

## DIVISION 80

111-080-0030

### **Complaints Appeals and Administrative Reviews**

~~(1) OEBB eligible employees may request a review to determine if an educational entity's eligibility decision is based on OAR 111-010-0015(11), (13), (14), or (21) or an educational entity's enrollment decision is based on OAR 111-040-0001 through 0050.~~

**(1) Eligibility and enrollment issues. OEBB has an Appeal process consisting of three levels that a member can use if they disagree with an eligibility determination or enrollment record. These three levels are:**

**(A) Appeal. An Appeal is the first level and must be received by OEBB in writing. OEBB staff gather all information and set up the Appeal file. OEBB Staff reviews the Appeal and makes a decision. The member is then notified in writing of the OEBB staff's decision.**

**(B) Request for Reconsideration. A Request for Reconsideration is the second level and can be requested by the member if the member is not satisfied with the decision on their Appeal. OEBB staff gather all the information and include in the Appeal file. The OEBB Management Team reviews all the information contained in the file (from the Appeal and the Request for Reconsideration) and makes a decision. The member is then notified in writing of the OEBB Management Team's decision.**

**(C) Administrative Review Request. An Administrative Review Request is the third level and can be requested by the member if the member is not satisfied with the decision on their Request for Reconsideration. OEBB staff gather any additional information and add to the Appeal file. OEBB staff will schedule an Administrative Review Committee meeting. OEBB staff will notify the member and all applicable parties of the date, time and location. At the meeting, the Administrative Review Request will be presented to the Administrative Review Committee members and after considering all documentation and possible public comment, a decision is made. The member will be notified in writing of the Administrative Review Committee's decision.**

~~(2) OEBB members have the right to request a review of benefit and claim issues that are not resolved following the completion of the carrier appeal process.~~

**(2) Benefit and claim issues. Following the Insurance Carrier's appeals process, a member can request a review by OEBB.**

**(A) Administrative Review Request. An Administrative Review Request can be made to OEBC if the member is not satisfied with the outcome after completing the carrier's appeal process. OEBC staff gathers all information and sets up the file. The OEBC Contracts Officer will complete an initial review of the file to ensure it meets the criteria outlined in our contracts that limits these reviews to a "determination of whether or not a service or benefit was intended to be covered under the current contract." The initial review will assess whether there is documentation contained within the contract or its attachment or exhibits relating to the benefit that was denied. If the Administrative Review request does not meet the specified criteria the Contracts Officer will refer it to the OEBC Management Team and the member will be notified in writing of the OEBC Management Team's decision. If the request does meet the specified criteria, OEBC staff will schedule an Administrative Review Committee meeting. OEBC staff will notify the member and all applicable parties of the date, time and location. At the meeting, the Administrative Review Request will be presented to the Administrative Review Committee. They will consider all documentation and public comment and make a decision in accordance with the information presented. The member will be notified in writing of the Administrative Review Committee's decision.**

Stat. Auth.: ORS 243.860 to 243.886

Stats. Implemented: ORS 243.864(a)