

## **Massachusetts Health Connector Small Group Employer Appeal Rights**

If you do not agree with our decision about whether or not you are an eligible employer, you have a right to appeal our decision and receive a hearing. Employers have the right to appeal a denial of eligibility, the failure of Health Connector to provide a timely eligibility determination, or the failure of the Health Connector to provide a timely notice of an eligibility determination.

You have 90 days from the date of the eligibility notice to request an appeal. If you do not appeal within 90 days, you may lose your appeal right.

### **How to Request an Appeal**

You may appeal by completing a Health Connector Small Group Request for Hearing Form, available at [Healthconnector.org/Forms](http://Healthconnector.org/Forms).

The form can be mailed or faxed.

### **What Happens When You Appeal**

Once your appeal is received, it simultaneously triggers both an informal and formal review process.

**Informal Review** – You may be contacted by a staff member within the Health Connector to review your eligibility and enrollment history with the intent of exploring whether your appeal can be resolved short of a formal hearing. Engaging in this informal review is optional both for you and for the Health Connector.

**Formal Hearing** - You will be scheduled for a hearing before an independent hearing officer. The hearing will take place telephonically. The Health Connector will contact you and tell you when and where your hearing will take place. The Health Connector will send you a scheduling order, including the time and date of your hearing.

At the hearing, you can testify, have others testify for you, and submit documents. At the hearing, the hearing officer will also ask questions of you and any other people who testify. After completion of the hearing, the hearing officer will make a decision in writing and sent it to you. The decision will also tell you what you can do if you do not agree with the decision.

**Any decisions by a hearing officer about your eligibility as an employer might also change the eligibility of your employees and their dependents.**

### **Ending your Appeal Early**

You may withdraw your request for a hearing at any time before the hearing officer makes a final written decision. This includes before the hearing, potentially as a result of your informal resolution with the Health Connector. To withdraw your request for a hearing, you must send a written withdrawal request, including your name and case number, to the Health Connector by e-mail

([connector-appeals@state.ma.us](mailto:connector-appeals@state.ma.us)) or regular mail (Health Connector Appeals Unit, PO Box 960189, Boston, MA 02196).

If you withdraw your request for a hearing because the Health Connector has promised to change its decision, we will implement the new Health Connector decision. **If you stop your appeal before the agency has changed its decision, the eligibility determination will be implemented as it is written in the notice you first received before you filed your appeal.**