HEALTH APPEAL PACKET NO. 1

Level 1 Appeals to Aetna or OptumRx (Active Employee Plan)

There are 4 levels of appeal for services received after January 1, 2018. Each appeal level has its own instructions and forms. This packet is for level 1 appeals of health claims or pharmacy claims denied in whole or in part. You must follow the appeal process **in the correct order** and **on time**. You may withdraw your appeal at any step.

Form Number	Form Name				
INSTRUCTION	INSTRUCTIONS				
Instructions for a level 1 appeal of a denied health claim or pre-certification request start on the next page. For more detailed instructions, see the appeal section of the health <u>PLAN</u> .					
FORMS DIS	FORMS DISCUSSED IN THIS PACKET				
HCA-105	Level 1 Appeal of Health Claim or Pre-certification Denial Level 1 appeal is the first step in the process of appealing a health claim or pre- certification request denied by Aetna or OptumRx. It is not for emergency appeals.				
OTHER TOOLS AND PACKETS					
<u>Flowchart</u>	https://public.courts.alaska.gov/web/forms/docs/wfd-aetna.pdf				
Links https://public.courts.alaska.gov/web/forms/docs/hcatoolkit-links.pdf					
Level 2 Packet	Level 2 Packet https://public.courts.alaska.gov/web/forms/docs/hca-200.pdf				
Level 3 Packet	evel 3 Packet https://public.courts.alaska.gov/web/forms/docs/hca-300.pdf				
Level 4 Packet	evel 4 Packet https://public.courts.alaska.gov/web/forms/docs/hca-400.pdf				

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This packet was prepared by the healthcare advocates at the Alaska Court System for employees of the Alaska Court System and their dependents who are members of the AlaskaCare Active Employee Plan. For more information or assistance, please email: healthcareAdvocates@akcourts.us.

HOW TO FILE A <u>LEVEL 1 APPEAL</u> AFTER AETNA OR OPTUMRX DENIES YOUR CLAIM OR PRECERTIFICATION REQUEST

INTRODUCTION

What is this packet for?

Use this packet:

- If you want to appeal a health or pharmacy claim or a precertification request that Aetna or OptumRx denied or partially denied; and
- This is the beginning of your appeal (this is level 1); and
- You are an active employee of the Alaska Court System or a dependent.

Do <u>not</u> use this packet:

- This packet is <u>not</u> for emergency appeals. For help with emergency appeals, refer to the health PLAN or e-mail the Healthcare Advocates.
- This packet is <u>not</u> for dental or vision appeals. For help with those, refer to the health <u>PLAN</u> or e-mail the Healthcare Advocates.
- This packet is <u>not</u> for level 2 appeals or requests for external review.
 For those, use form <u>HCA-200</u>, <u>Health Appeal Packet 2</u>.
- This packet is <u>not</u> for level 3 appeals to DRB. For those, use form <u>HCA-300</u>, <u>Health Appeal Packet 3</u>.
- This packet is also <u>not</u> for appeals to superior court. For appeals to superior court, use form <u>HCA-400, Health Appeal Packet 4</u>.

What are the basic steps for appealing?

For services received on or after January 1, 2018, there are 4 levels of appeal. This includes 2 appeals through Aetna for health services or OptumRx for pharmacy services; 1 appeal to DRB; and then 1 appeal to court. You must go through each level of appeal **in the correct order**, and **on time**. You may withdraw your appeal at any step.

This packet is for step 1.

Step 1 is a LEVEL 1 APPEAL to Aetna for health services or OptumRx for pharmacy services. If your level 1 appeal is granted, then you won, and the process is finished. If your level 1 appeal is denied, then go to step 2. (This form packet is for LEVEL 1.)

Step 2 will be either a LEVEL 2 APPEAL or a REQUEST FOR EXTERNAL REVIEW, depending on the reason why your level 1 appeal was denied. For step 2, use <u>HCA-200, Health Appeal Packet 2</u>.

Step 3 is only for services received on or after January 1, 2018, and will be a LEVEL 3 APPEAL to DRB. For step 3, use <u>HCA-300, Health Appeal Packet 3</u>. If DRB denies your Level 3 review, then you may go to Step 4.

Step 4 is filing an appeal to SUPERIOR COURT if you do not win at the earlier steps. For appeals to superior court, use <u>HCA-400</u>, <u>Health Appeal Packet 4</u>.

LEVEL 1 APPEAL OF PRE-CERTIFICATION DENIAL

What is precertification?

