



STATE OF ARIZONA

MEDICAID ESTATE  
RECOVERY PROGRAM



This brochure provides a general description of the Arizona Estate Recovery Program. Individual circumstances may vary and affect how law or policy is applied. Additionally, Federal and State laws and regulations are always subject to change. AHCCCS continues to update this brochure as changes occur in the Estate Recovery Program.

## **INTRODUCTION**

After almost two months in the hospital during the summer of 2018, Mr. Clark, age 68, entered a Phoenix nursing home. Mr. and Mrs. Clark learned that their health care coverage, Medicare, would not cover all of Mr. Clark's medical expenses. The Clarks found that they could not make the remaining share of the payments toward the steady flow of Mr. Clark's medical bills. The Clarks learned they could apply for Medicaid, a Federal-State health insurance program for qualified individuals. Mrs. Clark contacted the Arizona Long Term Care (ALTCS) office and scheduled an appointment to apply for long-term care assistance for Mr. Clark. During the Medicaid application process, Mrs. Clark learned of Arizona's "Estate Recovery Program" which affects Medicaid recipients ages 55 or older, who receive long term care medical assistance on or after January 1, 1994. Although the Clark family is "fictional", the situation describes circumstances that are commonly experienced. The purpose of this brochure is to help people like the Clarks and their family members better understand Arizona's Estate Recovery Program and what impact, if any, this will have to their family.

## **FREQUENTLY ASKED QUESTIONS ABOUT ARIZONA'S ESTATE RECOVERY PROGRAM**

### **1. What is the Arizona Estate Recovery Program?**

Through the Arizona Estate Recovery Program, AHCCCS seeks to recover payments AHCCCS has paid on behalf of Arizona Long Term Care System (ALTCS) members meeting specific criteria. This includes Arizona Long Term Care System (ALTCS) members receiving Home and Community Based Services (HCBS), in an adult group home, in an Assisted living facility and in a Nursing home. In these cases, AHCCCS files claims and liens to secure its rights to member's estates and real property up to the amount of ALTCS payments made. In order to enroll in ALTCS, individuals must acknowledge that they understand that AHCCCS may collect the cost of care from their estate or real property.

AHCCCS administers the Estate Recovery Program to comply with Federal Law. Congress passed the Omnibus Budget Reconciliation Act of 1993 (OBRA '93) on August 10, 1993. It became effective as Federal law under 42 U.S.C. 1396(p) on October 1, 1993. The passage of this Federal law mandated the State of Arizona to implement an Estate Recovery Program. Arizona implemented its Estate Recovery Program effective January 1, 1994.

### **2. Who is responsible for Arizona's Estate Recovery Program?**

Arizona Health Care Cost Containment System (AHCCCS) is Arizona's Medicaid agency. AHCCCS is responsible for managing Arizona's Estate Recovery Program in compliance with Federal and State laws, and it is supported by a contractor, Health Management Systems (HMS), in administering Arizona's Estate Recovery Program.

### **3. Does Estate Recovery apply to everyone?**

The Arizona Estate Recovery program applies to enrolled individuals on Arizona Long Term Care that are/turn 55 and older. ALTCS provides long term care medical assistance to individuals in a Home and

Community Based Services (HCBS), in an adult group home, in an Assisted living facility and in a Nursing home. AHCCCS will delay recovery of its estate claim if there is an Estate Claim Statutory Exemption. In addition, Federal law requires states to waive an Estate Claim when an heir to the estate meets all Undue Hardship Criteria. These processes are discussed in question 17 below.

#### **4. Will AHCCCS file a lien against my property?**

HMS may impose a TEFRA lien on behalf of AHCCCS, as authorized under 42 U.S.C. 1396(p) (Tax Equity and Fiscal Responsibility Act of 1982) against all real property, including the member's primary residence, of certain permanently institutionalized nursing home members. The purpose of the lien is to recover the cost of AHCCCS benefits provided upon the member's death or upon the sale or transfer of the property.

Upon an ALTCS member's passing, HMS may impose a lien on behalf of AHCCCS to secure the real property for recovery of medical assistance paid on the member's behalf, in accordance with A.R.S § 36-2935.

