



## HEALTH CARE PROBLEM WARRANTS PROPER NOTICE

When a Medicaid client receives an unexpected letter from the State of Colorado, it often marks the beginning of a trying and potentially life-altering ordeal. These letters, sometimes referred to as Notices of Action (NOAs), are mailed to clients when health care benefits are being reduced or terminated.

These letters are a necessary component of administering the Medicaid program, since they provide clients with advance notice of the reduction, termination, or suspension of their benefits. The letters are intended to inform clients of any changes in their eligibility and to provide them with information about how to appeal the loss of their benefits if they believe the action is unjustified.

In practice, NOAs are often vague and confusing, making it difficult for Medicaid clients to know whether they should challenge the decision. Without proper notice, those who appeal may be unable to fully prepare their case. When problems with notices cause eligible Medicaid clients to lose their benefits, a client may re-apply for benefits, though the process of reapplying will result in a lapse in coverage and is more expensive to the state than simply maintaining coverage for those who are eligible. For clients who rely on daily services, the loss of Medicaid for even one day can result in serious health problems.

Responding to these common notification issues, Colorado legislators formed an interim committee over the summer of 2016. Each bill introduced was approved by the committee with bipartisan support.

**SB17-121 aims to make notices more understandable, comprehensive and helpful.** In particular, this bill would require plain-language statements explaining the loss or reduction of benefits while citing specific examples of the type of documentation that could help clients demonstrate their benefits should remain unchanged. For example, if a client needed to offer proof of income, the notice would list the types of documents (such as paycheck stubs) that the client could provide. This information will help clients determine whether the loss of their benefits could be contested. Under the bill, there would also be client testing before future changes to notices.

This proposal will help ensure that the right to adequate notice exists not only in theory, but in reality, and that shortcomings in Medicaid notices do not lead to loss of coverage.

## **SUPPORT FOR IMPROVING MEDICAID CORRESPONDENCE**

AARP	Colorado Coalition for the Medically Underserved
Ability Connection Colorado	Colorado Community Health Network
All Families Deserve a Chance Coalition	Colorado Consumer Health Initiative
Alzheimer's Association of Colorado	Colorado Cross Disability Coalition
AOI Homecare	Colorado Developmental Disability Council
Association of Colorado Centers for Independent Living	Colorado Senior Lobby
Atlantis/ADAPT	Denver Women's Collaborative
Bayaud Enterprises	Disabled Resource Services
Brain Injury Collaborative	Hunger Free Colorado
Center for Independence Grand Junction	National Stroke Association
Chanda Plan Foundation	Parent to Parent of Colorado
CHARG Resource Center	Rocky Mountain MS Center
Chronic Care Collaborative	Southwest Center for Independence
Civil Rights Education and Enforcement Center	Stahlman Disability Consulting
Colorado Center on Law and Policy	The Arc of Colorado
Colorado Children's Campaign	The Independence Center, Colorado Springs
Colorado Coalition for the Homeless	

**For more information:**

Jack Regenbogen, Esq. 303-573-5669, Ext. 321 or [jregenbogen@cclponline.org](mailto:jregenbogen@cclponline.org)