Pre-certification (also called "pre-authorization") is when Aetna or OptumRx approves your procedure or medication **beforehand** because you or your provider requested it. The active employee health <u>PLAN</u> requires pre-certification for some procedures and medications before they will cover the claim. If precertification is not requested and received beforehand, the plan will cover less of the cost or nothing at all.

My appeal is about precertification.

If you are appealing Aetna's or OptumRx's denial of pre-certification, you first need to review a copy of the pre-certification or pre-authorization denial letter:

- If your *provider* requested pre-certification, Aetna or OptumRx will send the provider a letter explaining the pre-certification denial decision, and Aetna or OptumRx will send you a copy of the letter.
- If *you* requested pre-certification, Aetna or OptumRx will send the denial letter directly to you. Make sure you keep your address current with the State of Alaska or else letters will be sent to your old address.

What services require precertification? You will find a list of services requiring pre-certification in the <u>PLAN</u>. Aetna has the same list on its website <u>plus</u> OptumRx added several medications. You can use the "<u>Links</u>" tool or the <u>Precertification flowchart</u> for more information.

LEVEL 1 APPEAL OF HEALTH OR PHARMACY CLAIM DENIAL

How will I know if my claim has been denied? For **health claims processed by Aetna**, you can find out by reviewing the EOB. See the discussion below for instructions about that.

For **pharmacy claims processed by OptumRx**, you will find out there's a problem when either (a) you receive a letter from OptumRx telling you about the problem or (b) your pharmacist tries to fill your prescription and receives a rejection from OptumRx.

My appeal is about a denied health claim by Aetna. **For health claims processed by Aetna, first find the EOB.** If your appeal is about Aetna denying a health claim for a service you already had, and not about pre-certification or a pharmacy claim, you need to first find the Explanation of Benefits (EOB) from Aetna. Note: you cannot easily print an EOB even if it's open on your computer screen. Some of the key pieces of information will not be included on a print out. So we recommend that you follow all 5 steps below.

To find the EOB, follow these 5 steps:

- 1. Go to: http://doa.alaska.gov/drb/alaskacare/
- 2. Select the button called "View medical claim status" shown below:



3. Log in using your username and password.

4. Under **manage claims**, select "Explanation of Benefits:"

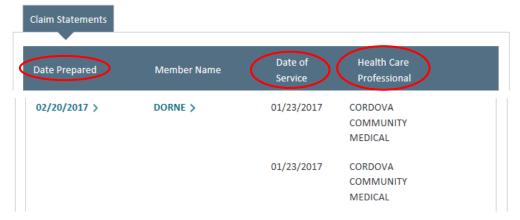


(Note: Do not try to find your EOBs using the "Claims" button because that will not give you a clear route to the EOB you need.)

What should I look for on the EOB?

5. After the "Explanation of Benefits" list is open, **find the claim** you want to review. Look under the columns called "date of service" and "health care professional" to find it.

After you find the claim you want to look at, select the link under "date prepared" to open the EOB. See the example below. IMPORTANT!!! Sometimes there is more than one health claim on an EOB. Scroll through the EOB to find the particular claim you want. (You may need to scroll using a "next page" button.)



3 most important parts of the EOB.

Next, find the 3 most important pieces of information on the EOB:

STATEMENT DATE. This is the date in the upper right corner of every EOB. You must know this date because it determines the deadline to file a level 1 appeal. You have 180 days to file after the EOB statement date. The statement date is found in the upper right corner of every EOB. Here is a sample of what the STATEMENT DATE looks like:

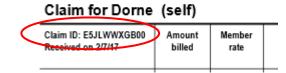
Statement date: February 20, 2017

2. <u>CLAIM ID</u>. The claim ID is the EOB ID number. You can usually find it on page 2 of the EOB. But first, if all of the pages don't show up when you open the claim, use the "next page" button. The "next page" button looks like this:



Find the CLAIM ID for the claim you want to appeal. It will be a series of letters and numbers. Here is a sample of what one looks like:

Your claims up close



3. <u>REMARKS</u>. **SUPER IMPORTANT!!!** There will be a tiny number in parentheses next to the particular procedure you are appealing. Here is an example:

Claim for Dorne (self)

Claim ID: E902X08H400	Amount	Member	Not payable
Received on 5/2/17	billed	rate	by plan (Remarks)
	A	В	c
OFFICE VISIT on 3/31/17 99203	319.00		16.00 (3)

This tiny number is **the key to the reason why Aetna denied your claim**. Now scroll through the EOB until you find: "Your Claim Remarks."

