

## **51003.1 Provider Appeal Process for Treatment Authorization Requests (TARs)**

### **(a)**

A provider of services may appeal the decision of a Medi-Cal consultant regarding a Treatment Authorization Request (TAR), as follows:(1) The provider shall submit a TAR appeal within 180 calendar days from the date of the decision on the original TAR. (2) When the last day of the 180 calendar day appeal period falls on a Saturday, Sunday or Holiday, the final date to submit the TAR appeal will be the next business day.

#### **(1)**

The provider shall submit a TAR appeal within 180 calendar days from the date of the decision on the original TAR.

#### **(2)**

When the last day of the 180 calendar day appeal period falls on a Saturday, Sunday or Holiday, the final date to submit the TAR appeal will be the next business day.

### **(b)**

The TAR appeal, regardless of submission method, shall include: (1) The original TAR number and service type requested, (2) The date(s) or service(s) in dispute, (3) The reason the appeal should be granted, and (4) Any additional documentation that a provider chooses to submit that supports the basis for the conclusion that the services are medically necessary.

**(1)**

The original TAR number and service type requested,

**(2)**

The date(s) or service(s) in dispute,

**(3)**

The reason the appeal should be granted, and

**(4)**

Any additional documentation that a provider chooses to submit that supports the basis for the conclusion that the services are medically necessary.

**(c)**

An eTAR appeal shall: (1) Be submitted through the Medi-Cal eTAR web portal system. (2) Include the special handling indicator found in the Medi-Cal eTAR web portal system that indicates that the submission is an electronic appeal.

**(1)**

Be submitted through the Medi-Cal eTAR web portal system.

**(2)**

Include the special handling indicator found in the Medi-Cal eTAR web portal system that indicates that the submission is an electronic appeal.

**(d)**

A provider may submit a paper TAR appeal when there is a disruption in the Medi-Cal eTAR web portal system that delays the provider from submitting the TAR appeal for more than 72 consecutive hours; and the Department has directed the provider to submit a paper TAR appeal.

**(e)**

A provider who submitted a paper TAR based on the Department's consideration of the provider's capacity to submit an eTAR, as described in Section 51002.5(a),

may submit a paper TAR appeal.

**(f)**

A paper TAR appeal shall: (1) Include a new, completed TAR for the services appealed; and (2) Be submitted to the Department; and either (3) Be post marked by the United States Postal Service; or (4) Be personally delivered to the Department and date stamped upon receipt; or (5) Be labeled with the date deposited with a common carrier for delivery to the Department.

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Be labeled with the date deposited with a common carrier for delivery to the Department.

**(g)**

(1) The Department shall review an eTAR appeal and enter the appeal decision and the basis for that decision into the Medi-Cal eTAR web portal system. (2) The Department shall review a paper TAR appeal and: (A) Enter the appeal decision and the basis for that decision into the Medi-Cal eTAR web portal system; and (B) Send the appeal decision and the basis for that decision to the provider.

**(1)**

The Department shall review an eTAR appeal and enter the appeal decision and the

basis for that decision into the Medi-Cal eTAR web portal system.

**(2)**

The Department shall review a paper TAR appeal and: (A) Enter the appeal decision and the basis for that decision into the Medi-Cal eTAR web portal system; and (B) Send the appeal decision and the basis for that decision to the provider.

**(A)**

Enter the appeal decision and the basis for that decision into the Medi-Cal eTAR web portal system; and

**(B)**

Send the appeal decision and the basis for that decision to the provider.

**(h)**

When the appeal decision is based on a review of documented medical necessity:

(1) For an eTAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system within 180 calendar days from the date that the eTAR appeal was submitted through the Medi-Cal eTAR web portal system. (2) For a paper TAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system and sent to the provider within 180 calendar days from the date that the paper TAR appeal was received by the Department.

**(1)**

For an eTAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system within 180 calendar days from the date that the eTAR appeal was submitted through the Medi-Cal eTAR web portal system.

**(2)**

For a paper TAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system and sent to the provider within 180 calendar days from the date that the paper TAR appeal was received by the Department.

**(i)**

When the appeal decision is a denial based on failure to submit the appeal within 180 calendar days from the date of the decision on the original TAR:(1) For an eTAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system within 60 calendar days from the date that the eTAR appeal was submitted through the Medi-Cal eTAR web portal system. (2) For a paper TAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system and sent to the provider within 60 calendar days from the date that the paper TAR appeal was received by the Department.

**(1)**

For an eTAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system within 60 calendar days from the date that the eTAR appeal was submitted through the Medi-Cal eTAR web portal system.

**(2)**

For a paper TAR appeal, the decision shall be entered into the Medi-Cal eTAR web portal system and sent to the provider within 60 calendar days from the date that the paper TAR appeal was received by the Department.

**(j)**

If a provider is not satisfied with the appeal decision, the provider may seek a judicial remedy pursuant to Section 1085 of the Code of Civil Procedure.