



## KanCare State Fair Hearings

Applicants and members can request a fair hearing if they do not agree with a decision made regarding their medical eligibility.

The request must be made within 33 days from the date on the notice of action letter. The request can be made by contacting the KanCare Clearinghouse or the Office of Administrative Hearings.

### Fair Hearing Process

When an appeal request is received, the Kansas Department of Health and Environment (KDHE) will have an expert review the case for accuracy and attempt to resolve the concern through an informal resolution process.

If the appellant wishes to continue with the appeal, the Office of Administrative Hearings will schedule a hearing. During the hearing, an impartial administrative law judge will have the appellant share why they believe the decision on their case is not correct. The appellant can have someone represent them at the hearing. KDHE will then share information on why the action was taken and why the decision is correct.

The administrative law judge will rule based on state and federal regulations, not based on perceptions of fairness.

### Continuous Enrollment Unwinding and State Fair Hearings

Due to COVID-19, many individuals received coverage that they typically would not have been eligible to receive. This was due to a temporary pause in normal eligibility rules. Effective April 1, 2023, normal eligibility rules will resume. Coverage will discontinue for some members. KDHE will first attempt to see if the member is eligible for coverage on any medical program, prior to discontinuing assistance. Coverage may be available through the [Federal Marketplace](#) for as low as \$10/month.

It is important to note that discontinuances will resume in accordance with federal and state policy. Fair Hearing requests will not result in eligibility policy exceptions.

[Additional information about state fair hearings is available on the KanCare website.](#)