



# Louisiana Medicaid Dental Independent Review Process

# What is Independent Review?

► Independent Review is a process available for providers to resolve claims payment disputes with the Dental Benefit Plan Manager (DBPM). (This is an addition to other options available, not a replacement process.)

► Submit a written request to:

LDH/Program Operations and Compliance

P.O. Box 91283, Bin 32,

Baton Rouge, LA 70821-9283

ATTN: Dental Benefit Plan Independent Review

► Submit a request online at:

<https://ldh.force.com/Reporting/s/independentreview>

# Who are Independent Reviewers?

- ▶ Independent Reviewers are selected by the Independent Reviewers Selection Panel.
- ▶ The panel selects Independent Reviewers to review disputes between the DBPM and Providers. They make decisions on claims disputes.
- ▶ The Panel consists of the Secretary of the Louisiana Department of Health or his/her duly designated representative, one representative from the DBPM, one dentist representative, and the dean of the LSUSD or his designee.

# Who Pays Independent Reviewers?

- ▶ The DBPM pays the Independent Reviewers the fee amount set by the Selection Panel for reviewers, which is \$250.00.
- ▶ However, if the provider loses the Independent Review, the provider is required to reimburse the DBPM for the fee.
- ▶ So it is the “Losing” party that is ultimately responsible for paying the Reviewer.

# How much is the Independent Review fee?

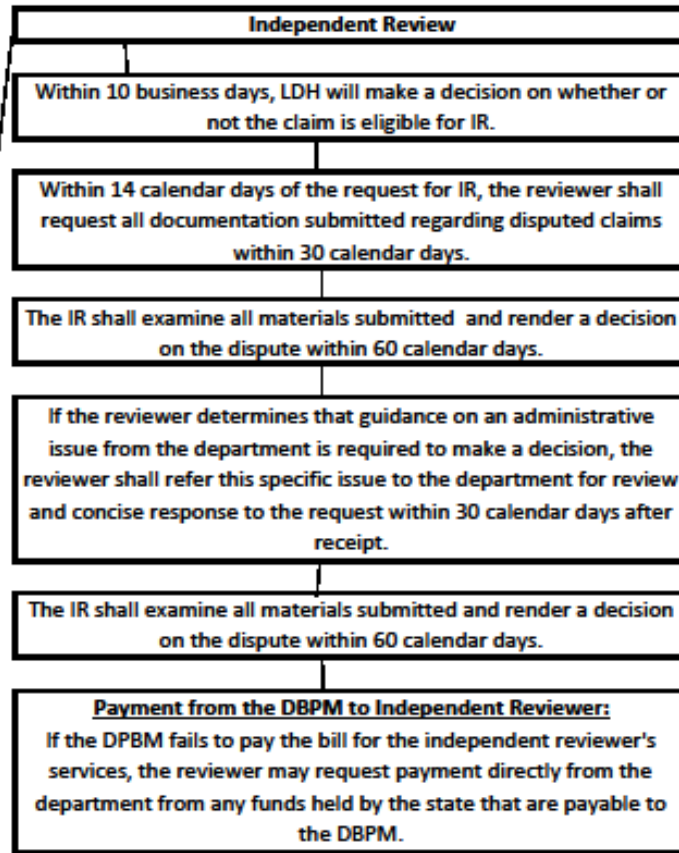
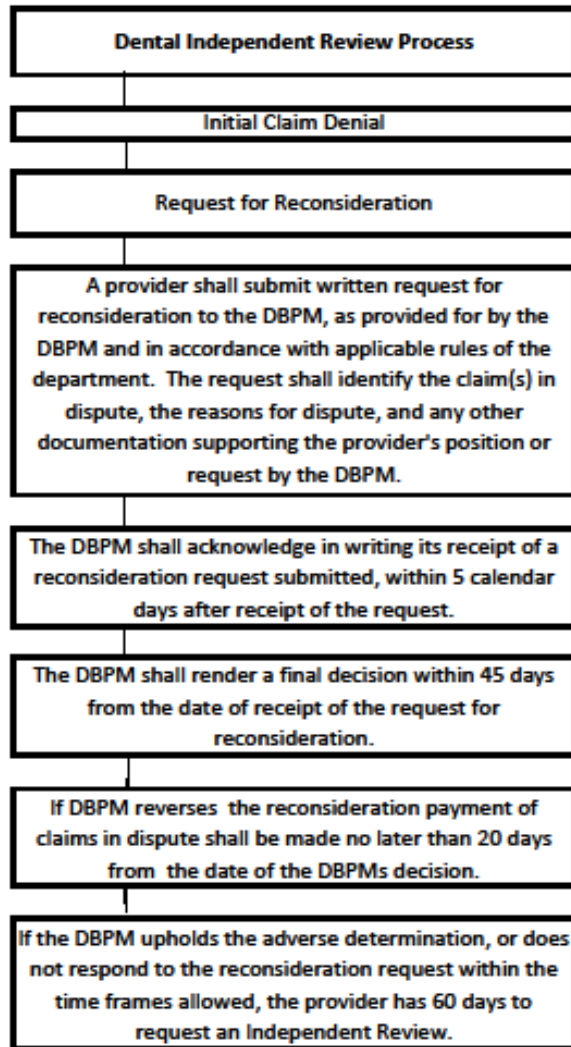
The Independent Reviewer fee is \$250.00 per Independent Review Request.

# Who pays for the Review?

- ▶ The DBPM always pays the Reviewer.
- ▶ If a contracted provider loses the Independent Review, the provider must reimburse the DBPM the fee.
- ▶ If a losing provider does not refund the DBPM the fee, Program Operations and Compliance (LDH) may prohibit that provider from future participation in the Independent Review process.

