



Appeals Top Ten – FAQs

- 1. What are two important facts about appeals?** The MNSure appeals process is an extension of customer service. MNSure informally resolves about 70-90% of all filed appeals before the appeal proceeds to hearing. A team of seven appeals representatives represent MNSure in appeals and try to informally resolve each appeal.
 - **How soon can I expect to be contacted by an appeals representative after the appeal is filed?** Generally, the appeals representative will contact the consumer/representative at least 3 days prior to the scheduled hearing date.
 - **When will my records be sent?** If the appeal is not resolvable the appeals representative will attach all appeal pertinent records such as call notes and notices when they send (email or USPS mail) the agency's summary/position. Generally, these are also sent out 3 days prior to the hearing date.
- 2. What is my role as an assister in an appeal?** An assister should provide information regarding the appeals process to consumers. Although not required in their role as a MNSure assister, an assister may file an appeal, and even represent (speak for) a consumer in the appeal. There really is not any time when it would not be appropriate for an assister to help with an appeal assuming the consumer's consent to file an appeal was already received.
- 3. How do I file an appeal?** Assisters and consumers alike can file MNSure appeals online through METS, by USPS mail, email, in-person, and by phone with MNSure's contact center, ARC, and broker line. Filing instructions on MNSure's website (see #1 above.) Generally, a consumer has 90 days to file his/her appeal. An appeal may take 90 days until a decision is received, but most are resolved in 21-65 days.
- 4. What about mixed household appeals?** All METS appeals follow a single front door for filing appeals, so consumers appealing eligibility decisions regarding MA or MinnesotaCare follow the same filing processes. In some appeals, both MNSure and DHS are responding parties, with DHS responding to the Medicaid eligibility and benefits issues, and MNSure responding to the QHP issues.
- 5. What is the lifecycle of an appeal?** File an appeal; a telephone hearing is scheduled; a MNSure appeals representative will try to informally resolve the dispute, if appropriate; prepare for the hearing; attend the telephone hearing; the appeal is decided and received in writing.
- 6. Who are the judges?** Through an interagency agreement, DHS adjudicates MNSure's appeals on MNSure's behalf. This is ultimately a MNSure decision, but made by neutral and independent DHS human services judges.



7. **What are people appealing?** The current trend with appeals is application of APTC, passive renewals, and terminations. Now as we are entering SEP season, the appeals most likely that will be seen will be SEP eligibility, SEP effective date (new kinds of appeals with PreVerification SEP process), and terminations.
8. **What if I disagree with the written decision?** Procedurally, MNsure and consumers may formally ask DHS for a reconsideration. Consumers may appeal MNsure decisions to the United States Department of Health and Human Services (HHS) and/or file an appeal in Minnesota district court. These additional appeal rights are listed on the last couple pages of each decision.
9. **What issues are not appealable?** The Human Services judges have jurisdiction to hear an appeal for only eligibility determinations. (i.e. MA, MinnesotaCare, APTC, QHP, Effective dates, termination dates) Issues are not appealable are for example: 1095A or billing/payment/benefit issues. MNsure has a 1095A team that can review and correct if needed the 1095A and the insurance carriers, not MNsure, have authority over billing/payments/benefits issues, including non-payment of premiums. MNsure cannot reinstate coverage for non-payment of premiums. The consumer would need to have experienced a qualifying life event to be enrolled after a termination for non-payment of premiums.
10. **What to do about consumer QHP premium notices while waiting for an appeal?** Follow up with the carrier, each carrier is different. It is possible that without payment the consumer can be terminated and potentially not reinstated for non-payment, even if MNsure resolves the issue.

More information on Appeals is at [MNsure.org](https://www.mnsure.org), under "Get Help"
"Appeals": <https://www.mnsure.org/help/appeals/index.jsp>