



**CABINET FOR HEALTH AND FAMILY SERVICES  
DEPARTMENT FOR MEDICAID SERVICES**

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**Stephen P. Miller**  
Commissioner

**MEMORANDUM**

**TO:** Medicaid Providers  
PL #A-102

**FROM:** Stephen P. Miller, Commissioner *Stephen P. Miller*

**DATE:** November 28, 2016

**RE:** Senate Bill 20

Senate Bill 20 (passed into law during the 2016 Legislative Session) established the right for a provider, who has exhausted the written internal appeals process of a Medicaid managed care organization (MCO), to be entitled to an external independent third party review on the Medicaid MCO's final decision that denies, in whole or in part, a health care service to an enrollee or a claim for reimbursement to a provider for a health care service rendered by the provider to an enrollee of the Medicaid MCO. The legislation also afforded a provider, or an MCO, the right to appeal the final decision of the external third party review to an administrative hearing.

In order to implement the requirements of Senate Bill 20, the Department for Medicaid Services (DMS) will be filing two regulations on December 1, 2016. 907 KAR 17:035 will establish the process for the external independent third party review and 907 KAR 17:040 will establish the process for an administrative hearing.

Beginning with dates of service on or after December 1, 2016 providers may submit a request for an external independent third party review within 60 calendar days of receiving an MCO's final decision from the MCO's internal appeal process. This request must be submitted to the MCO via the contact information designated on their final decision letters. DMS will also post the MCO contact information on our website at <http://www.chfs.ky.gov/dms/>.

If you have questions regarding this correspondence, please email us at [SB20@ky.gov](mailto:SB20@ky.gov) or call us at 502-564-9444 between the hours of 8 am and 4:30 pm, EST, Monday through Friday.

