

## **NOTICE OF CLAIM PROCESSING PROCEDURES AND APPEAL RIGHTS**

Your Group Health Plan (Plan) coverage is provided through an employee welfare benefit plan established by your employer. As a Plan participant, you (and your covered dependant(s)) have certain claim processing and appeal rights under the Employee Retirement Income Security Act of 1974 (as amended) (ERISA) and state law.

### **1. INTRODUCTION**

**Introduction:** Under ERISA and applicable U.S. Department of Labor (DOL) regulations, claimants are entitled to full and fair review of any claims made under the Plan. The procedures described below are intended to comply with ERISA and these DOL regulations by providing reasonable procedures governing the filing of benefit claims, the issuing of benefit decisions and the reasonable notification of the right to appeal adverse benefit determinations.

**Purpose:** These procedures are furnished as a separate document that accompanies the Summary Plan Description (SPD) for your Plan. These procedures comply with ERISA and the DOL regulations. Consult the SPD for details regarding the benefits provided under the Plan.

### **2. DEFINITIONS**

**Plan:** The Plan is the Employee Welfare Benefit Plan established by your employer.

**Claim:** A claim is any request for a Plan benefit or benefits made in accordance with these procedures. A communication regarding benefits that is not made in accordance with these procedures will not be treated as a claim under these procedures.

**Claimant:** You become a claimant when you make a request for a Plan benefit or benefits in accordance with these procedures.

**Incorrectly-Filed Claim:** Any request for benefits that is not made in accordance with these procedures is called an incorrectly-filed claim.

**Authorized Representative:** An Authorized Representative may act on behalf of a claimant with respect to a benefit claim or appeal under these procedures. However, no person (including a treating health care professional) will be recognized until the Plan receives written authorization signed by the claimant. Once an authorized representative is appointed, the Plan shall direct all information, notification, etc. regarding the claim to the authorized representative. The claimant shall be copied on all notifications regarding determinations, unless the claimant provides specific written direction otherwise. *Any reference in these procedures to claimant is intended to include the authorized representative of such claimant appointed in compliance with the above procedures.*

**Plan Sponsor/Plan Administrator/Plan Fiduciary/Plan Trustee:** Your employer is the Plan Sponsor, Plan Administrator and Plan Fiduciary for the Plan. Benefits under the Plan are funded by insurance contracts. Premiums for the insurance are paid for by employer and employee contributions. Your employer, in its capacity as the Plan Administrator and in light of the purposes for which the Plan was established and is maintained, shall consider and render, in its sole discretion, appropriate eligibility determinations. The insurance company shall consider and render, in its sole discretion, appropriate coverage and benefit determinations. In particular, the insurance company shall have full and sole discretionary authority to interpret all Plan documents and to make all interpretive and factual determinations as to whether any individual is entitled to receive any benefits under the terms of the Plan. The insurance company is also responsible for making claim and appeal determinations.

**Designated Administrator:** Your employer and the insurance company have, by agreement, delegated certain non-fiduciary, ministerial administrative acts, duties and responsibilities of the Plan to Allied National, Inc., a licensed third-party administrator (Allied National). As the designated administrator, Allied National is authorized to process enrollments, bill and collect contributions, process claims payments, and perform other services, according to the terms of the agreement.

### **3. HOW TO FILE A CLAIM FOR BENEFITS**

**General Filing Rules:** A claim for benefits is made when a claimant (or authorized representative) submits written Notice and Proof of Loss as required in the SPD to:

**Allied National, Inc., Attn: Claims Department, PO Box 29186, Shawnee Mission, KS 66201 (fax: 913-9454390)**

A claim will be treated as received by the Plan (a) on the date it is hand delivered to the above address; (b) on the date that it is deposited in the U.S. Mail for first-class delivery in a properly-stamped envelope containing the above name and address (the postmark on any such envelope will be proof of date of mailing); (c) on the next business day immediately following the date it is faxed using the above fax number; or (d) on the next business day immediately following the date it is electronically submitted in compliance with HIPAA electronic transaction standards.

Notice of a claim shall be filed within 30 calendar days, and Proof of Loss of a claim shall be filed within 90 calendar days, following receipt of the medical service, treatment or product to which the claim relates. However, if it was not reasonably possible to file notice or proof within those time periods, notice must be filed within 90 calendar days, and Proof of Loss must be filed within six (6) months, following receipt of the medical service, treatment or product (except in the case of legal incapacity of the claimant).

**How Incorrectly-Filed Claims Are Treated:** These procedures do not apply to any request for benefits that is not made in accordance with these procedures.

