

ARKANSAS DEPARTMENT OF HUMAN SERVICES  
DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES  
DDS DIRECTOR'S OFFICE POLICY MANUAL

Policy Type	Subject of Policy	Policy No.
<u>Administrative</u>	<u>Appeals</u>	<u>1076</u>

1. Purpose. This policy is provided to allow for appealing decisions made by Developmental Disabilities Services (DDS) regarding the following programs:
  - A. Human Development Centers (HDCs)
  - B. Community Programs and Services
  - C. Medicaid Home and Community Based Waiver Services
  - D. Licensure of Community Programs/Services and Certification of Providers of Waiver Services, Providers of Early Intervention Voucher Services and Independent (Self-Employed) Care Coordinators
  - E. Nursing Facility, PASSAR determinations. These determinations are made, as required, by the 1987 Omnibus Budget Reconciliation Act (OBRA) for persons with a ID/DD diagnosis who seek admission or for whom admission is sought to a Nursing Facility. It includes annual reviews for continued stay.

2. Scope. This policy applies to recipients of services, their parents/guardians, Community Programs, Service Providers, Care Coordinators, other interested parties and all DDS employees.

The Board of Developmental Disabilities Services, according to DDS Board Policy 1003, has delegated its authority to hear appeals to the DDS Director. The DDS Director hereby adopts this Appeal Policy to apply to *all* appeals of DDS services.

3. General Provisions:
  - A. All reconsiderations and appeals of DDS decisions shall be made in accordance with the Administrative Procedures Act, Ark. Code Ann. § 25-15-201 et seq.; the Medicaid Fairness Act, Ark. Code Ann. § 20-77-1701 et seq.; and the Medicaid Provider Manual §§ 160.000, 190.000, and 191.000.
  - B. Reconsiderations will be heard by the DDS Director or their designee, and must be filed within fifteen (15) business days of receipt of the denial notice. Reconsideration Requests should be mailed to:

DDS Director's Office  
P.O. Box 1437, Slot N501  
Little Rock, AR 72201-1437

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References: DDS Board Policy #1003; Ark. Code Ann. § 25-15-201 et seq.; Ark. Code Ann. § 20-77-1701 et seq.; Medicaid Provider Manual §§ 160.000, 190.000, 191.000

Administrative Rules & Regulations Sub Committee of the Arkansas Legislative Council:  
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