



UPDATE ON FFM APPEALS

Date: July 1, 2014

NHeLP recently spoke with staff at CMS' Office of Marketplace Eligibility Appeals (OMEA) and Offices of Hearings and Inquiries (OHI, of which OMEA is a subdivision) about the FFM appeals process. We wanted to provide some updates and contact information they shared with us. According to OMEA, all consumers who have filed an appeal should have been contacted by phone or mail. If a consumer has **not** heard from OMEA, she should directly contact OMEA to check on the status of her appeal (make sure the consumer has her application or appeal number).

Contact Information: If a consumer has **not** yet been contacted or wants to check on the status of an appeal, the consumer can call the following numbers:

- Phone – 1-855-231-1751
- TTY – 1-570-655-1472
- TTY (toll free) – 1-855-739-2231

Informal Hearings: As we've stated before, the first step of an appeal is the informal hearing. This occurs with OMEA's contractor, Maximus. Many issues related to technical problems with submitting an application can be resolved by Maximus.

Formal Hearings: If the consumer's issues are not satisfactorily resolved by Maximus, the consumer can proceed to a formal hearing with OMEA. The pace of OMEA hearings has recently increased (and will continue to increase) with the addition of new hearing officers.

Scheduling Hearings: For formal hearings, consumers should receive a notice with a scheduled date and time for the hearing. If consumers can't make the scheduled time, they should call the above numbers and ask to reschedule. Hearings can be held weekdays until 7pm and also on Saturdays.

Supporting Materials: Consumers can send additional materials to support their appeals, either upon request from Maximus/OMEA or by choice prior to a hearing. The address to send supporting materials is:

Marketplace Eligibility Appeals Center
P.O. Box 311
Pittston, PA 18640

PLEASE NOTE: The above address is **ONLY** for supporting documentation. At this time, all appeals must be filed via mail and sent to London, KY.

Washington, DC
(202) 289-7661

Los Angeles, CA
(310) 204-6010
www.healthlaw.org

Carrboro, NC
(919) 968-6308

Appeals Resolutions: If the appeal is resolved in favor of the consumer, Maximus or OMEA will work with the consumer to enroll in a plan, often assisting enrollment through the Call Center. For example, if a consumer originally received an incorrect eligibility determination which is corrected through the appeals process, a few options exist:

1. If the consumer is not currently enrolled in a plan, the consumer can retroactively enroll in a plan but the decision about retroactivity depends on individual circumstances (since the consumer would also have to pay her share of the premium for retroactive months);
2. If the consumer enrolled in a plan, the consumer can consider whether to have the new eligibility determination apply retroactively and make changes in enrollment or even change QHPs. (Although, again this is based on individual circumstances since it may not always be advantageous for consumers to switch plans or QHPs, particularly if they have already started paying down deductibles.)

OMEA continues to work to improve the process and as we get further information, we'll certainly share it! And please continue to let us know about how appeals are proceeding.