

# QUALITY MANAGEMENT MEMO

## COUNTY OF SAN DIEGO BEHAVIORAL HEALTH SERVICES

**To: Mental Health System of Care Providers and DMC-ODS Providers**

**Date: April 16, 2020**

**From: Heather Parson, Interim Behavioral Health Program Coordinator, Quality Management Unit, and Michael Blanchard, QM SUD Supervisor, SUD Quality Management**

**Re: State Fair Hearing timelines during the COVID-19 public health crisis**

To all providers:

On March 16, 2020 in response to the COVID-19 national emergency, the Department of Health Care Services (DHCS) [requested approval for flexibilities](#) under Section 1135 of the Social Security Act. On March 23, 2020, Centers for Medicare & Medicaid Services (CMS) [approved portions of the waiver](#), including the following modifications to federal timelines associated with appeals and State Fair Hearings:

1. Beneficiaries whose deadline for requesting a State Fair Hearing would have occurred during the public health emergency are allowed up to an additional 120 days to request a State Fair Hearing, up to a total of 240 days.
2. The public health emergency is defined as beginning on March 1, 2020 and ending at the end of the COVID-19 public health emergency, aligning with the period covered during the 1135 waiver.

This information will be included in the Notice of Appeal Resolution letter sent to clients once an appeal is concluded by our Client Advocacy Agencies: Jewish Family Services (JFS) or Consumer Center for Health Education and Advocacy (CCHEA). Due to the temporary nature of the public health crisis, other State Fair Hearing documents, i.e the “Your Rights” handouts, Grievance and Appeals posters, and Beneficiary Handbook will not be updated with this information.

Providers are still required to issue NOABDs and there is no change to the NOABD timelines.

All County of San Diego Mental Health and DMC-ODS providers are encouraged to visit the [COVID-19 BHS Provider Resources](#) page and [FAQ](#) for the most up to date information.

If you have any questions regarding this information, please direct them to the QI Matters email: [QIMatters.HHSA@sdcounty.ca.gov](mailto:QIMatters.HHSA@sdcounty.ca.gov)