#### **4. DETERMINING BENEFITS**

**Timeframe:** The Plan shall determine benefits for a claim, or request any additional information needed to process an incomplete claim, within a reasonable time, but no later than 30 calendar days after receipt of the claim. The Plan issues only retrospective (post-service) claim determinations.

**When Extensions of Time Are Permitted:** Nothing prevents the claimant from voluntarily agreeing to extend the above timeframe.

**Incomplete Claims:** If any information needed to process a claim is missing, the claim shall be treated as an incomplete claim.

**How Incomplete Claims Are Treated:** If a claim is incomplete, the Plan may deny the claim or request the missing information within the 30-calendar day timeframe described above. If the Plan requests the missing information, it shall do so in writing and include a description of the missing information. The missing information must be provided within 45 calendar days. If the missing information is provided, the Plan shall determine benefits within 15 calendar days of receipt. If the missing information is not provided within the 45 calendar days, benefits may be denied or the claim may be inactivated.

#### **5. NOTIFICATION OF ADVERSE DETERMINATION BY PLAN**

**Written Notification:** Written notification of an adverse determination by the Plan shall be provided to the claimant.

**Content of Notification of Adverse Benefit Decision:** Written notification provided to the claimant of the Plan's adverse determination on a claim shall include the following, in a manner calculated to be understood by the claimant:

- a statement of the specific reason(s) for the determination;
- reference(s) to the specific Plan provision(s) on which the determination is based;
- a description of any additional material or information necessary to complete the required proof of loss and why such information is necessary;
- a description of the Plan procedures and time limits for appeal of the determination, and the right to obtain information about those procedures and the right to sue in federal court;
- a statement disclosing any internal rule, guidelines, protocol or similar criterion relied on in making the determination; and
- if the determination involves scientific or clinical judgment, disclose an explanation and discussion of the scientific or clinical judgment applying the terms of the Plan to the claimant's medical circumstances.

**Definition of Adverse:** A determination on a claim is "adverse" if it is a denial, reduction or termination of, or a failure to provide or make payment (in whole or in part) for a benefit, including any such denial, reduction, termination or failure to provide or make payment that is based on a determination of a participant's or beneficiary's eligibility to participate in a plan.

#### **6. YOUR RIGHT TO APPEAL**

**Your Right to Appeal:** A claimant has a right to appeal an adverse determination and to receive a full and fair review under these procedures.

#### **7. HOW TO APPEAL AN ADVERSE BENEFIT DETERMINATION**

**Claim Inquiries:** Please contact Allied National's Customer Service department at **1-800-825-7531** with any questions about the processing of your claim, including coverage and benefit determinations and Claim Reviews.

**Internal Claim Review:** If you disagree with a coverage or benefit determination, you have the **RIGHT TO APPEAL** that determination by requesting an Internal Claim Review within **180 CALENDAR DAYS** from the date you received the coverage or benefit determination. Only one (1) Internal Claim Review is available per claim. An Internal Claim Review determination acts as a Final Internal Adverse Benefit Determination.

##### **Internal Claim Review Instructions and Procedures:**

1. To request an Internal Claim Review, please
  - a. State your request for an Internal Claim Review in writing, include your full name, date of birth and certificate number, identify the claim in question, and explain why you disagree with the determination. You may also submit any additional written comments, documents, records or other information relating to the claim.
  - b. Sign and date your written request and attach all supporting documentation.
  - c. Mail the written request and attachments to the following address, **within the 180-day deadline stated above:**  
**Allied National, Inc., Attn: Internal Claim Reviews, PO Box 29186, Shawnee Mission, KS 66201**

1. Upon request and at no charge, you may have reasonable access (including copies) to the claim file, including all documents, records and information submitted to our office that relate to your claim.

2. The Internal Claim Review will take into account all written comments, documents, records and other information submitted to our office that relate to your claim, including comments, documents, records or other information not previously considered or submitted at the time the claim was processed.
3. Copies of any clinical rationale or review criteria and any new or additional evidence which the Internal Claim Review considers, relies upon or generates will be included with our written determination, free of charge.
4. The Internal Claim Review will be a “fresh” look at your claim, ignoring the appealed determination. It will be conducted by a person not involved in the appealed determination, not currently supervised by someone involved in that determination, and whose terms of employment are not based on the likelihood of upholding that determination.
5. If the appealed determination is based on a medical judgment (in whole or in part), the Internal Claim Review will include consultation with a health care professional, trained and experienced in the medical field relevant to the determination, not involved in the appealed determination, not currently supervised by someone involved in that determination and whose terms of employment are not based on the likelihood of upholding that determination.
6. You, your doctor or your authorized representative may request an Internal Claim Review and you may be represented by a relative, friend, lawyer or other authorized representative.
7. You may present evidence and testimony by submitting written comments, documents, records or other information relating to the claim. Hearings, panel reviews or other formal in-person proceedings are not conducted.
8. Within 5 business days of receiving your written request, our office will mail a written acknowledgement to you.
9. Within 30 calendar days of receiving your written request, our office will mail a written determination to you.

