

YOUR RIGHTS UNDER DENTAL MANAGED CARE

IF YOU DO NOT AGREE WITH THE DECISION MADE FOR YOUR DENTAL TREATMENT, YOU MAY FILE AN APPEAL. FILE THE APPEAL WITH YOUR DENTAL PLAN.

HOW TO FILE AN APPEAL

You have **60 days** from the date of a "Notice of Action" letter to file an appeal. **If you are currently getting treatment and you want to continue getting treatment, you must ask for an appeal: within 10 days** from the date this letter was postmarked or delivered to you; OR before the date your dental plan says services will stop. You must say that you want to keep getting treatment when you file the appeal.

You can file an appeal by phone, in writing, or electronically:

- **By phone:** Contact LIBERTY Dental Plan's Member Services Department between 8:00 am to 5:00 pm by calling 877-550-3875. If you cannot hear or speak well, please call 800-735-2929.
- **In writing:** Fill out an appeal form or write a letter and send it to:

LIBERTY Dental Plan of California
P.O. Box 26110
Santa Ana, CA 92799-6110

Your dentist's office will have appeal forms available. Your dental plan can also send a form to you.

- **Electronically:** Visit your health plan's website. Go to www.libertydentalplan.com

You may file an appeal yourself. You may have a relative, friend, advocate, dentist, doctor, or attorney file the appeal for you. You may send in any type of information you want your dental plan to review. A dentist who is different from the dentist who made the first decision will look at your appeal.

Your dental plan has 30 days to give you an answer. At that time, you will get a "Notice of Appeal Resolution" letter. This letter will tell you what the dental plan has decided. **If you do not get a letter within 30 days, you can:**

- Ask for an "**Independent Medical Review**" (**IMR**) and an outside reviewer that is not related to the dental plan will review your case.
- Ask for a "**State Hearing**" and a judge will review your case.

Please read the section below for instructions on how to ask for an IMR or State Hearing.

EXPEDITED APPEALS

If you are in pain or think waiting 30 days will hurt your health or dental condition, you might be able to get an answer within 72 hours. When filing your appeal, say why waiting will hurt your health or dental condition. Make sure you ask for an **“expedited appeal.”**

IF YOU DO NOT AGREE WITH THE APPEAL DECISION

If you filed an appeal and received a “Notice of Appeal Resolution” letter telling you that your dental plan will still not provide the services, or **you never received a letter telling you of the decision and it has been past 30 days**, you may:

- Ask for an **“Independent Medical Review” (IMR)** and an outside reviewer that is not related to the dental plan will review your case.
- Ask for a **“State Hearing”** and a judge will review your case.

You may ask for both an IMR and State Hearing at the same time. You may also ask for one before the other to see if it will resolve your problem first. For example, if you ask for an IMR first, but do not agree with the decision, you may still ask for a State Hearing later. However, if you ask for a State Hearing first, and the hearing has already taken place, you may not ask for an IMR. In this case, the State Hearing has the final say.

You will not have to pay for an IMR or State Hearing.

INDEPENDENT MEDICAL REVIEW (IMR)

If you want an IMR, you must first file an appeal with your dental plan. If you do not hear from your dental plan within 30 days, or if you are unhappy with your dental plan’s decision, then you may request an IMR. You must ask for an IMR within **180 days** from the date of the “Notice of Appeal Resolution” letter.

You may be able to get an IMR right away without filing an appeal first. This is for cases where your health or dental function is in immediate danger. The paragraph below will provide you with information on how to request an IMR.

The California Department of Managed Health Care (Department) is responsible for regulating dental managed care plans. If you received a “Notice of Adverse Benefit

Determination” letter, you should first telephone your dental plan at and use your dental plan’s appeal process before contacting the Department. Utilizing your dental plan’s appeal procedure does not prohibit any potential legal rights or remedies that may be available to you. If you need help with an appeal involving an emergency, an appeal that has not been satisfactorily resolved by your dental plan, or an appeal that has remained unresolved for more than 30 days, you may call the Department for assistance. You may also be eligible for an Independent Medical Review (IMR). If you are eligible for an IMR, the IMR process will provide an impartial review of dental decisions made by a dental plan related to the medical necessity of a proposed service or treatment, and payment disputes for emergency or urgent medical services. The Department also has a toll-free telephone number **(1-888-HMO-2219)** and a TDD line **(1-877-688-9891)** for the hearing and speech impaired. The Department’s Internet Website (<http://www.hmohelp.ca.gov>) has complaint forms, IMR application forms, and instructions online.

STATE HEARING

If you want a State Hearing, you must ask for one within **120 days** from the date of the “Notice of Appeal Resolution” letter. You can ask for a State Hearing by phone or in writing:

- **By phone:** Call **1-800-952-5253**. This number can be very busy. You may get a message to call back later. If you cannot speak or hear well, please call **TTY/TDD 1-800-952-8349**.
- **In writing:** Fill out a State Hearing form or send a letter to:

**California Department of Social Services
State Hearings Division
P.O. Box 944243, Mail Station 9-17-37
Sacramento, CA 94244-2430**

You may send a State Hearing form or letter by Fax to (916) 651-5210 or (916) 651-2789.

Be sure to include your name, address, telephone number, date of your “Notice of Appeal Resolution” (also known as a NAR), and the reason you want a State Hearing. If someone is helping you ask for a State Hearing, add their name, address, and telephone number to the form or letter. If you need an interpreter, tell us what language you speak. You will not have to pay for an interpreter. We will get you one.

After you ask for a State Hearing, it could take up to 90 days to decide your case and send you an answer. If you think waiting that long will hurt your health or dental function, you might be able to get an answer within 3 working days.

Ask your dentist or dental plan to write a letter for you. The letter must explain in detail how waiting for up to 90 days for your case to be decided will seriously harm your health or your dental function. Then, make sure you ask for an “**expedited hearing**” and provide the letter with your request for a hearing.

You may speak at the State Hearing yourself. You may have a relative, friend, advocate, dentist, doctor, or attorney speak for you. If you want another person to speak for you, then you must tell the State Hearing office that the person is allowed to speak on your behalf. This person is called an “authorized representative.”

LEGAL HELP

You may be able to get free legal help. Call the Health Rights Hotline at 888-354-4474. You may also call the local Legal Aid Society in your county at 888-804-3536.