# What makes an Independent Reviewer “Independent”?

- ▶ Reviewers are not selected by the DBPM, Provider, or Program Operations and Compliance (LDH).
- ▶ Reviewers compensation is not connected to the outcome of the reviews performed.
- ▶ Independent Review provides an impartial third party decision.



**Payment from DBPM to Provider:**  
If the Independent Reviewer renders a decision requiring a DBPM to pay any claims or portion of the claims, within 20 calendar days, the DBPM shall send the provider payment in full along with 12 percent interest calculated back to the date the claim was originally denied or recouped.

**Payment from Provider to DBPM:**  
The DBPM shall pay the fee for an independent review to the Louisiana State University School of Dentistry. The dentist provider shall, within 10 days of the date of the decision of the independent reviewer, reimburse a DBPM for the fee associated with conducting an independent review when the decision of the DBPM is upheld. If the provider fails to submit payment for the independent review within 10 days from the date of the decision, the DBPM may withhold future payments to the provider in an amount equal to the cost of the independent review, and the department may prohibit that provider from future participation in the independent review process.



# What are the steps to Request an Independent Review?

- ▶ Prior to requesting an Independent Review, providers must request reconsideration from the DBPM.
  - Providers must fill out the Provider Appeal and Reconsideration form, include all supporting documents, and then send to the DBPM for reconsideration.
  - Once this process is completed, if the DBPM upholds the adverse determination (or does not respond within the time frames allowed) the provider has 60 days to request an Independent Review.
- ▶ To request Independent Review:

Fill out information requested on the request for Independent Review Form and attach or enclose all supporting documents. Be sure to include everything supporting your position.

Send the request to:

LDH/Program Operations and Compliance  
P.O. Box 91283, Bin 32,  
Baton Rouge, LA 70821-9283  
ATTN: Dental Benefit Plan Independent Review

or

Submit an online request to:

<https://ldh.force.com/Reporting/s/independentreview>

# Where can I get the request for Independent Review form?

- ▶ The form will be on the DBPM website as well as LDH website.

# What kinds of claims can be sent to the Independent Review?

- ▶ The DBPM denies a claim in whole or partially.
- ▶ The DBPM pays the claim partially.
- ▶ The DBPM recoups the payment of a claim.
- ▶ The DBPM failed to respond to the claim by issuing a RA within 60 calendar days.
- ▶ No claims filed with an DBPM prior to August 1, 2018, regardless of whether the claim is re-filed after that date can be sent to Independent Review.
- ▶ No claims involved in arbitration or litigation can be sent to Independent Review.

# What are the Eligibility Limitations for Independent Review?

- ▶ Request must be received by Program Operations and Compliance (LDH) within 180 days from one of the following dates:
- ▶ The date on which the DBPM transmits RA or other notice electronically.
- ▶ Sixty days from the date the claim was submitted to the DBPM if the provider receives no RA or other written electronic notice.
- ▶ The date on which the DBPM recoups the monies remitted for a previous claim payment.
- ▶ Request must include a written request for reconsideration form filled out, that was submitted to the DBPM that identifies the claim(s) in dispute, the reasons for the dispute and any documentation supporting the providers position or request.

# What happens if my request is not eligible for Independent Review?

- ▶ When a request does not meet eligibility requirements, LDH will screen request for eligibility for Independent Review.
- ▶ Program Operations and Compliance will send written notification to the provider stating why the request is not eligible for Independent Review and whether the request is being processed as a provider complaint.

# Can I aggregate multiple claims into one Independent Review request?

- ▶ Yes, if the specific denial reason involves one “common” question of fact or law.
- ▶ Can a reviewer decide one claim and apply that decision to all claims?
- ▶ The mere fact that claims are not paid does not create a common substantive question of fact or law.
- ▶ The reviewer makes the final determination as to whether claims are eligible for aggregation.
- ▶ If a provider elected to aggregate its claims, the Independent Reviewer may, upon request, allow for up to an additional thirty days for both the provider and DBPM to provide relevant information related to the Independent Review request.

# What happens if I request claims be aggregated when they are not eligible for aggregation?

- ▶ If a reviewer determines that claims should not have been aggregated, a fee will be assessed for each claim that cannot be aggregated with another claim.
- ▶ The reviewer will explain the reason for this determination.

# Will I be contacted by the Reviewer?

- ▶ Yes, the reviewer will contact the provider and DBPM, by certified mail with return receipt requested.
- ▶ The reviewer will ask the provider and the DBPM to provide any written information and documentation that the provider or DBPM wants the reviewer to consider.



# How will I know who wins the Independent Review?

- ▶ The reviewer will tell you.
- ▶ The reviewer will write a decision and send a copy to the provider, DBPM, and Program Operations and Compliance (LDH).

# Can I appeal the Independent Review Decision?

- ▶ Within 60 calendar days of an Independent Reviewers decision, either party to dispute may file suit in any court having jurisdiction, the review , the Independent Reviewers decision and to recover any funds awarded by the Independent Reviewer to the other party.
- ▶ Any claim concerning an Independent Reviewers decision not brought within 60 calendar days of the decision shall be barred indefinitely.

# If I win, when will I get my money?

- ▶ The DBPM shall send a payment in full along with interest back to the date the claim was originally denied or recouped to the provider within 20 calendar days of the date of the reviewer's decision.

# What if the DBPM does not pay when I win?

- ▶ The provider should contact Program Operations and Compliance (LDH) if payment is not received within 20 calendar days of the reviewer's decision.

# What will Health Plan Management (LDH) do if the DBPM does not pay as decided?

- ▶ If the DBPM fails to pay the Independent Reviewer's services, then the reviewer may request payment from the department from any funds held by the state that are payable to the DBPM.