**Optional Second Internal Review:** If you disagree with the Internal Claim Review, you may go directly to External Review (if available, see below) or request an optional Second Internal Review. A written request for a Second Internal Review must be submitted to our office within 180 CALENDAR DAYS [six (6) months] from the date you received the determination for the initial Internal Claim Review. Please refer to the Internal Claim Review Instructions and Procedures stated above for completing and submitting a written request for a Second Internal Review. Only one (1) Second Internal Review is available per claim. A Second Internal Review is completely voluntary and not required to exhaust your rights of appeal under your health plan coverage.

**External Review:** You may have a right to External Review of your claim if:

1. You disagree with the Internal Claim Review (or the optional Second Internal Review, if one was requested); and
2. Your claim is eligible for Independent or External Review by an Independent Review Organization (IRO) under applicable law (including, but not limited to, medical judgment determinations such as medical necessity, appropriateness, health care setting, level of care or effectiveness).

Please refer to the External Review Instructions below for submitting a written request. Only one (1) External Review is available per claim. External Review is provided at no charge to you (some states may charge a small processing fee) and acts as a Final External Review Decision.

**External Review Instructions:** If External Review is available for your claim, an application packet will be enclosed with the determination for the Internal Claim Review. To request External Review, please follow the instructions contained in the packet and mail the application within 120 CALENDAR DAYS [four (4) months] from the date you received the determination for the Internal Claim Review (or the Second Internal Review, if one was requested).

**State Assistance:** You also have the right to request assistance from, or to file a complaint with, the Department of Insurance (DOI) or Consumer Services Division (CSD) for your state of residence (or employment), at any time. Please note the following contact information:

CA: CSD, 980 9th St., S. 500, Sacramento, CA 95814, <http://www.healthhelp.ca.gov>, 888-466-2219, [helpline@dmhc.ca.gov](mailto:helpline@dmhc.ca.gov)

CO: DOI, 1560 Broadway, S. 850, Denver, CO 80202, <http://www.dora.state.co.us/insurance>, 800-930-3745

GA: CSD, 2 MLK, Jr. Dr., W. Tr., S. 716, Atlanta, GA 30334, <http://www.oci.ga.gov/consumerservice/home.aspx>, 800-656-2298

IL: CSD, 320 W. Washington St., 4th Fl., Springfield, IL 62727, <http://www.insurance.illinois.gov>, 877-527-9431

IN: DOI, 311 W. Washington St., S. 300, Indianapolis, IN 46204-2787, <http://www.in.gov/idoi>, 800-622-4461

IA: CSD, 330 Maple St., Des Moines, IA 50319, <http://www.insuranceca.iowa.gov>, 877-955-1212

KS: CSD, 420 SW 9th St., Topeka, KS 66612, <http://www.ksinsurance.org>, 800-432-2484, [CAP@ksinsurance.org](mailto:CAP@ksinsurance.org)

MO: CSD, 301 W. High St., Rm. 830, Jefferson City, MO 65101, [www.insurance.mo.gov](http://www.insurance.mo.gov), 800-726-7390

NE: DOI, 941 O St., S. 400, Lincoln, NE 68508-3639, <http://www.doi.ne.gov/>, 877-564-7323

NV: CSD, 555 E. Washington Ave., S. 4800, Las Vegas, NV 89101, <http://www.govcha.state.nv.us>, 888-333-1597

OH: DOI, 50 W. Town St., 3rd Fl., S. 300, Columbus, OH 43215, <http://www.ohioinsurance.gov/>, 800-686-1526

OK: CSD, 3625 NW 56th St, S 100, OK City, OK 73112, <http://oid.ok.gov/>, 800-522-0071

PA: CSD, 1326 Strawberry Square, Harrisburg, PA 17111, [www.insurance.pa.gov](http://www.insurance.pa.gov), 877-881-6388

TN: CSD, 500 James Robertson Pkwy, DC Tr, 4th Fl, Nashville, TN 37243, [www.tn.gov/commerce/insurance](http://www.tn.gov/commerce/insurance), 800-342-4029

