



Travis County Commissioners Court Agenda Request

Meeting Date: August 19, 2014

Prepared By/Phone Number: John Rabb HRMD, 854-2742

Elected/Appointed Official/Dept. Head: Leroy Nellis, County Executive

Commissioners Court Sponsor: Judge Samuel T. Biscoe

A handwritten signature in blue ink, likely of Leroy Nellis, written over the printed name.

AGENDA LANGUAGE:

Consider and take appropriate action on the following:

- A. Appointment of one new member to the Employees Health Benefits Fund Appeal Panel; and
- B. Post an Appeal Panel Hearing as required by Chapter 17, Section 17.050, on final receipt of all documentation required for consideration of appeal related to denial of coverage for services not covered from the Travis County Employees Health Fund Benefits Plan and failure to file timely.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

Please see attached documentation.

STAFF RECOMMENDATIONS:

HRMD Staff recommends approval of the panel nominee and scheduling of the hearing.

ISSUES AND OPPORTUNITIES:

The appeal has complied with preliminary requirements before filing their appeals under Chapter 17, Section 17.050.

FISCAL IMPACT AND SOURCE OF FUNDING:

No funding is required for the approval of this item.

REQUIRED AUTHORIZATIONS:

Human Resources Management
Human Resources Management
Planning and Budget Office

John Rabb, 854-2742
Debbie Maynor, 854-9170
Leroy Nellis, 854-9106

Handwritten initials in blue ink, possibly "DM", written next to the name Debbie Maynor.



HRMD

Human Resources Management

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Backup Memorandum

DATE: August 19, 2014

TO: Members of the Commissioners Court

VIA: *Respectfully*
Leroy Nellis, County Executive, Planning and Budget Office

FROM: John Rabb, Benefits Manager *JR*

SUBJECT: Appointment of new Appeal Panel member and post an Appeal Panel Hearing.

Proposed Motion

Consider and take appropriate action on the following:

- A. Appointment of one new member to the Employees Health Benefits Fund Appeal Panel; and
- B. Post an Appeal Panel Hearing as required by Chapter 17, Section 17.050, on final receipt of all documentation required for consideration of appeal related to denial of coverage for services not covered from the Travis County Employees Health Fund Benefits Plan and failure to file timely.

Summary

The last appeal panel hearing occurred in 2011. In addition to the two panel members from that hearing, we are requesting the addition of Christopher Postiglione, R.N. to the panel. Christopher would be another member of the panel who carries similar credentials as existing members and is medically trained and licensed in his respective discipline. The Appeals Committee which conducts the appeals hearing is made up of the Benefits Manager and two members of the appeal panel. Adding the additional member to the panel will help with availability and reducing scheduling conflicts.

The Hearing date and time will be scheduled and posted upon receipt of all documentation required for the appeal. The appellant has submitted a majority of the required forms and information and we anticipate the last of the required forms will be returned within the week. Per Section 17.050 the Hearing must be heard within 7 days. The Hearing will be called to order followed by reading each appeal into the record. The hearing will recess to executive session where rules for Protected Health Information will be enforced. The following appeals will be scheduled for hearing:

Adjudicate appeal related to denial of coverage for services not covered from the Travis County Employees Health Fund Benefits Plan and failure to file timely.

Staff Recommendation:

HRMD Staff recommends approval of the panel nominee and scheduling of the appeals hearing.

Issues and Opportunities:

Both appeals have complied with preliminary requirements before filing their appeals under Chapter 17, Section 17.050.

Budgetary and Fiscal Impact

There is no fiscal impact to Travis County.

Attachments

Chapter 17, Section 17.050

§ 17.050 Procedure For Invoking The Appeal Process

- (a) The determination of whether an appeal is to be approved is in the discretion of the panel of the Appeals Committee that considers the appeal.
- (b) Commissioners Court shall establish an Appeals Committee. The Appeals Committee shall be composed of licensed medical practitioners, with knowledge and experience in varied areas of medicine and the Risk Manager. Commissioners Court shall appoint the members of the Appeals Committee as needed to serve until the appointee resigns.
- (c) A panel of three members of the Appeals Committee shall determine each appeal. The Risk Manager shall establish a panel of the Appeals Committee within one business day after receipt of an appeal. Each panel shall include at least one licensed medical practitioner with expertise that is appropriate to the medical issue being appealed. In addition, each panel shall include the Risk Manager. In addition to the members of the panel, there will be a representative of the County Attorney at each appeal hearing. This representative does not have the right to vote on the determination of any appeal. Notice of the meetings of a panel of the Appeals Committee shall be posted in compliance with the Texas Open Meetings Act. TEX. GOV'T CODE ANN., ch. 551.
- (d) All information provided in any appeal filed and all discussions about any appeal by panels of the Appeal Committee shall be kept confidential.
- (e) Employees shall not file an appeal under this section until all appeal procedures available through the Claims Administrator have been exhausted.
- (f) Appeals must be filed with the Risk Manager at HRMD within 30 days after receipt of a final written denial of benefits from the Claims Administrator. Appeals must be in writing and provide at least the following:
 - (1) The name and the social security number of the employee,
 - (2) The name of the person whose care is being appealed,
 - (3) The name and address of the medical providers involved,
 - (4) A clear statement of the level of service requested and the amount of indemnity requested,
 - (5) A detailed explanation of the reasons that the appeal should be considered,
 - (6) Copies of all documents previously submitted for consideration to the Claims Administrator for review of the Claim,
 - (7) An authorization for release of medical information to the Risk Manager, the panel of the Appeals Committee hearing the appeal, and the County Attorney advising the panel, and
 - (8) An authorization for review and discussion of medical information by the Risk Manager, the panel of the Appeals Committee hearing the appeal, and the County Attorney advising the panel as necessary to hear and determine the appeal.
- (g) Appeals should be enclosed in a sealed envelope or a sealed box and marked "Confidential Appeal" to facilitate maintaining the confidentiality of the information provided. Appeals so marked shall not be opened by anyone except the Risk Manager or the Director of HRMD.

- (h) A panel of the Appeals Committee shall hear the appeal and make a determination about the appeal and issue a written decision with reasons for it within 7 business days of receiving a completed, written appeal. Written decisions of a panel of the Appeal Committee shall not include personal identification information. The Employee filing the appeal may be present and is allowed to present information to the Appeals Committee. The Employee filing the appeal may present information to the Appeals Committee in writing. The Employee filing the appeal may also present information in person at the hearing of the appeal.
- (i) HRMD is responsible for facilitating the hearing process, including setting the time, location, and agenda; posting any notices required by the Texas Open Meetings Act (Tex. Gov't Code Ann., ch. 551); preparing copies of the appeals for the members of the panel; providing medical expertise as needed by the members of the panel; and providing the clerical assistance for preparation of the written decision of the panel. All personal identification information shall be redacted before distribution to the panel.