#### **5. How does AHCCCS determine the amount of the estate claim that will be filed against the ALTCS member's estate?**

The amount of the estate claim that will be filed against the ALTCS member's estate is the total of the ALTCS payments paid on behalf of the member for Medicaid covered services. For example, AHCCCS pays Mercy Care a flat amount each month for each member on long term care, the claim amount is not based on the actual costs of services provided. AHCCCS can also recover ALTCS payments made for a member for Medicare cost sharing payments for services provided on, or before, December 31, 2009. The Medicare Improvements for Patients and Providers Act of 2008 exempts Medicare cost sharing payments from Medicaid estate recovery if they are for services provided on, or after, January 1, 2010. The following is a description of the ALTCS payments subject to recovery:

##### Medicaid Covered Services:

Capitation Payments: The AHCCCS program is based on cost containment through preventive care rather than emergency care. AHCCCS contracts with "program contractors" which in turn are responsible to ensure the delivery of all covered medical services to ALTCS members. AHCCCS pays program contractors a monthly "capitation" payment prospectively for each enrolled ALTCS member. This capitation concept is patterned on the way many individuals pay for private health care insurance. AHCCCS pays the monthly capitation payment to the program contractors for each month the ALTCS member is enrolled beginning from the enrollment effective date, regardless of whether the ALTCS member received medical services during the month. If the ALTCS member is on Medicare, the capitation payment amount for months of service on, or after, January 1, 2010, that is subject to estate recovery will be the amount paid to the program contractors adjusted to remove the actuarially determined amount of the Medicare cost sharing portion.

The monthly capitation payment to program contractors can exceed \$8,900 per month but varies depending on the contractor (Health Plan) and the county the member resides in. The monthly capitation premiums may change annually. **It is important to be aware that capitation payments can exceed the actual costs of services provided during the month.**

Reinsurance Payments: AHCCCS reimburses program contractors for certain contract service costs incurred by an ALTCS member that are beyond a contractual dollar threshold. These payments are known as reinsurance. Therefore, in addition to the monthly capitation payment, AHCCCS may make a

reinsurance payment to the program contractor for a member. AHCCCS recovers reinsurance payments made for dates of service on, or before, December 31, 2009. It also recovers reinsurance payments for non-Medicare covered services for months of service on, or after, January 1, 2010.

**Fee-For-Service Payments:** In certain instances, AHCCCS may be responsible for direct payment of some or all of an ALTCS member's medical bills not covered by Medicare or other available insurance. These payments are called fee-for-service payments. AHCCCS recovers fee-for-service payments it pays for a member for dates of service on, or before, December 31, 2009. It also recovers fee-for-service payments for non-Medicare covered services for dates of service on, or after, January 1, 2010.

Medicare Cost Sharing Payments:

**Medicare Coinsurance and Deductible Payments:** Medicare provides health insurance to people ages 65 and over, those who have permanent kidney failure and certain people under age 65 with a disability. Medicare requires cost sharing in the form of deductibles and coinsurance. AHCCCS recovers ALTCS payments made for a member for Medicare cost sharing payments for services provided on, or before, December 31, 2009. No recovery is made for services provided on, or after, January 1, 2010.

**Medicare Part A and Part B Premium Payments:** Medicare also requires cost sharing in the form of premiums. AHCCCS recovers all Medicare Part A and Part B premium payments paid on behalf of the ALTCS member for months of service on, or before, December 31, 2009. No recovery is made for months of service on, or after, January 1, 2010.

**6. How can I determine if it is financially beneficial for me to enroll in ALTCS?**

If you need long-term medical care in your own home, or in a nursing home, and the medical care will not be paid by your Medicare or other health insurance coverage, you may want to apply for ALTCS to help pay for these costs.

