



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

## NOTICE OF DISMISSAL – FAILURE TO APPEAR

Notice Date: July 8, 2015

NY State of Health Number: [REDACTED]  
Appeal Identification Number: APM0000000010

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED],

On March 26, 2015, the Marketplace issued a notice stating that your and your son's application for health insurance has been reviewed, but more information is needed to make a determination.

On April 22, 2015, you spoke to the Marketplace's Account Review Unit and requested an appeal for failure of the Marketplace to provide timely notice of eligibility determination.

On May 1, 2015, the Marketplace issued a Notice of Telephone Hearing scheduling your hearing for June 8, 2015 at 9:00 am.

On May 2, 2015, the Marketplace issued an eligibility determination notice stating that you and your son are eligible for Medicaid. On the same day the Marketplace issued an enrollment confirmation stating that "[y]our insurance coverage through Medicaid will begin February 1, 2015 and enrollment with UnitedHealthcare of New York, Inc. will begin June 1, 2015."

On May 14, 2015 the May 1, 2015 Notice of Telephone Hearing was uploaded to your Marketplace account and stamped "RETURN MAIL May 14, 2015."

On May 27, 2015, the Marketplace reissued the Notice of Telephone Hearing for your June 8, 2015 hearing to your "residence address" and "legal address."

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).

On June 8, 2015, you failed to appear by telephone for your scheduled hearing. An impartial hearing officer attempted to contact you with the assistance of Spanish interpreters at the telephone number you provided on three separate occasions between 9:00 am and 10:00 am. You did not answer. Therefore, we were unable to reach you.

Accordingly, we are dismissing your case.

### **How does this Dismissal Affect Your Eligibility?**

The May 2, 2015 eligibility and enrollment notices remain in effect.

However, any determinations made by the Marketplace subsequent to your appeal request will not be affected by this dismissal.

### **If You Think Your Appeal Should Not Be Dismissed**

Under some circumstances, 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 you also must state a good reason for us to do this.

If you ask us in writing to vacate this dismissal, the Marketplace's Appeals Unit will review your request and send you a decision on that request.

If we deny your request to vacate this dismissal, we will tell you that 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 reference 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

## **Legal Authority**

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

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).

**A Copy of this Notice of Dismissal Has Been Provided To**

[REDACTED]  
[REDACTED]  
[REDACTED]

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).