

## YOUR RIGHTS UNDER MEDI-CAL

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If you need this notice and/or other documents in an alternative communication format such as large font, Braille, or an electronic format, or, if you would like help reading the material, please contact Santa Clara County – Behavioral Health Services Department (SCC-BHSD) by calling 1.800.704.0900.

**IF YOU DO NOT AGREE WITH THE DECISION MADE FOR YOUR MENTAL HEALTH OR SUBSTANCE USE DISORDER TREATMENT, YOU CAN FILE AN APPEAL. THIS APPEAL IS FILED WITH SCC-BHSD.**

### **HOW TO FILE AN APPEAL**

You have **60 days** from the date of this "Notice of Adverse Benefit Determination" letter to file an Appeal. **If you are currently getting treatment and you want to keep getting treatment, you must ask for an Appeal within 10 days** from the date on this letter OR before the date SCC-BHSD says services will stop. You must say that you want to keep getting treatment when you file the Appeal.

You can file an Appeal by phone or in writing. If you file an Appeal by phone, you must follow up with a written signed Appeal. SCC-BHSD will provide you with free assistance if you need help.

- **To appeal by phone:** Contact SCC-BHSD Monday through Friday, 8:00 AM to 5:00 PM, excluding holidays, by calling 1.800.704.0900. Or, if you have trouble hearing or speaking, please call TTY/TTD number 800.855.7100 or 711.
- **To appeal in writing:** Fill out an Appeal form or write a letter to SCC-BHSD and send it to:

SCC-BHSD-QA  
PO Box 28504  
San Jose, CA 95128-8504

Your provider will have Appeal forms available. SCC-BHSD can also send a form to you.

You may file an Appeal yourself. Or, you can have someone like a relative, friend, advocate, provider, or attorney file the Appeal for you. This person is called an "authorized representative." You can send in any type of information you want SCC-BHSD to review. Your Appeal will be reviewed by a different provider than the person who made the first decision.

SCC-BHSD has 30 days to give you an answer. At that time, you will get a "Notice of Appeal Resolution" letter. This letter will tell you what SCC-BHSD has decided. **If you do not get a letter with SCC-BHSD's decision within 30 days, you can ask for a "State Hearing" and a judge will review your case.** Please read the section below for instructions on how to ask for a State Hearing.

### **EXPEDITED APPEALS**

If you think waiting 30 days will hurt your health, you might be able to get an answer within 72 hours. When filing your Appeal, say why waiting will hurt your health. Make sure you ask for an "**Expedited Appeal.**"

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### **STATE HEARING**

If you filed an Appeal and received a "Notice of Appeal Resolution" letter telling you that SCC-BHSD will still not provide the services, or **you never received a letter telling you of the decision and it has been past 30 days**, you can ask for a "State Hearing" and a judge will review your case. You will not have to pay for a State Hearing.

You must ask for a State Hearing within **120 days** from the date of the "Notice of Appeal Resolution" letter. You can ask for a State Hearing by phone, electronically, or in writing:

- **By phone:** Call **1.800.952.5253**. If you cannot speak or hear well, please call **TTY/TDD 1.800.952.8349**.
- **Electronically:** You may request a State Hearing online. Please visit the California Department of Social Services' website to complete the electronic form:  
<https://secure.dss.cahwnet.gov/shd/pubintake/cdss-request.aspx>
- **In writing:** Fill out a State Hearing form or send a letter to:

**California Department of Social Services  
State Hearings Division  
P.O. Box 944243, Mail Station 9-17-37  
Sacramento, CA 94244-2430**

Be sure to include your name, address, telephone number, Date of Birth, and the reason you want a State Hearing. If someone is helping you ask for a State Hearing, add their name, address, and telephone number to the form or letter. If you need an interpreter, tell us what language you speak. You will not have to pay for an interpreter. We will get you one.

After you ask for a State Hearing, it could take up to 90 days to decide your case and send you an answer. If you think waiting that long will hurt your health, you might be able to get an answer within 3 working days. You may want to ask your provider or SCC-BHSD to write a letter for you, or you can write one yourself. The letter must explain in detail how waiting for up to 90 days for your case to be decided will seriously harm your life, your health, or your ability to attain, maintain, or regain maximum function. Then, ask for an **"expedited hearing"** and provide the letter with your request for a hearing.

### **Authorized Representative**

You may speak at the State Hearing yourself. Or someone like a relative, friend, advocate, provider, or attorney can speak for you. If you want another person to speak for you, then you must tell the State Hearing office that the person is allowed to speak for you. This person is called an "authorized representative."

### **LEGAL HELP**

You may be able to get free legal help. You may also call the local Legal Aid program in your county at 1.888.804.3536.