need an interpreter or assistance due to a disability

The HCA will give your appeal “priority handling” if losing BH coverage will result in an “urgent medical need” that could seriously jeopardize health, your letter of appeal clearly states that fact, AND the HCA receives your appeal within 10 business days after the date your coverage will end. Otherwise, HCA has up to 60 days after receiving your appeal to send you a written decision.

Continuing enrollment in Basic Health during your appeal

When appealing a disenrollment, you may remain enrolled during the appeal process, if:

- Your request for appeal meets all of the requirements listed above;
- You remain otherwise eligible;
- You continue to make all premium payments when due; AND

¹ To appeal a decision regarding a child enrolled in BHP Plus or a woman receiving maternity benefits through medical assistance, members should contact their local Department of Social and Health Services (DSHS) Community Service Office to request a fair hearing.

- You have not demonstrated a danger or threat to the safety or property of HCA staff, providers, patients or visitors.

Contact HCA after you request an appeal to make sure you get back on BH pending the appeal. If you lose your appeal, Basic Health may ask you to pay for the services you received while appealing.

What happens after you appeal

HCA will send you a notice confirming that they received the appeal and letting you know when to expect a decision. HCA's review process includes two stages:

(1) Initial HCA decision:

An HCA appeals committee or a presiding officer will review and decide your appeal. If your appeal letter requested, you may request to be present in person or by telephone. If not, the HCA will decide the appeal based on the information and documents submitted and send you a written notice of the decision. The notice should include the reasons for the initial decision and instructions on further appeal rights.

(2) Review of Initial HCA decision:

The initial HCA decision becomes final unless the HCA receives a valid request for review. Your request may be either verbal or in writing, but HCA must receive it within 30 days after their Initial Decision. You must:

- Include a summary of the initial decision being appealed and state why you believe the decision was incorrect; and
- Provide any additional information or documentation that you would like considered.

A presiding officer designated by the HCA will do the review. The officer will base the decision on the records and documents submitted, unless he or she decides that an in-person or telephone hearing is needed. He or she will decide whether to conduct the hearing informally or formally. For general advice about hearings, see [Representing Yourself at a Fair Hearing](#) and [Basic Tips on How to Prepare for a Court Hearing or Trial](#), both on-line at www.washingtonlawhelp.org. The officer must send you a written decision within 21 days after receiving your request, unless he or she finds that he or she needs more time.

Review in Court

If you disagree with the HCA review decision, you have 30 days after receiving it to file a request for judicial review. The laws for judicial review are in the Revised Code of Washington, RCW [34.05](#), on-line at <http://apps.leg.wa.gov/rcw/default.aspx?cite=34.05>.