



MEMORANDUM

TO: EPH Providers

FROM: El Paso Health

DATE: March 28, 2023

RE: PHE Ends May 11, 2023/ Update Member State Fair Hearing Process

The Health and Human Services Commission (HHSC) has received notice that the COVID-19 federal public health emergency (PHE) declared January 31, 2020, will end on May 11, 2023.

Under the PHE, the Texas Health and Human Services Commission (HHSC) provided certain flexibilities, including allowing Medicaid members more time to request a fair hearing. Instead of 120 days to request a fair hearing after the internal MCO appeal, members were given an additional 30 days to request a fair hearing totaling up to 150 days to request a fair hearing with HHSC during the PHE.

HHSC will be ending this flexibility on May 11, 2023.

Starting on May 12, 2023, if members receive a "Member Notice of MCO Internal Appeal Decision" and want to appeal it, they must file their request for a fair hearing with or without an external medical review no less than 90 days and no more than 120 calendar days from the date the notice is mailed. State fair hearing requests filed past this deadline may not be reviewed.

Members will be receiving notification on this update no later than April 11, 2023.

If you have any questions regarding this communication please contact our Provider Relations team at 915-532-3778 or email us at ProviderRelationsDG@elpasohealth.com