



New Mexico Human Services Department

Bill Richardson, Governor
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Medical Assistance Division
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INTERDEPARTMENTAL MEMORANDUM

MAD-GI: 09-05

DATE: April 16, 2009

TO: ISD SCI CENTRAL PROCESSING UNITS,
ALBERT DELGADO, REGIONAL OFFICE MANAGER,
CINDY SALAZAR, REGIONAL OFFICE MANGER

FROM: BOB BEARDSLEY, DEPUTY DIRECTOR, MEDICAL ASSISTANCE
DIVISION
TED ROTH, DEPUTY DIRECTOR, INCOME SUPPORT DIVISION

THROUGH: MARI SPAULDING-BYNON, BUREAU CHIEF, INSURE NEW MEXICO

BY: NANCY SMITH-LESLIE, PROGRAMS MANAGER

**SUBJECT: SCI FAIR HEARING PROCEDURES AND CONTINUATION OF
BENEFITS**

The Human Services Department, Medical Assistance Division, has recently seen an increase in the number of SCI recipients who have requested a fair hearing due to the closure of their SCI eligibility and have requested continuation of benefits within the 13-day time limit per **Subsection C of 8.352.2.16 C. NMAC:**

*Continuation of benefits may be provided to SCI **enrolled** members who request a hearing within 13 days of the notice. The notice will include information about the rights to continued benefits and about the member's responsibility for repayment if the hearing decision is not in the member's favor. SCI members who have met claim benefit maximums (dollars or bed days or prescriptions for the month) or who have not paid premiums or paid premiums late will not have continuation of benefits when requesting a hearing within 13 days of the notice.*

This memorandum provides guidance on actions that should be taken by the ISD SCI caseworker.

Upon notification of the request, the worker should verify that the request is within the required 13-day time period. Additionally, the worker should contact the Insure New Mexico (INM) office to ensure that the member has not met claim benefit maximums (dollars or bed days or

prescriptions for the month) or has not paid premiums or paid premiums late. If they have met benefit maximums, then they are not eligible for continuation of benefits, or if premiums are delinquent, they must be brought current before continuation of benefits can be established. If eligible for continuation of benefits, the worker should reinstate the case on ISD2 using a J and D function. If the case was closed for failure to recertify, the worker should reinstate the case using the J and D functions followed by a recertification using the C and F functions and overriding the notice by placing a y in the *waive-10-day-notice*: field on the FAEL screen.

