

October 31, 2012

Sharon L. Summers
Planning and Policy Development Unit
Division of Medicaid and Medical Assistance
1901 North DuPont Highway
P.O. Box 906
New Castle, DE 19720-0906

RE: DMMA Final Expedited Fair Hearing Regulation [16 DE Reg.419 (October 1, 2012)]

Dear Ms. Summers:

The Governor's Advisory Council for Exceptional Citizens (GACEC) commented on the proposed version of this regulation in July, 2012. The Division of Medicaid & Medical Assistance (DMMA) has now adopted a final regulation incorporating amendments prompted by our commentary.

First, the GACEC and State Council for Persons with Disabilities (SCPD) recommended the addition of a requirement of prompt access to MCO case records in connection with expedited resolution requests. The DMMA added a "prompt access" reference to §5304.3.

Second, the Councils recommended that case records be made available within one working day of receipt of an expedited resolution hearing request. DMMA inserted a "1 working day" standard in §5403.

Council thanks you for your time and acceptance of our comments.

Sincerely,

Terri A. Hancharick
Chairperson

TAH:kpc

CC: The Honorable Rita Landgraf, Secretary, Delaware Health & Social Services
Deborah Gottschalk, Delaware Health & Social Services