

PROVIDER HEARINGS  
IN THE  
CABINET FOR HEALTH AND  
FAMILY SERVICES

Morehead State University

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# LRC Website for State Law

<http://www.lrc.ky.gov/law.htm>

This website provides access to all of Kentucky's statutes and regulations searchable by Chapter, Title, or keyword

# HEARINGS and TRIALS

- Legislative Branch: Enact Law and Investigate
- Judicial Branch: Adjudicate Law
- Executive Branch: Enforce Law  
Promugate Law and  
Adjudicate Law

# DUE PROCESS IN ADMINISTRATIVE HEARINGS

- Constitutional Protections
- KRS Chapter 13B

# DUE PROCESS IN ADMINISTRATIVE HEARINGS

- Timely and Adequate Notice
- Meaningful Opportunity to be Heard
- Impartial Decision Maker

# CHFS ADMINISTRATIVE HEARINGS

- Eligibility Hearings: F&C AHB
- Member Service Hearings: HS AHB
- Provider Hearings: HS AHB

# CHFS ADMINISTRATIVE HEARINGS

- Managed Care Organizations
- Fee for Service Programs

# CHFS

## ADMINISTRATIVE HEARINGS:

### Hearings Basics

1. Service Denial / Adv XN Letter
2. Patient Request for a Grievance Review
3. MCO Grievance Procedure/ Adv XN Letter
4. Patient Request for a Hearing
5. Hearing before AHO/ Recommended Order
6. Exceptions to Recommended Order
7. Review by Secretary/Final Order
8. Appeal to Circuit Court and beyond

# CHFS

## ADMINISTRATIVE HEARINGS

- Providers as Authorized Representatives:
- 907 KAR 17:010 Sec. 4(4)(a) and (b)
- "specific action"
- Timing: "no earlier than MCO action date"

# CHFS ADMINISTRATIVE HEARINGS

- Prior Authorization
- Emergencies: medically necessary
- 907 KAR 17:015 Sec. 2(12)

# CHFS ADMINISTRATIVE HEARINGS

- 907 KAR 3:130
- "clinical appropriateness"/  
Interqual standards
- "medical necessity"
- Program criteria

Questions?

The End