



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

NOTICE OF DISMISSAL – FAILURE TO APPEAR

Decision Date: January 19, 2016

NY State of Health Number: [REDACTED]
Appeal Identification Number: AP000000004716

[REDACTED]

Dear [REDACTED],

On August 28, 2015 the Marketplace issued a notice of eligibility determination which found you and your spouse conditionally eligible to receive advance premium tax credits and cost sharing reductions in the amount of \$547.00 per month effective October 1, 2015. The determination further found your children conditionally eligible to enroll in Child Health Plus effective October 1, 2015.

On September 16, 2015 you contacted the Marketplace's Account Review Unit to appeal the retro-active application of the level of advance premium tax credit you were deemed eligible to receive to 2014.

On November 6, 2015, a notice of telephone hearing was issued for a scheduled hearing on December 10, 2015 at 1:00 pm.

You contacted the Marketplace to alert them that you would need to reschedule the date and time of your scheduled hearing.

A notice of telephone hearing was again issued on December 2, 2015, for a scheduled hearing on January 7, 2016 at 3:00 pm. The hearing notice stated that you would be called at the number you provided the Marketplace.

On January 7, 2016, between 3:00 pm and 3:30 pm a Hearing Officer from the NY State of Health Appeals Unit, placed three calls to the telephone number that you have provided to the Marketplace, but was unable to reach you after leaving voicemails as to the purpose for the call.

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).

Since you did not appear for your hearing as scheduled, we are dismissing your appeal.

How does this Dismissal Affect My Eligibility?

The Appeals Unit of NY State of Health will not review your appeal at this time.

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, and the Marketplace will take no further action on your appeal.

Appeal Identification Number

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

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

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).

Legal Authority

We are sending you this notice in accordance with Code of Federal Regulations 45 CFR § 155.530.

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A Copy of this Decision Has Been Provided To:

