



Policy Directive 2022-09-02

Title: End of Fair Hearing Extension – COVID-19

Date: September 07, 2022

From: Erin Kelley, Senior Manager

Program(s) impacted: All Medical Programs

In response to the COVID-19 Public Health Emergency (PHE) declared by the State of Kansas on March 23, 2020, the timeframe for filing an appeal was extended from the standard 33 days to 153 days, giving applicants an additional 120 days to request a fair hearing. This flexibility was provided by the Centers for Medicaid and Medicare Services (CMS) through temporary waiver authority.

Per [PD2020-06-01](#), this provision was originally planned to continue through the end of the PHE; however, due to CMS flexibility, the State of Kansas is retiring the extended appeal timeframe as of September 16, 2022. Notices dated on or prior to that date will continue to allow the 120-day extension to the file an appeal, but notices dated September 17, 2022 forward will allow only the 33 days. Consumers will be notified of this change through a mail insert.

For questions or concerns related to this document, please contact the KDHE Medical Policy Staff at KDHE.MedicaidEligibilityPolicy@ks.gov.

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