

(II) INCLUDE THE FOLLOWING INFORMATION:

1. THAT THE MEMBER, OR A HEALTH CARE PROVIDER ACTING ON BEHALF OF THE MEMBER, HAS A RIGHT TO FILE AN APPEAL WITH THE CARRIER;

2. THAT THE MEMBER, OR A HEALTH CARE PROVIDER ACTING ON BEHALF OF THE MEMBER, MAY FILE A COMPLAINT WITH THE COMMISSIONER WITHOUT FIRST FILING AN APPEAL, IF THE COVERAGE DECISION INVOLVES AN URGENT MEDICAL CONDITION FOR WHICH CARE HAS NOT BEEN RENDERED;

3. THE COMMISSIONER'S ADDRESS, TELEPHONE NUMBER, AND FACSIMILE NUMBER;

4. THAT THE HEALTH ADVOCACY UNIT IS AVAILABLE TO ASSIST THE MEMBER IN BOTH MEDIATING AND FILING AN APPEAL UNDER THE CARRIER'S INTERNAL APPEAL PROCESS; AND

5. THE ADDRESS, TELEPHONE NUMBER, FACSIMILE NUMBER, AND EMAIL ADDRESS OF THE HEALTH ADVOCACY UNIT.

(F) (1) WITHIN 30 CALENDAR DAYS AFTER THE APPEAL DECISION HAS BEEN MADE, EACH CARRIER SHALL SEND TO THE MEMBER, AND THE HEALTH CARE PROVIDER ACTING ON BEHALF OF THE MEMBER, A WRITTEN NOTICE OF THE APPEAL DECISION.

(2) NOTICE OF THE APPEAL DECISION REQUIRED TO BE SENT UNDER PARAGRAPH (1) OF ~~THE~~ THIS SUBSECTION SHALL:

(I) STATE IN DETAIL IN CLEAR, UNDERSTANDABLE LANGUAGE THE SPECIFIC FACTUAL BASES FOR THE CARRIER'S DECISION; AND

(II) INCLUDE THE FOLLOWING INFORMATION:

1. THAT THE MEMBER, OR A HEALTH CARE PROVIDER ACTING ON BEHALF OF THE MEMBER, HAS A RIGHT TO FILE A COMPLAINT WITH THE COMMISSIONER WITHIN 60 WORKING DAYS AFTER RECEIPT OF A CARRIER'S APPEAL DECISION; AND

2. THE COMMISSIONER'S ADDRESS, TELEPHONE NUMBER, AND FACSIMILE NUMBER.

~~(F)~~ (G) THE COMMISSIONER MAY REQUEST THE MEMBER THAT FILED THE COMPLAINT OR A LEGALLY AUTHORIZED DESIGNEE OF THE MEMBER TO SIGN A CONSENT FORM AUTHORIZING THE RELEASE OF THE MEMBER'S MEDICAL RECORDS TO THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE THAT ARE NEEDED IN ORDER FOR THE COMMISSIONER TO MAKE A FINAL DECISION ON THE COMPLAINT.

~~(G)~~ (H) (1) DURING THE REVIEW OF A COMPLAINT BY THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER, A CARRIER SHALL HAVE THE BURDEN OF PERSUASION THAT ITS COVERAGE DECISION OR APPEAL DECISION, AS APPLICABLE, IS CORRECT.