Your Claim Remarks

General Remarks:

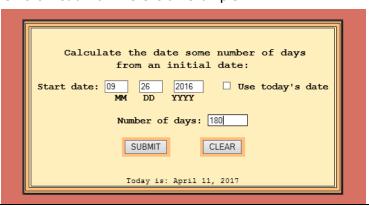
- (1) You do not have to pay this. We consider payment for this service to be part of the payment for other services. It is not paid separately. [780]
- (2) Your provider may have sent diagnosis codes with your claim. You may obtain these codes and their meanings by contacting us at the number listed at the top of the first page. We will also provide your treatment codes and their meanings, if they do not appear on this statement. If you have questions about your diagnosis or your treatment, please contact your provider. [H63]
- (3) This amount is over the recognized charge for this service. The provider may bill you for this amount. [551]

Remark (3) in this *example* says the amount charged by the doctor is "over the recognized charge for this service." That means your claim was denied because Aetna thinks the doctor charged too much for the service.

DEADLINE FOR SUBMITTING THE LEVEL 1 APPEAL

When is my Level 1 appeal due?

You have 180 days to file your level 1 appeal from the date you received notice that Aetna or OptumRx denied your claim. Calculate 180 days from the statement date on the EOB and use that as your deadline. You can use this online date calculator: http://cgi.cs.duke.edu/~des/datecalc/datecalc.cgi. Type the EOB statement date as your start date, and then 180 days as the number of days. Then click "submit." Here is an example:



PREPARE THE LEVEL 1 APPEAL

Prepare
the Level 1
appeal and
send it to
OptumRx for
pharmacy
claims, or
Aetna for
other claims.

Prepare and submit your level 1 appeal:

- FILL OUT FORM HCA-105 TO PREPARE YOUR LEVEL 1 APPEAL. You are not required to use this form, but the court system created it to make it easier for you. Fill out each section that applies to your situation. Then sign and date the last page and fill in your contact information.
 - **IMPORTANT!!!** If you have more than one health plan (such as both active and retiree plans), write <u>all</u> of your member ID numbers on the form.
 - For examples of language you might use for an appeal of a denied health claim, or language you might use for an appeal of a denied pre-certification request, email the healthcare advocates: HealthcareAdvocates@akcourts.us.
- 2. <u>GATHER YOUR MEDICAL RECORDS OR LETTERS FROM YOUR PROVIDER</u>. Contact your provider's office and ask for a copy of your medical records or other records that are important to your appeal. If Aetna says the services you had were not "medically necessary," then ask your doctor to write a "medical necessity letter" explaining that the services you had were medically necessary. For more information, email the healthcare advocates.
- 3. <u>MAKE A COPY FOR YOUR RECORDS OF ALL LEVEL 1 DOCUMENTS YOU WILL</u> <u>SUBMIT TO AETNA OR OPTUMRx</u>. You may need to use the documents again for a level 2 appeal or an appeal to superior court.
- 4. <u>SUBMIT YOUR LEVEL 1 APPEAL TO AETNA OR OPTUMRx</u>. Make sure to send it by fax with a confirmation sheet, or by mail with delivery confirmation. You need to be able to prove it was received within the appeal deadline.
- <u>KEEP TRACK OF YOUR LEVEL 1 APPEAL</u>. Contact Aetna or OptumRx after a month if you have not received a decision letter from them. See the links tool for contact info: https://public.courts.alaska.gov/web/forms/docs/hcatoolkit-links.pdf

LEARNING THE RESULT OF THE LEVEL 1 APPEAL

What is the result of my Level 1 appeal?

Aetna or OptumRx will mail you a letter explaining what it decided about your level 1 appeal. The letter should explain the reason for the denial and what you can do next.

Your next step will be either a level 2 appeal or a request for external review, depending on the reason why your level 1 appeal was denied. For tools and instructions about the next level of appeal, see <u>HCA-200, Health Appeal Packet 2</u>, or email the healthcare advocates: HealthcareAdvocates@akcourts.us.

When in doubt, email the healthcare advocates at HealthcareAdvocates@akcourts.us

our Member Number:	
our Name:	

APPEAL OF HEALTH CLAIM OR PRECERTIFICATION DENIAL

This form is for active employees (not retirees) of the Alaska Court System and their dependents who wish to appeal health claim or precertification denials by Aetna or OptumRx.

