

Expedited Appeal Level Review Notification

Revised March 2012

When an adverse determination not to approve a health care service for prospective or concurrent review is issued by the UR Agent, the ordering practitioner/injured employee/representative **has a right to request an appeal level review**. All requests for appeal level review must be received by the UR agent no later than thirty (30) days from the date of receipt of the notice of adverse determination.

1. The Commonwealth of Massachusetts UR regulations require a UR Agent to complete an expedited appeal and issue a written determination **within two (2) business days from the date of receipt of the appeal request**.
2. A practitioner of the same school as the ordering practitioner must complete expedited appeals. School is defined by licensure.
3. All appeal requests must be in writing. **However, the appeal may be initiated verbally. If the appeal is verbal, the UR agent should request the ordering practitioner or injured employee/representative to follow up with a written appeal request. If the injured employee/representative or ordering practitioner fails to comply, the UR agent should send a written confirmation of the appeal request.**
4. The injured employee and/or ordering practitioner has the right to ***request*** to speak to the appeal level practitioner on an expedited basis. However, all communication **must** be completed within two (2) business days from the date of receipt of the appeal request.
5. When the ordering practitioner is not available to speak with the school reviewer in the 2 business day time frame, because of scheduling conflicts or issues, the UR Agent can ask the ordering practitioner if they would like to withdraw the request for appeal and resubmit the request. A new written request for the appeal must be made within 30 days from the receipt of the adverse determination. If the ordering practitioner does withdraw the appeal it is the ordering practitioner's responsibility to timely request the appeal in writing.
6. When a request to speak to a school-to-school reviewer is made by the ordering practitioner the UR agent is required to make a **good faith effort to facilitate** a discussion between the ordering practitioner and/or employee and/or the same school reviewer. The UR agent should contact the ordering practitioner on the day the request is received and provide a minimum of at least four (4) time periods during the two day appeal period that the school reviewer will be available to speak to the ordering practitioner. Each of those time periods will be of, at least, two (2) hours in duration. The dates and times must be provided in writing to the ordering practitioner and every effort must be made by the UR agent to ensure that the ordering practitioner is allowed sufficient opportunities to speak to the agent's school reviewer. The agent is required to contact the ordering practitioner and request the ordering practitioner's availability during the appeal period, and then match the ordering practitioner's availability to the availability of the school reviewer. If the school reviewer is not available to speak with the ordering practitioner the UR Agent should seek a review with a school reviewer who is available to discuss the case with the ordering practitioner.
7. If the ordering practitioner/employee fails to make themselves available and/or fails to contact the peer reviewer within the agreed timelines, then the appeal level determination will be based on the available documentation and issued within two (2) business days of the request for expedited appeal.
8. To further expedite the appeal process, the ordering practitioner may forward any/all additional medical information to be considered with the appeal request.
9. Additional medical information received within the required timelines (within two (2) business days of receipt of the appeal request) can be considered in rendering the determination.
10. If the ordering practitioner/employee disagrees with the appeal level determination, they may file a final appeal request with the Department of Industrial Accidents.