



STATE OF WISCONSIN
Department of Employee Trust Funds
Robert J. Conlin
SECRETARY

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ETF Insurance Complaint Form

Administrative Review of Benefit Complaints and Appeals

If you filed a grievance with the plan or benefit administrator and are dissatisfied with the final decision, you can request an administrative review from the Department of Employee Trust Funds (ETF). To request a review, you must contact ETF within 60 days of the date of the plan's final decision. **You must exhaust all levels of appeal through the plan before requesting an ETF administrative review.**

ETF offers you three levels of administrative review:

- 1. File a Complaint with Ombudsperson Services.** An informal review, this level allows the most latitude for resolution of your problem. Examples of disputes reviewed at this level include plan denials of benefits and plan denials of referrals.
- 2. File a Request for Departmental Determination.** ETF has the authority to issue determinations based on the language of the contract, or applicable Wisconsin statute or Wisconsin Administrative Code. This is a more formal process than the review by the ombudsperson. You may choose to begin with the ombudsperson level or request a Departmental Determination as your first level of administrative review.
- 3. Appeal to the Group Insurance Board via Administrative Hearing.** This is the final level of administrative review. You must receive a departmental determination before you can file an appeal. The appeal process involves a pre-hearing conference to determine the issue(s) in dispute, followed by a formal hearing by a hearing examiner. The hearing examiner then makes a recommendation to the Group Insurance Board (Board), which the Board may or may not accept.

You may choose to retain an attorney for this or any other level of appeal.

The following provides additional information on each level of administrative review.

Written Complaint to ETF – Ombudsperson Review

Complaints must be in writing via this *ETF Insurance Complaint Form*. In addition to a brief description of the issue, please include copies of letters between you and the plan or provider, bills, dates of service and the total dollar amount of any denied claims. Upon receipt, an ombudsperson will acknowledge your written complaint and indicate when the review is expected to begin. If necessary, the ombudsperson will request additional information.

Once the review is completed, the results will be sent to you in writing. If a satisfactory resolution is not reached, you have the right to request a departmental determination as described below. While many disputes are resolved at this level, you may choose to waive the ombudsperson review and proceed directly to the departmental determination level. For example, if your dispute is with the plan's interpretation of a contractual provision, an ombudsperson has limited ability to resolve the dispute.



Written Request for Departmental Determination

You must submit a written request to ETF for a Departmental Determination within **60 days** from the date of the ombudsperson's final letter to you or the completion of the plan's grievance appeal process.

The review at this level is to establish whether or not the plan acted in accordance with the insurance contract. In your request for a Determination, you should note the areas of the contract or Uniform Benefits provision that pertain to your appeal. The Departmental Determination will be provided to you in writing.

If the Departmental Determination upholds the plan's final decision, you may appeal to the Board. Appeals to the Board must be filed within **90 days** of the date of the written determination.

Written Appeal to the Group Insurance Board – Administrative Hearing

This is the final administrative review level available to you through ETF. All appeals are conducted in accordance with ETF Chapter 11, Wisconsin Administrative Code. You must first receive a departmental determination in order to appeal to the Group Insurance Board (Board). The Board only has authority to hear appeals relating to issues that arise under the terms and conditions of Uniform Benefits or other applicable contract.

Your appeal to the Board must be in writing and identify the specific facts or legal interpretations that you believe are in error. Include your name, address, and telephone in your appeal letter. **The Appeals Coordinator must receive the written appeal within 90 days of the date of the Departmental Determination. Appeals should be sent to the Appeals Coordinator, at the address shown below.**

A hearing examiner presides over the appeal process at this level. The appeal process consists of several parts, including the pre-hearing conference, the hearing, and an issuance of a proposed decision. The Board then considers all of the evidence and issues a final decision. This process may take up to a year to complete, depending on the backlog of pending cases.

Parties who disagree with the final decision may appeal to the Dane County Circuit Court for certiorari review within 30 days of the notice of final decision.

To learn more about the appeal process, please request an *Administrative Appeals Process* brochure (ET-4943). Copies of ETF Chapter 11 and the brochure can also be obtained from the ETF Internet site at: etf.wi.gov.

To request an administrative review:

Please indicate the level of review requested (i.e., Ombudsperson or Departmental Determination) and send this completed, signed form to:

Department of Employee Trust Funds
P.O. Box 7931
Madison, WI 53707-7931
or
ombudsperson@etf.state.wi.us



EXPIRATION: This authorization expires one year from the date signed, or upon withdrawal or resolution of complaint.

PURPOSE

I understand this authorization is for the purpose of giving the specified individually identifiable health information to ETF so that ETF may take steps to resolve my insurance complaint.

EFFECT OF REFUSAL TO SIGN AUTHORIZATION

This authorization is voluntary. I understand I may refuse to sign this authorization. However, failure to provide a signed authorization may effectively prohibit ETF from addressing my complaint.

REDISCLASURE

Federal privacy laws require I be informed that information used or disclosed pursuant to an authorization may be subject to re-disclosure by the recipient and no longer be protected by federal privacy regulations.

TREATMENT, PAYMENT, ENROLLMENT AND ELIGIBILITY FOR BENEFITS

Any organization or person described above who I am authorizing to use or disclose my health information is not permitted to condition treatment, payment, enrollment in a health plan or eligibility for health benefits on my refusal to sign this authorization.

RIGHT TO REVOKE

I understand I may revoke this authorization at any time by notifying, IN WRITING, to Ombudsperson Services. I understand that if I do revoke this authorization, such revocation does not affect any uses or disclosures before the written revocation is received.

RIGHT TO RECEIVE A COPY OF THIS AUTHORIZATION

I understand that I have a right to receive a copy of this completed form, upon request.