WHA	T LEVEL APPEAL IS THIS?
http://o healthc	ore information about appealing your claims, call DRB at 1-800-821-2251; or review the health plan at doa.alaska.gov/drb/alaskacare/employee/publications/booklet.html; or email the Healthcare Advocates at careadvocates@akcourts.us. If you are not satisfied with the administrative appeal decisions, you may to Superior Court. See appeal form packets HCA-100, HCA-200, HCA-300, and HCA-400.]
(Level 1 Appeal to Aetna OptumRx Check this box if this is an urgent appeal Check this box if this is your Level 1 (first) appeal of a claim denied in full or in part by Aetna for health services or OptumRx for drugs. Level 1 appeals must be received by Aetna or OptumRx within 180 calendar days of the Explanation of Benefits (EOB) "statement date" or denial letter. You may use this online calculator to calculate the due date.
C L	Level 2 Appeal to Aetna OptumRx Check this box if this is an urgent appeal Check this Level 2 box if all of these statements are true: a. You are not satisfied with the level 1 appeal decision by Aetna or OptumRx; and b. For Aetna claims only, Aetna's level 1 decision was based on something other than Aetna's "medical opinion" (for example, Aetna says your doctor's charges are more than the "recognized charge," or the service you received is not covered by the plan, or that they need more records from your doctor); and c. You want to appeal to level 2. Level 2 appeals go to Aetna for denied health services or OptumRx for denied drugs, and must be received by Aetna or OptumRx within 180 calendar days of the date of the Level 1 decision. You may use this online calculator to calculate the due date.
C C F C t	Level 2 Request for External Review to Aetna Check this box if all of these statements are true: The control of these statements and the statement and the statements are true: The control of these statements are true: The control of these statements and the statement and the statements are true: The control of these statements and the statement are true: The control of these statements and the statement and the statements and th
<u>(</u>	Level 3 Appeal to DRB (new for 2018) Check this box if all of these statements are true: a. You are appealing denial of services or pre-service request provided on or after January 1, 2018; and b. You are not satisfied with the level 2 appeal denied by Aetna or OptumRx, or you are not satisfied with the external review by Aetna; and

c. You want to appeal to level 3.

Level 3 only applies to services received after 2017. For services received before 2018, skip level 3 and go directly to level 4 (appeal to superior court). Level 3 appeals go to the Division of Retirement & Benefits (DRB) and must be received by the DRB within 60 calendar days of the date of the external review or level 2 decision. You may use this online calculator to calculate the due date.

Level 4 Appeal to Superior Court. If you did not succeed at each of the levels below, then you may appeal to the superior court using packet <u>HCA-400</u>, Health Appeal Packet 4.

^{*} Request an urgent appeal if you believe that a delay in the appeal process could harm health or threaten life.

	Your Name:			
HOW AND WHERE TO SUBMIT THIS APPEAL				
I an	I am sending my appeal today by mail and/or fax as noted below.			
	LEVEL 1 OR LEVEL 2 APPEAL TO AETNA Fax with confirmation to (859) 425-3379 Mail with delivery confirmation to: Aetna Attn: AlaskaCare Member Appeal PO Box 14463 Lexington, KY 40512		REQUEST FOR EXTERNAL REVIEW TO AETNA Fax with confirmation to (860) 975-1526 Mail with delivery confirmation to: Aetna Attn: National External Review Unit 2000 River Edge Parkway, Ste. 300 Atlanta, GA 30328	
	LEVEL 1 OR LEVEL 2 APPEAL TO OPTUMRX Mail with delivery confirmation to: OptumRx Attn: AlaskaCare Benefit Appeals PO Box 3410 Lisle, IL 60532-8410		LEVEL 3 APPEAL TO DRB Fax to (907) 465-2805 Mail with delivery confirmation to: Division of Retirement & Benefits Attn: AlaskaCare Member Appeal PO Box 110203 Juneau, AK 99811	
	LEVEL 4 APPEAL TO SUPERIOR COURT File your Level 4 appeal at your nearest Superior Court location. Follow Instructions in the HCA-400 packet. You will also need to serve a copy on DRB and AK Dept. of Law			
WH	HAT CLAIMS ARE BEING APPEALED?			
top i deny your	NA APPEALS: When a doctor sends a bill to Aetna for S) statement. Find EOBs at https://www.Aetna.com/right corner of the 1st page; and every claim on the ying precertification has a case-number . OPTUMRX pharmacist tells you or you receive a denial letter for and fill out the information below. For more information below.	after EOB h APPE rom C	logging in. Every EOB has a <u>statement date</u> in the has a <u>claim ID</u> number. Every letter from Aetna EALS: You will learn of an OptumRx denial because OptumRx. There may or may not be a case number,	
I an	n appealing the full or partial denial of the f	ollov	ving precertification or health claims:	
	Claim or case number Statement date Date of service Provider Drug denied by OptumRx/Briova (if any):	3.	Claim or case number Statement date Date of service Provider Drug denied by OptumRx/Briova (if any):	
	Claim or case number	4.	Claim or case number Statement date Date of service Provider Drug denied by OptumRx/Briova (if any):	