TX: CSD, MC 111-1A, 333 Guadalupe, Austin, TX 78714, [www.texashealthoptions.com](http://www.texashealthoptions.com), 855-839-2427, [chap@tdi.state.tx.us](mailto:chap@tdi.state.tx.us)

VA: CSD, P.O. Box 1157, Richmond, VA 23218, <http://www.scc.virginia.gov/boi>, 877-310-6560

**Plan Assistance:** To request assistance from or file a complaint with the Plan, please note the following contact information:

**Allied National, Inc., P.O. Box 29186, Shawnee Mission, KS 66201, <http://www.alliednational.com/>, 800-825-7531**

**Judicial Review:** If you exhaust all administrative rights of appeal under your Group Health Plan, you have the right to bring a civil action under Section 502(a) of ERISA. The time limitations stated in your Plan SPD for bringing legal actions or proceedings apply to any such civil action.

### **NOTICE OF RIGHT TO AN INDEPENDENT MEDICAL REVIEW**

This NOTICE contains important information about your insurance claim and your **RIGHT TO SEEK INDEPENDENT MEDICAL REVIEW** of the coverage or benefit determination. Please carefully read the following instructions on how to request an **Independent Medical Review**, pursuant to California law. If you have any questions about submitting your written request, please call our Customer Service department **C/O Allied National, Inc.** at **[1-800-825-7531]**.

**IMPORTANT:** You must submit your request within the **time period** explained below.

#### **Independent Medical Review Process**

##### **A. Eligibility**

You may apply to the Independent Medical Review System if:

- You are a resident of California;
- Benefits have been denied, modified or delayed (in whole or in part) for any health care service, due to a finding that the service is not Medically Necessary ("Disputed Health Care Service");
- The denial of benefits is not substantially based on a finding that provision of the health care services is excluded from coverage under the terms and conditions of the policy ("Coverage Decision");
- You have completed the Grievance Review process and you contest the determination (or your grievance remains unresolved and it was submitted more than 30 days ago); and
- It has been no more than 6 months since you received the Grievance Review determination (or, if your grievance remains unresolved, no more than 6 months and 30 days since you submitted the grievance). The Commissioner of the California Department of Insurance may extend the application deadline if warranted by circumstances.

##### **B. Application and Fees**

If you are eligible to obtain an Independent Medical Review, you may apply by completing the application form and using the addressed envelope enclosed with the Grievance Review determination, or by mailing a written request to either the:

**California Department of Insurance  
Consumer Communications Bureau  
300 S. Spring Street, South Tower  
Los Angeles CA 90013  
800-927-HELP (in CA)  
213- 897-8921 (outside CA)**

or the following address (upon receipt, the request will be forwarded to the California Department of Insurance):

**Claims Department  
ATTN: Independent Medical Reviews  
GUARANTEE TRUST LIFE INSURANCE COMPANY  
C/O Allied National, Inc.  
PO Box 29186  
Shawnee Mission, KS 66201-9186**

There are no application or review fees or charges for you to pay.

##### **C. Review Procedures**

The California Department of Insurance will, at the time of the receipt of the request for an Independent Medical Review, assign an Independent Medical Review Organization (IMRO) from the list of certified IMROs and will so inform the insurer.

If the request for an Independent Medical Review is not based on a Disputed Health Care Service, but on a Coverage Decision, the California Department of Insurance will instead conduct the review. If there is ambiguity as to what entity should conduct the review, the review will be conducted by an IMRO.

Within 3 business days after the date on which the insurer receives notice of the IMRO from the California Department of Insurance, the insurer will provide to the assigned IMRO all documents and information utilized in making the Disputed Health Care Service, as well as the final written decision from the insurer, including:

- A copy of all of your medical records in the possession of the insurer relevant to your medical condition, the health care services being provided for that condition, and the Disputed Health Care Services.
- Any newly developed or discovered relevant medical records in the possession of the insurer after the initial documents are provided to the IMRO shall be forwarded immediately to the IMRO independent medical review, with copies forwarded to you (or your provider, if authorized by you), unless declined or otherwise prohibited by law.
- A copy of all information provided to you by the insurer concerning insurer and provider decisions regarding your condition and care, and a copy of any materials you or your provider submitted to the insurer in support of your request for the Disputed Health Care Services. This documentation shall include the Grievance Review determination.
- A copy of any other relevant documents or information used by the insurer in determining whether the Disputed Health Care Services should have been provided, and any statements by the insurer explaining the reasons for the decision to deny benefits for the Disputed Health Care Services on the basis of Medical Necessity, with copies forwarded to you (or your provider, if authorized by you), unless declined, prohibited by law, or the Commissioner of the California Department of Insurance determines it to be legally privileged information.

