

SANTA CRUZ COUNTY
Mental Health & Substance Abuse Services

POLICIES AND PROCEDURE MANUAL

Subject: Drug Medi-Cal Fair Hearing Rights

Policy Number: 2613

Date Effective: 8/12/2016

Pages: 2

Date Revised:

Responsible for Updating:
Quality Improvement

Approval: 
Behavioral Health Director

Date: 8.15.16

POLICY:

Per CCR Title 22, County is required to notify all clients receiving Drug Medi-Cal (DMC) benefits of their right to request a fair hearing at the state level if there is a denial, involuntary discharge or reduction in DMC substance use disorder treatment services.

PURPOSES:

To communicate to providers the requirement in Title 22 to notify Medi-Cal beneficiaries of their rights to request a state fair hearing.

PROCEDURES:

County & Contract SUD providers will advise clients in writing of their state fair hearing rights. The written notice must be mailed or handed to the Medi-Cal beneficiary at least ten (10) calendar days prior to the effective date of the intended action and the notice must include the following:

1. A statement of the intended action.
2. The reason for the intended action.
3. A citation of the specific regulation(s) supporting the intended action.
4. An explanation of the client's rights to a fair hearing for the purpose of appealing the intended action.
5. An explanation that the client may request a fair hearing by submitting a written request to State Hearing Division, California Dept. of Social Services (DSS), using the Title 22 Fair Hearing Rights form.
6. An explanation that County/Contract Providers may continue treatment services pending a fair hearing decision only if the client appeals in writing to DSS for a hearing

within ten (10) calendar days of the mailing or personal delivery of the notice of intended action.

7. This form shall be available in English and Spanish.

SUD treatment contractors will provide the County with a copy of the written notice to the client within two business days of the notice being provided to the client.

PRIOR VERSIONS:

REFERENCES: Title 22 California Code of Regulations (CCR) Section 51341.1(p)

FORMS/ATTACHMENTS: Title 22 State Fair Hearing Rights English & Spanish

Drug Medi-Cal Title 22 Fair Hearing Rights

All clients have the right to a fair hearing related to denial, involuntary discharge, or reduction in Drug Medi-Cal substance abuse services as it relates to eligibility or benefits, pursuant to Section 50951.

Substance Use Disorder (SUD) County or contract providers shall advise clients in writing at least ten (10) calendar days prior to the effective date of the intended action to terminate or reduce services. The written notice shall include:

1. A statement of the action SUD County or contract providers intends to take.
2. The reason for the intended action.
3. A citation of the specific regulation(s) supporting the intended action.
4. An explanation of the client's rights to a fair hearing for the purpose of appealing the intended action.
5. An explanation that the client may request a fair hearing by submitting a written request to:

California Department of Social Services
State Hearings Division
P.O. Box 944243, Mail Station 9-17-37
Sacramento, California 94244-2430
Telephone: 1-800-952-5253
TDD: 1-800-952-8349
Fax: 1-916-651-5210 or 1-916-651-2789

6. An explanation that SUD County or contract providers shall continue treatment services pending a fair hearing decision only if the client appeals in writing to DSS for a hearing within ten (10) calendar days of the mailing or personal delivery of the notice of intended action.

ALL FAIR HEARINGS SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 50953.

I, (Client's printed Name) _____, have read and understand my rights for a fair hearing and have been given a copy of the document.

Client's Signature

Date

Provider's Signature

Date