

**Huerfano County Department of Human Resources
Quality Assurance and Quality Control Plan**

Policy Title: Quality Assurance and Quality Control Plan	Effective Date: 12/17/2024 Revision Date:
Policy Program Area Assistance Payments	Authorizing Signature

POLICY STATEMENT

This policy is necessary to be compliant with State rules and regulations pertaining to Medical Assistance (MA) state fair hearings and dispute resolution conferences.

Responsible staff include: HCDHS Director, Assistance Payments Unit Supervisor, Operations Manger, Call Center Technician

DISPUTE RESOLUTION CONFERENCES PROCEDURE

A member/applicant may request a Dispute Resolution Conference (DRC) verbally or in writing including through email, no later than 60 calendar days after the date of the Notice of Action.

When a request for a DRC is received, it is forwarded to the HCDHS Director. The Assistance Payments Unit Supervisor and the Director are responsible for reviewing the request for a Dispute Resolution Conference.

The Assistance Payments Unit Supervisor will pull all case documentation and review it. The Assistance Payments Unit Supervisor will present the information to the director as needed on a case-by-case basis when additional information is needed.

The Assistance Payments Unit Supervisor is required to review the case for accuracy and completeness. HCDHS best practice is to have a second party review and confirm the accuracy of the outcome of the review; however, with limited staff, this may not always be possible.

Within 10 calendar days after receipt of the request for the DRC, the Assistance Payments Unit Supervisor or Director is required to notify the member/applicant of the date, time, and location of the DRC. The notification must also include the member/applicant's right to a state fair hearing and the date deadline to request a state fair hearing. This notification must be in writing and sent via US Mail to the member/applicant address on file.

The Assistance Payments Unit Supervisor will review the case and all pertaining documents with the technician who worked the case. The Assistance Payments Unit Supervisor will create facts of the dispute for the conference with the member/applicant.

The DRC must be held no more than 25 calendar days from the date the request was received, unless both parties agree to extend the deadline. This agreement must be in writing. The applicant/member must be provided a choice to have the DRC held in-person, virtually, or by phone.

Language Services:

- Interpretation Services: HCDHS shall provide qualified interpretation services, free of charge, to individuals with limited English proficiency who require language assistance to access services. Interpretation services will be provided in-person, telephonically, or through video conferencing, as appropriate.
- Translation Services: Written materials essential to accessing County programs and services must be translated into language of member by LanguageLine Solutions.

ADA Accommodations:

- Request Process: Individuals with disabilities shall have the right to request reasonable accommodations to ensure equal access to County programs and services. Requests for ADA accommodations may be made verbally or in writing and shall be promptly addressed.
- Provision of Accommodations: HCDHS shall provide reasonable accommodations, including but not limited to auxiliary aids and services, modifications to policies, procedures, and practices, and accessible facilities, as necessary to facilitate meaningful participation by individuals with disabilities.

After the conference, the Assistance Payments Unit Supervisor will present the outcome to the Director for final approval.

The Assistance Payments Unit Supervisor will notify the member/applicant of the finding from the DRC within 3 business days of the conference. This notification must be in writing and sent via US Mail to the member/applicant address on file. The Assistance Payments Unit Supervisor will also enter Corrective Action (if any) into CBMS within 3 business days of the conference.

If the finding is that the dispute has been resolved and the member has already filed an appeal, the Assistance Payments Unit Supervisor shall inform the applicant or recipient of the process for dismissing the appeal.

Dispute Resolution Tracking:

HCDHS Director will track each dispute resolution conference held by completing and submitting the dispute resolution tracking Excel spreadsheet to HCPF monthly. The report is to be completed and sent in via email to hcpf_eligibilityappeals@state.co.us no later than the 5th calendar day of each month, with the submission reflecting data from the prior month. If the site does not have any dispute resolution conferences for the month, the Director will indicate this on the spreadsheet.

STATE FAIR HEARINGS PROCEDURE

When a request for a State Fair Hearing is received, it is forwarded to the Assistance Payments Unit Supervisor, who will pull the case and all supporting documents to create the hearing packet. The Eligibility Technician that took the appealed action on the case may be asked to attend on a case-by-case basis or as deemed necessary by the Assistance Payments Unit Supervisor. Notification of the Decision is pursuant to 10 CCR 2505-10 8.057.11.