Your Member Number:

Your Member Number:	
Your Name:	
WHO IS THIS APPEAL ABOUT?	
My member ID # on my Aetna card is My date of birth is	
I am appealing the denial of health services or precertification concerning:	
myself. My name is	
my spouse (name and date of birth)	
my child (name and date of birth)	
other (name and date of birth)	
other (name and date of birtii)	
WHAT ELSE IS INCLUDED WITH THIS APPEAL?	
I am submitting more information and documents with this appeal as follows:	
correspondence	
copy of medical records	
copy or copies of EOB's (explanation of benefits statements)	
copy of prior level appeal denial letter	
other (describe)	
·	
-	
By referring to it here, I incorporate all information my provider and I submitted	
before; this filled-out form; the <i>Insurance Information Booklet</i> and all addenda ar	٦d
clarifications in effect on the relevant dates of service; the related Optum Fee	iu
Analyzer reports; and any enclosed documents. I also incorporate all recordings	
related to my appeal and my claims, and ask you to preserve the recordings and	all
related information until further notice. I also request access to copies of all	•••
documents, records, data, and other information about my claims whether or no	t
used in making the decision, and the names of any clinical reviewers if applicable	
I spoke with Aetna or OptumRx about this claim or claims as follows:	
Date Call Reference No. Representative's Name/	ID
Suit Neierende No. Representative 3 Numer	

Your Name:
THE FACTS THAT SUPPORT THIS APPEAL
I think the denial of my claims or precertification request is unfair or improper because:

Your Member Number: _____

Your Member Number:	
Your Name:	

DATA AND DOCUMENTS REQUESTED AS PART OF THIS APPEAL

- A. **Recognized charge.** This paragraph applies if my claim(s) were denied in whole or part as above the "recognized charge." The database used for setting the recognized charge is inconsistent with any usual, customary, reasonable, or prevailing rate in the geographic area where the services were performed. The plan relies on data from a database known to be incomplete, inaccurate, and indefensible. I request the following as part of my appeal: (1) For each of the past 36 months, how many actual claims were submitted by Alaska providers on behalf of active and retired AlaskaCare plan members for each of the same CPTs or medications denied in whole or part as above the recognized charge in my claim? And of these actual claims submitted, how many were denied in whole or part as above the recognized charge? (2) Which FairHealth update (May or November, and of what year) was used to process the claims I am appealing? (3) Was "derived data" used to determine the recognized charge for my claims? If so, for each CPT or medication, how many frequencies were in the database on the date my claims were processed and what were the actual provider charge amounts and dates of each of those frequencies? (4) Provide me with a copy of all correspondence between any employee of the Alaska Dept. of Administration and any employee of Aetna or OptumRx about any of the following: FairHealth, any rate-setting database other than FairHealth, and Aetna's or OptumRx's reimbursement policies and practices regarding the recognized charge or similar rate-setting tool or process. (5) Provide a copy of the contract or letter of agreement between Alaska and Aetna, or for pharmacy claims between Alaska and OptumRx in effect on the dates of service associated with my claims. (6) Identify the Medicare reimbursement rate in effect on the dates of service for the CPTs or medications at issue in my claim. (7) Identify and provide a copy of every other document or source of information other than the FairHealth database that was used to process my claims.
- **B.** Proprietary guidelines or clinical policy bulletins. This paragraph applies if my claim or claims were denied because of information in proprietary documents or guidelines (for example, the MCG Guidelines or the Milliman Medicare Repricer) or a clinical policy bulletin. Please follow all necessary protocols and promptly release the documents and guidelines to me because they are being used to my detriment.
- C. Medical records. This paragraph applies if my medical records were overlooked or ignored by Aetna or OptumRx or its external review organization in making the adverse benefit determination referenced in this appeal. Provide a copy of my medical records (1) in Aetna's or OptumRx's possession or control whether or not used to process my claim, and (2) actually reviewed or used by Aetna's or OptumRx's system, external review organization, or employee to process my claim. In addition, if Aetna's or OptumRx's system processed my claim, I ask that this appeal and my future claims be processed by a human instead.
- **D. Network steerage.** This paragraph applies if my claim(s) were denied in whole or part as out of network. Provide all information used in determining that my provider was out of network. If non-network <u>facility</u> penalties were applied to my claim(s), confirm that the penalties were applied pursuant to my plan(s) and the law, and for facilities in Anchorage or the other 49 states.

E.	Other information requested:			
DAT	E AND SIGN THIS APPEAL			
Toda	y's Date			
	Name			
Your	Mailing Address			
	Signature			