



Department of Medicaid

Mike DeWine, Governor
Jon Husted, Lt. Governor

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TO: Contracted Medicaid Managed Care Plans (MCPs)
Contracted MyCare Ohio Plans (MCOPs)

FROM: Roxanne Richardson, Deputy Director, Office of Managed Care

DATE: April 7, 2020 (revised April 16, 2020)

SUBJECT: Grievance Extension due to COVID-19 Pandemic

Please be advised that during the COVID-19 pandemic, the Ohio Department of Medicaid (ODM) will grant a 14-calendar day extension for all non-emergency access and non-access related grievances. For the grievance types outlined in this memo, ODM will not require the plans to abide by the following requirements within Ohio Administrative Code rule 5160-26-08.4 and 5160-58-08.4 paragraph (F)(2):

- (F)(2)(a) – the MCP/MCOP shall seek an extension from ODM prior to the end of the grievance resolution timeframe; and
- (F)(2)(b) – the request shall be supported by documentation of the need for additional information and that the extension is in the member’s best interest.

The requirement in 5160-26-08.4 and 5160-58-08.4 paragraph (F)(2)(c) shall still be followed, which requires the plan to make reasonable efforts to provide the member prompt oral notification of the extension and, within two calendar days, provide the member written notice of the reason for the extension and a date by which a decision shall be made.

ODM recognizes that the COVID-19 pandemic has impacted member’s ability to access services and plans may not be able to fully resolve these grievances within the timeframes specified in OAC rule 5160-26-08.4 and 5160-58-08.4 even with the additional 14 calendar day extension. Therefore, for non-emergency access related grievances that are a direct result of the COVID-19 pandemic (e.g. when a member can’t get in to see a provider or access telehealth services), the grievance resolution sent to the member may indicate that the grievance will be fully resolved when the state of emergency is no longer in effect. This notice to the member shall not be construed as the date the grievance was resolved. The MCP or MCOP shall follow-up with the member and submit the final grievance resolution and date the grievance was resolved to ODM when the state of emergency is no longer in effect. ODM will not take compliance for grievances that remain open and are not fully resolved within the timeframes specified in OAC rule 5160-26-08.4 and 5160-58-08.4 during the COVID-19 pandemic.