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HOUSE BILL NO. 1240

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health and Human Services

on _____)

(Patron Prior to Substitute—Delegate Willett)

A BILL to direct the Department of Medical Assistance Services to amend its regulations to extend the time limit for appeals of eligibility determinations and to direct the Department of Medical Assistance Services and the Department of Social Services to review current notice practices to ensure that applicants for and recipients of medical assistance or social services benefits are aware of available assistance.

Be it enacted by the General Assembly of Virginia:

1. § 1. The Department of Medical Assistance Services (the Department) shall extend the time limit for filing a request for a Medicaid eligibility appeal to 90 days within issuance of the notice of an action or adverse determination. The Department shall consider mailing delays as good cause for late filing of appeals. The Department shall have the authority to implement these changes prior to the completion of any regulatory process and shall amend the state plan as necessary to implement these changes. Nothing in this act shall be construed to affect provider appeals or the timeframe to appeal actions by Medicaid managed care organizations.

The Department shall, in collaboration with the Department of Social Services, review current notice practices to ensure that applicants for and recipients of medical assistance or social services benefits are aware of (i) assistance available to applicants and recipients for verifying information and (ii) how to contact the appropriate person if an applicant or recipient receives information after a due date or experiences difficulty securing verifications. Entities responsible for receiving and processing mail related to the administration of medical assistance or social services benefits shall practice using existing good cause policies to grant extensions and to reinstate applications or cases for review as applicable.

HOUSE SUBSTITUTE

HB1240HC2