MISSISSIPPI DIVISION OF MEDICAID

Eligibility Hearings

What are my rights before, during, and after a hearing?

You, or the person you choose to represent you, have the following rights:

- You have the right to read everything in your case record. The case record has all the documents used by the Division of Medicaid to make an eligibility decision. You may look at this file anytime during the hearing process.
- You have the right to have a lawyer help you during the hearing.
- You have the right to have witnesses testify for you.
- You have the right to present evidence which may help your case at the hearing and discuss the facts about your situation.
- You have the right to explain your case without any interference.
- You have the right to question or refute any testimony or evidence and to question any witness.
- You have the right to an expedited hearing if there is a medically urgent treatment or procedure scheduled or needed and you are uninsured.

The Division of Medicaid complies with all state and federal policies which prohibit discrimination on the basis of race, age, sex, national origin, handicap or disability- as defined through the Americans with Disabilities Act of 1990.

What is an Eligibility Hearing?

An eligibility hearing is a legal process that you may ask for if you do not agree with a decision made by the Division of Medicaid about your eligibility.

How do I ask for a hearing?

If you disagree with the action taken by the Division of Medicaid for any of the individuals shown on your notice, you may request a local and/or state hearing, as described below. If you have questions or need assistance, call the Medicaid Regional Office at the number provided below or the Office of Eligibility at 1-800-421-2408.

Hearing requests can be made in one of the following ways: in person, by mail, by telephone, or through other commonly available electronic means to the Medicaid Regional Office shown on your notice.

You must request a local or state hearing before 30 days from the date of mailing on your notice. However, this deadline may be extended if you can show good cause for not filing your request within 30 days. If any person named in this notice already has Medicaid or CHIP, that person can keep their coverage if you ask for a hearing within 15 days of the date of mailing on your notice. However, if the Division of Medicaid's action is upheld by the hearing decision, the agency has the right to initiate action for recovering benefits received during the hearing process.

Local and/or state hearings are held by telephone unless, at the hearing officer's discretion, an in-person hearing is deemed necessary.

What is the difference between local hearings and state hearings?

A **local hearing** is an informal review of your case, usually conducted by a supervisor in the Medicaid Regional Office. The hearing will not be held by a supervisor that handled the action taken on your case. At the local hearing you will be able to present additional or new information that could affect your case, ask questions about actions taken on your case and have the eligibility rules explained to you. Once the local hearing has been held, the supervisor who

heard the case will make a decision based on the facts of the case and notify you in writing of the decision. If you do not agree with the local hearing decision, you can then request a state hearing.

Exception: If the issue involves a disability or blindness denial or termination or a level of care denial for a disabled child living at home, a state hearing must be held.

A **state hearing** is much like a local hearing except that your case will be reviewed by a State Hearing Officer who has not been involved with your case before the hearing and the hearing will be recorded. After the hearing has been held, the Director of the Division of Medicaid will issue a decision based on the facts of the case and the recommendations of the State Hearing Officer. The state hearing decision is final within the Division of Medicaid. You cannot ask for another hearing on the same issue; however, you can seek judicial review in a court of appropriate jurisdiction.

How will I know when my hearing has been scheduled?

You will get a letter in the mail telling you the time and date of the hearing. If you are not able to talk on that date, you should call the Medicaid Regional Office (if you requested a local hearing) or the State Hearing Officer at the number on your letter as soon as possible to set another date.

The Division of Medicaid has 90 days to make a hearing decision.

Expedited Hearing

You may request an expedited (faster) hearing if you have an immediate need for a health service such as a medical procedure or treatment that has been scheduled or needs to be scheduled and you are uninsured. You can request an expedited hearing by contacting your local regional office in person, by mail, by telephone or through other commonly available electronic means. We will let you know if your request is granted or denied. If your expedited hearing request is granted, the timeframe for a decision is 7 working days. If your request for an expedited hearing is denied, your hearing request will follow the standard hearing timeframe of ninety (90) days.

Regional Offices

If you have questions about eligibility or how to apply for Medicaid, call your nearest Medicaid Regional Office in:

Brandon	(601) 825-0477
Brookhaven	(601) 835-2020
Clarksdale	(662) 627-1493
Cleveland	(662) 843-7753
Columbia	(601) 731-2271
Columbus	(662) 329-2190
Corinth	(662) 286-8091
Greenville	(662) 332-9370
Greenwood	(662) 455-1053
Grenada	(662) 226-4406
Gulfport	(228) 863-3328
Hattiesburg	(601) 264-5386
Hinds County	(601) 978-2399
Kosciusko	(662) 289-4477
Laurel	(601) 425-3175
Madison County	(601) 576-3350
McComb	(601) 249-2071
Meridian	(601) 483-9944
Natchez	(601) 445-4971
New Albany	(662) 534-0441
Newton	(601) 635- 5205
Oxford	(662) 371-1365
Pascagoula	(228) 762-9591
Philadelphia	(601) 656-3131
Picayune	(601) 798-0831
Senatobia	(662) 562-0147
Starkville	(662) 323-3688
Tupelo	(662) 844-5304
Vicksburg	(601) 638-6137
Yazoo City	(662) 746-2309

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