

The Affordable Care Act:

Ensuring Your Right to Appeal Health Plan Decisions

FACT SHEET

The Patient Protection and Affordable Care Act provides you and your family with new protections, programs and resources. Under federal and California law, health plans must have an internal review process through which you can appeal a health plan's decision. If you are not satisfied with the outcome of the internal appeal, then you can get an external review by an independent reviewer who is not part of your health plan.

What it Means for You

Before the law, some health plans in California were not required to allow consumers to appeal health plan decisions to an independent reviewer.

If certain health plans denied a treatment you needed or refused to pay for a service you received, there was no standard process for an internal or external review of that denial. You had to accept the health plan's decision.

Now, most health plans that are not "grandfathered" will be required to follow new rules regarding appeals.

These rules allow you to have a health plan's denial of care or treatment reviewed by the health plan within 30 days (or within three days if your issue is urgent). This is called an "internal review."

Your health plan must inform you in writing of your right to appeal when it denies a service or treatment.

If you are not satisfied with the health plan's internal review decision, you have a right to have the denial reviewed by an independent physician who is not a part of your health plan. This is called an "external review."

The health plan must follow the independent external review decision.

Both the internal and external reviews are free to you.

The new law does not make any changes to the Medicare or Medi-Cal appeals processes.

Key Dates

For consumers in self-insured Employee Retirement Income Security Act (ERISA) group health plans, this protection starts with plan years that began on or after July 1, 2011.

For most other Californians in individual or employer-sponsored health plans, this protection has been in place for many years through California's Independent Medical Review (IMR) laws.

For More Information: For assistance, call the Help Center at 1-888-466-2219, email us at helpline@dmhc.ca.gov or log onto healthhelp.ca.gov.