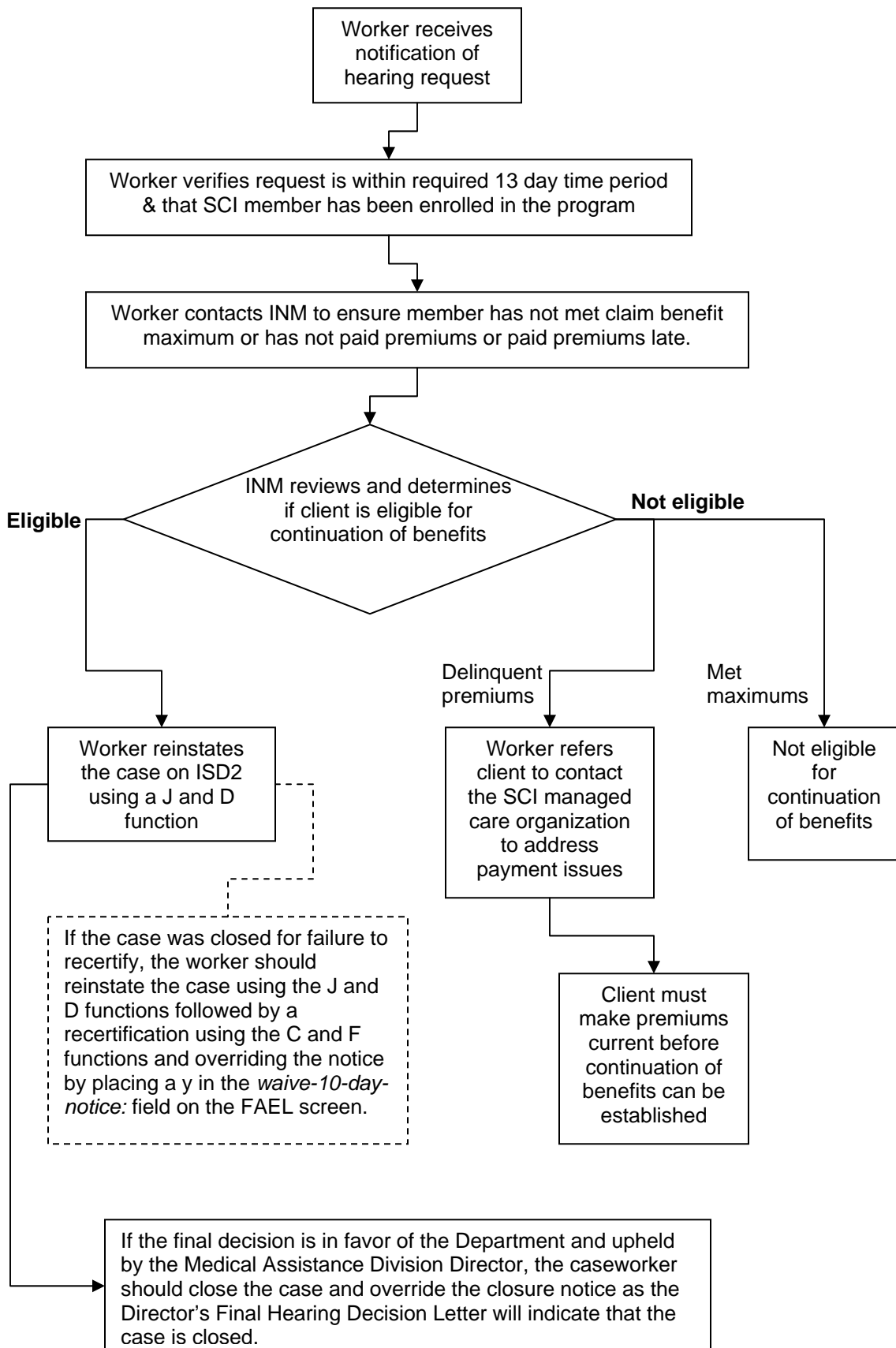
If the final decision is in favor of the Department and upheld by the Medical Assistance Division Director, the caseworker should close the case and override the closure notice as the Director's Final Hearing Decision Letter will indicate that the case is closed.

In such cases when the client is appealing a closure due to failure to recertify and has requested continuation of benefits within the required timeframe, and if the county office did not receive a recertification application for the client and the fair hearing decision is in the client's favor, the worker should leave the case open. The worker should mail a manual notice and recertification application to the client. The notice should include a deadline to submit the recertification application. Once the recertification application is received, the caseworker should review the application and documentation and determine if the case is still eligible. If the case is still eligible and there have been no changes in income or other information, then no further ISD2 action is necessary. However, the caseworker should narrate the case record with the caseworker's review of the application and generate a manual recertification approval notice. A copy of the manual approval notice should be e-mailed to the appropriate Managed Care Organization with a copy to INM to ensure that re-enrollment occurs in a timely manner.

If the income has changed, the caseworker will need to have a supervisor update the income on ISD2 using a D function. Based on the updated income information ISD2 will determine whether the client will remain eligible and re-determine the case type if necessary. ISD2 will generate the proper notice based on this change.

If you have questions regarding this GI please contact either Nancy Smith-Leslie at (505) 827-7704 or via email at nancy.smith-leslie@state.nm.us or Joey Kellenaers at (505) 827-6208 or via email at joey.kellenaers@state.nm.us.

Continuation of Benefit Request for SCI Members



Client appealing closure due to failure to recertify and has requested continuation of benefits but did not submit a recertification application and hearing decision is in client's favor

