

You have the right to challenge decisions that are made about what services you will or will not get. You also have the right to say you are not satisfied with your services. You often have more than one way to challenge decisions or share concerns.

When you disagree with a decision it's usually a good idea to talk to your staff worker first. If that doesn't work, you can talk to the Supervisor.

This pamphlet will talk about your choices if going to staff/a supervisor does not resolve your concerns, or if you don't want to try talking to staff/the supervisor. Your choices include a **Second Opinion**, a **Local Appeal**, a **State Appeal**, a **Grievance**, and a **Rights Complaint**.

Denial of Service or of Hospitalization

You can ask for a second opinion if you apply for services and you are denied. *You have 30 days to do this.* Just fill out the second opinion form that you get when you are denied. You will get a second opinion from the agency at no cost to you within 5 working days.

You can also get a second opinion if you ask to go into a psychiatric hospital and are denied. This is the same for a center for people with developmental disabilities. You will get a second opinion within 3 working days.

Staff or a Rights Officer can answer your questions about second opinions.

Services are Denied, Reduced, Suspended, or Stopped

If you are already getting services and your services are denied, reduced, suspended or stopped, you have the right to appeal. You will

get a letter explaining the reason. You have 90 days from the date of the letter to appeal. Your choices are a bit different if you have Medicaid.

Medicaid Appeal Choices

Denial of Services: If you are already getting services and you ask for other services, you may be denied. If so, you will get a letter telling you about the denial. You can appeal this decision by asking for a **Local Appeal Meeting**, or by asking for a **State Medicaid Fair Hearing**.

Services Reduced, Suspended, or Stopped:

Sometimes the services you are already getting are, reduced, suspended or stopped. If so, you should get an "Advanced Action Notice". It will say what date your services will change. If you ask for a Local Meeting or a Medicaid Fair Hearing before that date, your services can stay the same until after a hearing or meeting is held. **Note:** The law requires we tell you that you could be charged for these services if the meeting or hearing does not rule in your favor. *You can give someone written permission to represent you for an appeal/hearing.*

To ask for a Local Appeal Meeting, fill out the request form for a "Local Dispute Resolution Committee" that you get with the letter denial papers. *You have 45 days to ask for a local appeal and the agency must complete your appeal in 60 days.* To ask for a Medicaid Fair Hearing, fill out a Request for Hearing form that you get with the letter. You can also ask any staff or a

Rights Officer for these forms.

Non-Medicaid Appeal Choices

If you do not have Medicaid, you still have the right to appeal if you are being denied a service or a service you already received is being stopped or changed. You can ask for a Local Appeal Meeting two ways:

You can call the local hearings officer and/or fill out a request form for a "Local Dispute Resolution Committee" meeting that you should get with the letter. You have 45 days to ask for a local appeal, and the agency must complete your appeal in 60 days. If you ask for a local meeting before the date on the form that says when your services are supposed to stop or change, your services can stay the same until after a local meeting is held. Note: The law requires we tell you that you could be charged for these services if the meeting does not rule in your favor. You can also ask any staff or a Rights Officer for these forms.

If you don't agree with the outcome of the Local Appeal Meeting, you can appeal to the state. You will get the form for this when you get the written outcome of the local meeting. *You can give someone written permission to represent you for an appeal/hearing.*

Delays in Service

You have the right to appeal if the agency does not tell you in 14 days if you will or will not get a service you asked for. If it's an emergency you should hear in 3 days.

You have the right to appeal if the agency does not start services in your Person Centered Plan within 14 days of the date you signed it, unless you agree to a later start date. You have 90 days to appeal.

If you have **Medicaid** you can ask for a Local Appeal Meeting or a State Medicaid Fair Hearing. If you are a **Non-Medicaid** recipient you would first ask for a local appeal meeting and after that meeting you can appeal to the state.

Appealing Your Person Centered Plan

Your Plan of Service should be written using a person centered planning process. If this did not happen (you weren't invited to participate), or you do not agree with the final plan, you can appeal. Once you file an appeal, the agency has 30 days to review the plan, so this would not be the best option in an emergency situation.

Grievances

A grievance is a special kind of disagreement. You do not file a "grievance" when your rights have been violated (see below) or when services have been denied, changed, or stopped (see above). If you are not satisfied with your services or supports, you can file a grievance any time by calling or writing to Member Services or to your Local Grievance and Appeals Officer. If you do not get an answer about your grievance in 60 days, you can file an appeal.

Recipient Rights Complaints

You may file a Recipient Rights complaint

any time if you think staff violated your rights. Your rights include: the right to be free from abuse, the right to confidentiality, and the right to be treated with dignity and respect.

Substance Abuse Services Complaints

You can file an appeal about decisions made about your substance abuse services in the same ways described in this pamphlet. For a Rights complaint about substance abuse services, please call the Substance Abuse Rights Advisor from the agency where you get services.

Remember: Sometimes you can use more than one kind of grievance, appeal, or complaint at the same time. If you have questions about any process, or you need forms, please call:

If you want help or information, feel free to call:

Office of Recipient Rights

Or

Customer Services

1-877-779-9707

Or

Lenawee 517-263-8905

Livingston 517-546-4126

Monroe 734-243-7340

Washtenaw 734-544-3000

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YOUR APPEAL OPTIONS

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