

Preparing for a Hearing

To prepare for a fair hearing:

- Read the Arizona Center for Disability Law's (ACDL's) guide "How to Represent Yourself at an Administrative Hearing." Even though this guide discusses hearings regarding the denial of AHCCCS services, the hearing process is similar.
- Read ACDL's guide "How to Make Your Health Insurance Work for You." Pay special attention to Section 1 of the guide on how to organize materials for the hearing and Section 3 for getting help from your doctors.

Additional Options

If you do not agree with the results of either appeal process, you may file the case in a court of law and request a review of the appeal. The court will not take any case until you have tried to solve the problem using the appeal process described in this pamphlet and by the DDD.

It is important that you also look at and read all the information given or mailed to you by DDD and follow all of the deadlines and requirements.

Filing a Grievance

If you are unhappy with the quality of care or how you were treated:

- Discuss the problems with the Support Coordinator.
- If not resolved, you can file a grievance in person, by phone or in writing (in writing is best and keep a copy for yourself).
- Support Coordinator will document the complaint and try to resolve it.
- You will receive a Notification of Decision no later than 90 days after receipt of the grievance.

Other Resources

All of ACDL's Self-Help Guides are available at:

www.azdisabilitylaw.org/selfguides.html

Division of Developmental Disabilities Website

www.azdes.gov/developmental_disabilities/



DDD (Division of Developmental Disabilities) Appeals and Grievances

Arizona Center for Disability Law

5025 E. Washington
Suite 202
Phoenix, AZ 85034

177 N. Church
Suite 800
Tucson, AZ 85701

602-274-6287
800-927-2260
602-274-6779 (Fax)

520-327-9547
800-922-1447
520-884-0992 (Fax)

Website: www.azdisabilitylaw.org

Email: center@azdisabilitylaw.org

Qualifying for DDD Services

To qualify for DDD services, you must meet the following:

- Be a resident of the state of Arizona.
- Apply voluntarily.
- Be at risk of having a developmental disability (up to age six) or for those over six years old, have a diagnosis of:
 - epilepsy,
 - cerebral palsy
 - cognitive/intellectual disability or
 - autism (but not Asperger's syndrome or PPD NOS)
- Have a disability that occurred before the age of 18, and
- Have a substantial functional limitation in three of seven major life areas :
 - Self-care (eating, hygiene, bathing, etc.)
 - Language (communicating with others)
 - Learning (ability to learn new tasks and skills and acquiring and processing new information)
 - Mobility (moving from place to place)
 - Self-direction (ability to make decisions that affect your well being)
 - Independent living (need for supervision or assistance daily)

- Economic self- sufficiency (able to support oneself)

Appealing an ALTCS Denial

After getting a Notice of Intended Action from the State, you may do the following:

Don't Agree – What Can You Do?

File an appeal within 60 days of the Notice of Action with:

Division of Developmental Disabilities Office of Administrative Review

3443 N Central Avenue, Suite 606
Suite Code 016F, Phoenix, Arizona 85012
(602) 771-8163 Phone or (602) 277-0026 (Fax)

You will get a decision (or a Notice of Appeal Resolution) within 30 days of your request for an appeal.

Don't Agree – What Can You Do?

Send a request for a fair hearing within 30 days of the decision (Notice of Appeal Resolution) to the same address above.

Don't Agree – What Can You Do?

Request a re-hearing or review within 30 days of the decision following your Fair Hearing to:

AHCCCS, Office of Administrative Legal Services

701 E. Jefferson Street
Phoenix, Arizona 85034
(602) 417-4232 Phone or (602) 253-9115 (Fax)

The AHCCCS office will review your case and issue a **final written decision**.

Appealing Denial of State-Funded Services

After getting a Notice of Intended Action from the State, you may do the following:

Request an **Administrative Review** within 35 days of the Notice of Intended Action to the Division of Developmental Disabilities at the address and phone numbers listed in this pamphlet.

You will get a decision within 30 days of the request for an **Administrative Review**.

Don't Agree – What Can You Do?

Request a Fair Hearing within 30 days to the Division of Developmental Disabilities.

DES will schedule a hearing and notify you of the date and time.

Don't Agree – What Can You Do?

Request an appeal within 15 days of your hearing to:

DES Office of Appeals
207 E. McDowell Road
Phoenix, Arizona 85004
(602) 542-6459 Phone

The DES Appeals Board will review your appeal and issue a final written decision.