

Medicaid Expansion Appeal Next Steps

This document is for people who have:

- applied for expanded MaineCare (Medicaid);
- received a denial notice; appealed; and then
- received a letter from DHHS about delaying their hearing.

Maine Equal Justice Partners (MEJP) advises people to agree to delay their fair hearing on their appeal. MEJP is currently involved in a lawsuit to require the LePage administration to implement the Medicaid Expansion law passed by Maine voters last year. We are also working to make the appeal process smoother for individuals. DHHS's willingness to delay hearings came about because of those efforts.

If you would like to delay your hearing as we advise:

- You must reply to the letter you received from DHHS by the date indicated in your letter.
- You can use the MEJP form letter to reply asking to delay your hearing or you can write your own. The form letter (Request for Delay Letter) is in our Medicaid Expansion Toolkit at <http://mejp.org/content/medicaid-mainecare-expansion-guide>.
- The best way to reply is by mailing or faxing your letter.
 - Mail to:
**Maine Department of Health and Human Services
Administrative Hearings
11 State House Station
221 State Street
Augusta, Maine 04333-0011**
 - Fax to: **(207) 287-8448**
- If you mail your letter, we suggest sending it by certified mail; and be sure to send it in time for DHHS to receive it by the date on your letter.
- If you fax your letter, you should keep a copy of your fax receipt.
- You can call (207) 287-8448 (TTY USERS: Dial 711 [Maine Relay]), but it may be difficult to get through.

If you have any questions about this process, please contact MEJP at 1-866-626-7059.

WHY DO WE SUGGEST DELAYING YOUR HEARING?

MEJP is working to get the new law implemented. When it is finally implemented, we hope that eligible people who have applied will be able to get coverage back to the date of their

application. Some people may even be eligible for coverage up to three months prior to the month they applied—or to July 2, 2018. This retroactive coverage pays for medical expenses and prescriptions that are normally covered by MaineCare. If you have a hearing on your appeal before we resolve the implementation issues, you will likely be denied again and may lose your ability to receive retroactive coverage when the law is finally implemented.

WHAT HAPPENS IF I DO NOT DELAY MY HEARING?

It is not entirely clear how the process will work. A hearing will be scheduled for you. It may be grouped with others. You would need to attend the hearing and say why you should get Medicaid. If you lose your hearing (and this is likely), you would have to appeal your case to Superior Court in order to preserve your right to retroactive benefits. If you do not appeal, you will have to apply again and benefits would only begin from that new application date.

If you agree to delay your hearing, your hearing will be processed after the Maine Equal Justice lawsuit is resolved. If it is successful and you are eligible, you should get MaineCare back to the date you applied, or 3-months earlier in some cases.