

DEPARTMENT OF CHILDREN AND FAMILIES
DIVISION OF FAMILY AND ECONOMIC SECURITY
ADMINISTRATOR'S MEMO SERIES

ACTION
 NOTICE

DFES15-10
(Amended)

ISSUE DATE: 11/25/2015
DISPOSAL DATE: Ongoing

*PROGRAM CATEGORIES:

AS FM ML TR
 CC FL NA W-2
 CS IT RA WIA
 CF JC TC
 CR LM TA

TO: W-2 Contract Agency Directors

FROM: Kris Randal
Division Administrator

RE: Wisconsin Works (W-2) Denial Appeal Process for Performance Outcome Payment (POP) Claims

PURPOSE: The purpose of this memo is to communicate an overview of the process that the W-2 Contractors must follow to appeal the Department of Children and Families (DCF) decisions to deny POP claims.

BACKGROUND: Section XIII of the 2013-2016 W-2 and Related Programs Contract provides the Dispute Resolution process for any disputes that arise between DCF and the W-2 Contractors. This section of the contract includes appealing any POP claim denial decisions made by the department. Below is an overview of the process that the W-2 Contractors must follow when appealing POP denial decisions. More detailed procedures will be included in a forthcoming Operations Memo.

W-2 Contractors will be responsible for the daily monitoring of claim statuses using a new report. DCF designed the report to communicate all POP claim statuses, including denials, to the W-2 Contractors. Information on how to track the status of an appeal during the dispute process using the new Web1 POP Report 19 will be included in the Operations Memo.

CLAIM REVIEW AND APPEAL PROCESS

Review Process

Initial Review

The DCF Reviewer completes an initial review of a POP claim. Once the initial review is complete, if the claim is approvable, the reviewer will indicate that the claim is validated on

CARES screen WPOV. If the reviewer cannot validate the claim, the reviewer will complete a Questionable Claim Form. At this point, the claim is considered Review in Progress on WPOV.

Questionable Claim

The Questionable Claim Form provides an explanation of the questionable information contained in the claim. The Performance Outcome Claims Coordinator (POCC) sends the *Questionable Claim Form* to the W-2 Contractor via e-mail and provides 10 business days from the date of the e-mail for the W-2 Contractor to respond.

W-2 Contractor Response

The W-2 Contractor must submit its response(s) to the questionable information by the 10th business day from the date of the e-mail sent by the POCC with the Questionable Claim Form attached. Responses may include references to existing or newly submitted verification documentation located in the Electronic Case File (ECF) or other documentation such as written guidance from the department, e.g. Operation Memos, e-mails, training documents, etc., supporting the claim.

The DCF Reviewer will review the responses to the questionable claim. If the reviewer can substantiate the claim, the reviewer will validate the claim. If the reviewer cannot substantiate the claim, the reviewer will recommend denial and update WPOV.

Claim Denied

If the DCF reviewer recommends denying a claim, the POCC will review the claim to make a final determination. If the POCC disagrees with the denial recommendation, the POCC will substantiate the claim. If the POCC agrees with the denial recommendation, the POCC will deny the claim.

Appeal Process

First Level Appeal

If the W-2 Contractor disagrees with the POCC's decision to deny the claim, the W-2 Contractor has 10 business days from the first day that the denial appears on WebI report POP 19 to appeal the denial decision. To file the appeal, the W-2 Contractor must complete the *Performance Outcome Payments Claim Denial Decision Appeal Form* and attach any new documentation that supports having the denial overturned. Documentation may include written guidance from the department, e.g., Operation Memos, e-mails, training documents, etc., supporting the claim. Unlike under the initial review, the appeal is not an opportunity to submit new claim verification documentation. The only verification that will be considered during the appeal process is verification that was scanned into ECF in response to questionable claim information identified during the initial review.

The W-2 Contractor must e-mail the form and attachments to the DCF W-2 Contract Manager at: dcfw2popappeal@wisconsin.gov. The W-2 Contractor must state the W-2 Contractor name and that it is the first level appeal in the Subject line.

Incomplete Denial Decision Appeal Forms

If the DCF W-2 Contract Manager determines that the appeal form or documentation were not sent timely, were incomplete or were insufficient, the decision to deny the claim will stand. If this occurs, the W-2 Contractor does not have the option to appeal the denial decision any further.

Complete Denial Decision Appeal Form

If the DCF W-2 Contract Manager determines that the appeal form is both timely and complete, the DCF W-2 Contract Manager will indicate that a first level appeal is pending on WPOV. The DCF W-2 Contract Manager has 10 business days from the first day that the first level appeal pending code appears on Webl report POP 19 to make a determination on the appeal.

Upon review, if the DCF W-2 Contract Manager does not agree with the denial decision made by the POCC, the W-2 Contract Manager will overturn the denial. If the W-2 Contract Manager agrees with the denial decision, the W-2 Contract Manager will uphold the denial.

Second Level Appeal

If the DCF W-2 Contract Manager upholds the denial, the W-2 Contractor has 10 business days from the 1st day the decision to uphold appears on Webl report POP 19 to file a second level appeal. **The W-2 Contractor must e-mail the following information to the Division Administrator at: dcfw2popappeal@wisconsin.gov. The W-2 Contractor must state the W-2 Contractor name and that it is the second level appeal in the Subject line.**

1. Claim Number
2. Claim Type
3. PIN
4. Narrative explaining why the W-2 Contractor believes the decision to deny the claim is incorrect; and
5. Any documentation that the W-2 Contractor feels was missed in the review of the denied claim and would have an impact on the decision that was made on the claim. Again, this is not an opportunity to submit any new documentation.

Incomplete Second Level Appeal Information

If the Division Administrator or designee determines that the second level appeal information was not sent timely or was incomplete, the decision to deny the claim will stand. If this occurs, the W-2 Contractor does not have the option to appeal the denial decision any further.

Complete Second Level Appeal Information

If the Division Administrator or designee determines that the second level appeal information is complete, the Division Administrator or designee will indicate that a second level appeal is pending on WPOV. The Division Administrator or designee has 10 business days from the first day that the second level appeal pending code appears on Webl report POP 19 to make a determination on the appeal.

Upon review, if the Division Administrator or designee does not agree with the denial decision upheld by the DCF W-2 Contractor Manager, the Division Administrator will overturn the

decision to deny the claim. If the Division Administrator or designee agrees with the denial decision, the Division Administrator will uphold the decision to deny the claim.

At this point, all of a W-2 Contractor's appeal rights are exhausted.

CARES AND REPORTS: CARES changes are being made to support the new appeal process. In addition, WebI POP Report 19 was created to assist agencies in tracking claim statuses. Information on the CARES changes and the availability of the report will be forthcoming in an Operations Memo.

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ATTACHMENTS: [Denial Appeal Procedures Flow Chart](#)
[Performance Outcome Payments Claim Denial Decision Appeal Form \(DCF-F-2958\)](#)