The California Department of Insurance and the IMRO shall maintain the confidentiality of any information found by the Commissioner to be proprietary information of the insurer and the confidentiality of all your medical record information shall be maintained pursuant to applicable state and federal laws.

#### **D. Confidentiality**

Your medical records provided to the insurer and the IMRO and the findings and recommendations of the IMRO are confidential and will be used only by the California Department of Insurance, the IMRO, and the insurer. The medical records and findings and determinations will not otherwise be divulged or made public so as to disclose the identity of any person to whom they relate and will not be included under any materials available to public inspection.

The insurer may at any time determine to provide the requested medical services by so notifying the IMRO or the California Department of Insurance, and you. Such notification will terminate the Independent Medical Review process.

### **NOTICE OF GRIEVANCE RIGHTS AND PROCEDURES**

**Claim Inquiries:** Please contact our Customer Service department C/O Allied National, Inc. at [1-800-825-7531] with any questions about the processing of your claim, including coverage and benefit determinations and Grievance Reviews.

**Grievance Reviews:** If you disagree with a coverage or benefit determination, you have the **RIGHT TO FILE A GRIEVANCE** about that determination within **180 CALENDAR DAYS** from the date you received the coverage or benefit determination.

#### **Grievance Review Instructions and Procedures:**

10. To submit a grievance, please
  - a. State your request for a Grievance Review in writing, include your full name, date of birth and certificate number, identify the claim in question, and explain why you disagree with the determination. You may also submit any additional written comments, documents, records or other information relating to the claim.
  - b. Sign and date your written request and attach all supporting documentation.
  - c. Mail the written request and attachments to the following address, **within the 180-day deadline stated above:**  
**Claims Dept, Attn: Grievance Reviews, Guarantee Trust Life Insurance Company, C/O Allied National, Inc., PO Box 29186, Shawnee Mission, KS 66201-9186.**

2. Upon request and at no charge, you may have reasonable access (including copies) to all documents, records and information submitted to our office that relates to your claim, including clinical rationale or review criteria.
3. The Grievance Review will take into account all written comments, documents, records and other information submitted to our office that relate to your claim, including such comments, documents, records or other information not previously considered or not submitted at the time the claim was processed.
4. The Grievance Review will be a “fresh” look at your claim, ignoring the appealed determination. It will be conducted by a person not involved in the appealed determination and not supervised by someone involved in that determination.
5. If the appealed determination is based on a medical judgment (in whole or in part), the Grievance Review will include consultation with a health care professional, trained and experienced in the medical field relevant to the determination, not involved in the appealed determination and not supervised by someone involved in that determination.
6. You or your doctor may request a Grievance Review, and you may be represented by a relative, friend or lawyer.
7. Within 5 business days of receiving your written request, our office will mail a written acknowledgement to you.
8. Within 30 calendar days of receiving your written request, our office will mail a written determination to you.

**Additional Grievance Review Available:**

1. If you disagree with the Grievance Review determination, you may voluntarily request a second Grievance Review. To exercise this second and final RIGHT TO FILE A GRIEVANCE, you must submit another written request for a Grievance Review to our office within 180 CALENDAR DAYS from the date you received the determination for the first Grievance Review. Please refer to the Grievance Review Instructions and Procedures stated above for completing and submitting a written request for a second Grievance Review. NOTE: A SECOND GRIEVANCE REVIEW IS COMPLETELY VOLUNTARY AND IS NOT NECESSARY IN ORDER TO EXHAUST ALL ADMINISTRATIVE RIGHTS OF APPEAL UNDER THE POLICY OR TO REQUEST AN INDEPENDENT MEDICAL REVIEW.
2. If you disagree with any Grievance Review determination (first or second), you have a right under California state law to request an Independent Medical Review of your claim. Our office will mail written notice of that right (see below) on or before our receipt of your initial request for a Grievance Review, and an application form will be enclosed with each Grievance Review determination. Strict time limits within which to request an Independent Medical Review apply.

**State Assistance:**

You have the right to request assistance from, or to file a complaint with, the California Department of Insurance at any time. Please note the following contact information: California Department of Insurance, Consumer Communications Bureau, 300 S. Spring Street, South Tower, Los Angeles CA 90013, 800-927-HELP (in CA), 213- 897-8921 (outside CA)].

**Judicial Review:**

If you disagree with a Grievance Review determination, you have the right to bring a civil action under California state law (if benefits have been denied based on Medical Necessity, you must first exhaust all rights to an Independent Medical Review under California state law). The time limitations stated in your Certificate of Insurance for bringing legal actions or proceedings apply to any such civil action.