



STATE OF NEW YORK
DEPARTMENT OF HEALTH
P.O. Box 11729
Albany, NY 12211

NOTICE OF DISMISSAL – FAILURE TO APPEAR

Notice Date: July 10, 2015

NY State of Health Number: [REDACTED]
Appeal Identification Number: AP000000002911

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED],

On May 13, 2015, the Marketplace issued a preliminary eligibility determination based on your May 13, 2015 application. It stated that you were eligible to receive an advance premium tax credit (APTC) of up to \$176.00 per month and cost-sharing reductions (CSR) beginning May 1, 2015. It did not make a decision on your eligibility for Medicaid or whether you qualified for a special enrollment period (SEP) to enroll in a qualified health plan (QHP) outside of the open enrollment period.

Also on May 13, 2015, you spoke with the Marketplace's Account Review Unit and appealed the May 13, 2015 preliminary eligibility determination insofar as you were found not eligible for Medicaid, eligible for an APTC no greater than \$176.00 per month, and not eligible to enroll in a QHP outside of the open enrollment period.

On May 14, 2015, the Marketplace issued a notice of eligibility determination stating that you were eligible to purchase a QHP; eligible to receive an APTC of up to \$176.00 per month; and, if you selected a silver-level plan, eligible for CSR, effective June 1, 2015. It also stated that you were not eligible for Medicaid and did not qualify to select a plan outside of the open enrollment period because the requirements to qualify for an SEP had not been met.

On May 22, 2015, the Marketplace issued a Notice of Telephone Hearing to advise you that the hearing you requested was scheduled for June 22, 2015 at 2:00 p.m.

On June 22, 2015, you failed to appear by telephone for your scheduled hearing. An impartial Hearing Officer attempted to contact you at the phone number you provided to the Marketplace on three separate occasions between 2:01 p.m and 2:32 p.m. We were unable able to reach you.

Accordingly, we are dismissing your appeal.

How Does this Dismissal Affect Your Eligibility?

The Marketplace's eligibility determination issued on May 14, 2015 remains in effect.

If You Think Your Appeal Should Not Be Dismissed

If you think your appeal should not be dismissed, you can ask us to vacate (cancel) this dismissal. You must ask us in writing within 30 days after the date on this notice. In that writing, explain why you did not appear for your hearing as scheduled.

The Marketplace's Appeals Unit will review your request. If your request is approved, another hearing will be scheduled for you. If your request is denied, the Marketplace will tell you in writing.

If you do not respond to this notice within 30 days, your appeal will remain dismissed. No further action will be taken on it by the Marketplace.

Appeal Identification Number

When communicating with the Marketplace about this appeal, please refer to the Appeal Identification Number at the top of this notice.

If you need this information in a language other than English or you need assistance reading this notice, we can help you. Call 1-855-355-5777 (TTY – English: 1-800-662-1220) (TTY – Spanish: 1-877-662-4886).

How to Contact the Marketplace

You can contact us in any of the following ways:

- By calling the Customer Service Center at 1-855-355-5777
- By mail at:
NY State of Health Appeals
P.O. Box 11729
Albany, NY 12211
- By fax: 1-855-900-5557

Legal Authority

We are sending you this notice in accordance with federal regulation 45 CFR § 155.530.

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A Copy of this Notice Has Been Provided To

[REDACTED]
[REDACTED]
[REDACTED]

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