1. Members or applicants may request a State Level Hearing in writing no later than sixty (60) calendar days after the date of the Notice of Action.
 1. If the member/applicant sends the request for a State Fair Hearing to HCDHS, the request will be forwarded to the Office of Administrative Courts (OAC) within one (1) business day from receipt.
 2. If the member or applicant makes a verbal request for a hearing, Assistance Payments Unit Supervisor shall prepare a written request for the individual's signature or have the individual prepare a written request.
 1. The request should include:
 1. The member or applicant's name, address and State ID (if applicable).
 2. The action, denial, or failure to act promptly that the request for an appeal is based on
 3. The reason for the appeal of the action.
2. Members or applicants will have the opportunity to examine the complete case file and documents to be used at the hearing at a reasonable time prior to or during the hearing. Documents and information that are confidential are exempt from this unless they are used as evidence during the hearing.
 1. The Assistance Payments Unit Supervisor shall provide access to the file via a computer in the private, partner office of the HCDHS office.
3. Members or applicants may request an Expedited Hearing. The process for requesting an Expedited Hearing is the same as above.

4. Upon notice of the scheduled hearing, Assistance Payments Unit Supervisor will secure a private hearing room that will accommodate all persons, including witnesses, expected to attend.
 1. The HCDHS Office Manager will arrange for language and/or auxiliary services for members or applicants who require them.
 2. HCDHS shall provide reasonable accommodations, including but not limited to auxiliary aids and services, as necessary to facilitate meaningful participation by individuals with disabilities, in the same manner as described in the DRC section of this procedure.
5. The hearing will be attended by Assistance Payments Unit Supervisor who will present evidence and testify to factual issues of the case when called upon.
6. When the Initial Decision is issued by the OAC, it will be served to all parties by first class mail.
 1. Upon receipt of the Initial Decision, Assistance Payments Unit Supervisor will review and determine whether exceptions will be filed.
 1. Exceptions must be filed with the HCPF Office of Appeals within fifteen (15) calendar days, plus three (3) calendar days for mailing, from the date the Initial Decision was mailed.
 2. The request for exceptions must be in writing and include the specific grounds for the request for reversal, modification, or remand of the Initial Decision.
 1. Specific grounds for the request must be based on the evidentiary findings in the Initial Decision. New evidence or oral arguments may not be presented.
 2. If asserting that the findings of evidentiary fact in the Initial Decision are not supported by the weight of the evidence, a written transcript of the hearing is required.
 3. A copy of the written transcript may be requested from the OAC but should be requested prior to filing an exception.
 1. If the written transcript is not filed with the exceptions, if applicable, the exceptions shall state that a written transcript has been requested.
 4. An extension of time to file exceptions, or the transcript, may be requested in writing with the HCPF Office of Appeals prior to the due date for filing exceptions.
 5. A copy of any exceptions filed will be served on all parties by first class mail.
 6. Each party may file a response to an exception within ten (10) calendar days from when the exceptions were mailed.

7. The HCPF Office of Appeals will issue a Final Agency Decision in writing to all parties within ninety (90) calendar days unless there has been an extension granted to the member or applicant.
8. If the Final decision is favorable to the member or applicant, Assistance Payments Unit Supervisor will take corrective action within three (3) business days after the effective date of the Final Agency Decision, retroactive to the date the incorrect action was taken. The effective date of the Final Agency Decision must be the third day after the date the decision is mailed to the parties, even if the third day falls on Saturday, Sunday or a legal holiday.
 1. A motion for reconsideration for the Final Decision may be filed with the HCPF Office of Appeals within fifteen (15) calendar days of the date the Final Decision was mailed.
 1. The motion for reconsideration must state the specific grounds for reconsideration.
 2. A copy of the motion for reconsideration will be served to all parties by first class mail. Parties have ten (10) calendar days from when the motion was mailed to file a written response.
 3. A copy of the decision on the motion will be mailed to all parties by first class mail.

MONITORING:

The HCDHS Director is responsible for monitoring requests for Dispute Resolution Conferences. Requests for State Fair Hearing are received by the Office Manager and forwarded to the Assistance Payments Unit Supervisor.

When the process is complete, Assistance Payments Unit Supervisor then signs off with the HCDHS Director.

TRAINING

Staff are trained upon hire, upon error, and at least bi-annually on the policy and procedure. When/if a new rule or memo is issued, staff receive an email communication that updates them on the new rule or memo. Current HCDHS have all received a copy of the policy and procedure. All training records are maintained by HCDHS.