

December 12, 2003

Blue Cross of California
PO Box 60007
Los Angeles, CA 90060-0007

Request for Appeal of Benefit Determination

Group Name:
Group Number:
Member Name:
Social Security Number:

Patient Name:
Date of Service:
Provider:

I would like the above-mentioned claims (copies attached) reviewed again.

I have attached my first letter requesting review dated November 24, 2003, as well as the letter from Dr. _____, who is treating _____ at _____.

It appears as though XXX. (who wrote the attached appeal denial) and XXX (whom I spoke with yesterday) need education on a section of Mental Health Parity Law that went into effect in July 2000 under California State Assembly Bill 88. I refer specifically to the Seriously Emotionally Disturbed (SED) criteria. SED is not a diagnosis; there is not code that can be put on the paperwork for it. SED is a term used when a set of criteria are met.

I have attached a section of text from Section 1374.72 of AB88 explaining SED and would like for the following to be considered in this appeal:

1374.72 (e) – ___ has been diagnosed with ADHD (combined type), Anxiety Disorder NOS that results in behavior inappropriate to his age

Text from Paragraph 2 of Subdivision (a) in Section 5600.3 of the Welfare and Institutions code is included as well. I would like to note the following:

5600.3 (2) __ has two identified disorders from DSM-IV that results in behavior inappropriate to his age;

(A) as a result, ___ has substantial impairment in self-care, school functioning, family relationships, ability to function in the community;

(ii) the disorders and impairments have been present for ___ years and will continue for more than one year without treatment;

(B) ___ displays a risk of violence without treatment;

(C) ___ meets the special education eligibility requirements

Blue Cross does not have a definition for SED on their website, but I have included one from PacifiCare that contains the same information as Brainwave Center. The following appears on the Blue Cross web site. Note: there is no working link where the text reads (click here) when tried on the website.

(http://www.bluecrossca.com/user_groups/members/large_group.htm)

AB 88 Mental Health Coverage. Effective July 1, 2000, this law requires coverage for the diagnosis and treatment of severe mental illness in people of all ages and serious emotional disturbances of children under the same terms and conditions applicable to medical conditions. Benefits affected are inpatient hospital services, outpatient services, partial hospitalization, and drugs. Severe mental illnesses include:

1. Schizophrenia, schizoaffective disorder, bipolar disorder, major depression, panic disorder, obsessive-compulsive disorder, pervasive developmental disorder or autism, anorexia, and bulimia.

"Serious emotional disorders of children" are mental disorders causing behavior inappropriate to the child's age based on expected norms (but not substance disorder or developmental disorder). The child must meet other criteria, as described in the law. [Click here For More Details on Blue Cross of California and AB 88]

I would like these claims to be paid, as they should be with a Parity diagnosis. If my claim is denied, please include a copy of Blue Cross' definition of Seriously Emotionally Disturbed. Please contact me at _____ if you wish to discuss this. Otherwise, I await your determination of this review. Thank you for your consideration.

Sincerely,