Before enrolling in ALTCS, if an applicant or family member is concerned about AHCCCS' claim that will be filed against the estate, the applicant and/or family member should evaluate the financial benefits of enrolling the applicant in ALTCS. Because ALTCS payments made on the member's behalf can exceed the actual costs of services provided, and accrue even if no medical service is provided, it is very important that ALTCS applicants (and family members) make an informed decision about enrolling in ALTCS. **This is especially true for those ALTCS applicants who elect to remain in their own home and do not enter a nursing home.** The applicant and family member should review whether it is better financially and medically for the applicant to pay for his/her needed medical services out-of-pocket (what won't be paid by Medicare and/or other insurance) rather than enrolling in ALTCS and incurring a claim against their estate. Individuals who do not require many medical services may not wish to enroll in ALTCS because their estate will be responsible for payment to AHCCCS of all ALTCS payments that are listed in question 5 above.

An ALTCS applicant may voluntarily withdraw his/her ALTCS application. An ALTCS enrolled member may elect to stop ALTCS enrollment at any time, to stop accruing additional AHCCCS capitation and other costs that will be included in AHCCCS' claim against the estate.

**7. When does AHCCCS' claim against the ALTCS member's estate begin to accrue?**

The effective date the AHCCCS claim against the estate begins to accrue depends on the age of the ALTCS member when the ALTCS coverage begins. Usually, the AHCCCS estate claim begins to

accrue on the first day of the month in which the ALTCS coverage begins. However, if an ALTCS member is younger than age 55 on that date, then AHCCCS' estate claim begins to accrue on the date the ALTCS member becomes age 55. **Example:** If an ALTCS member is age 55 or older at the time of his/her ALTCS coverage effective date of January 1, 2015, the AHCCCS' claim begins to accrue on January 1, 2015. However, if the ALTCS member is age 54 on January 1, 2015, and turns age 55 on August 15, 2015; the AHCCCS estate claim begins to accrue on August 15, 2015.

#### **8. What assets owned by the ALTCS member are subject to AHCCCS' estate claim?**

AHCCCS' estate claim is filed only against the property owned by the ALTCS member at the time of his/her death that is subject to Small Estate Affidavit or probate. This means that AHCCCS' claim is filed only against the "estate" of the individual. A home that is solely owned by the ALTCS member, is owned jointly without right of survivorship, or is owned jointly with right of survivorship but the joint owner is deceased, is subject to Small Estate Affidavit or probate, and is therefore subject to payment of AHCCCS' claim against the estate. If the ALTCS member owns an annuity, and the annuity is subject to Small Estate Affidavit or probate, it is also subject to payment of AHCCCS' claim against the estate. For additional information regarding what real and personal property assets are subject to Small Estate Affidavit or probate, and the processes under each for administering the estate, contact the Arizona Probate Registrar for the Superior (Probate) court in your county.

#### **9. What is a TEFRA lien?**

A TEFRA lien is a lien filed prior to the member passing. HMS may impose a TEFRA lien on behalf of AHCCCS against the member's real property, including the member's home, after the member becomes permanently institutionalized at a nursing home, mental health hospital, or other long-term care medical facility. Permanently institutionalized means the member has resided in a long-term care medical facility for at least 90 consecutive days, and the member's condition is not likely to improve to the point that the member will be discharged from the long-term care medical facility and return home by a date certain. The purpose of the lien is to recover the cost of benefits provided upon the member's death or upon the sale or transfer of an interest in the property. The lien is not enforced until one of these events occurs.

#### **10. Who do TEFRA liens apply to?**

ALTCS members who are permanently institutionalized will have a lien imposed against their personal home or other real property unless certain conditions exist. A lien will not be enforced so long as a spouse, child under 21, or a blind or permanently and totally disabled child survives the member. Also, a lien will not be enforced against a home so long as the following persons currently reside at the property:

- A member's sibling who was living there for at least a year before the member was admitted to the facility and is partial owner of the property, or
- A child who was living there for at least two years before the member was admitted to a facility and provided care which allowed the member to stay out of an institution. Documentation proving the care was provided must be submitted to the state's satisfaction.

#### **11. How does the TEFRA lien process work?**

Following notification that a member has been placed into a medical institution for 90 days or more and cannot reasonably be expected to be discharged and return to their home, AHCCCS will send a Notice of Intent to File a Lien against Real Property to the member or their authorized representative. If there is

no response, or if AHCCCS determines that the exemption criteria have not been met, a TEFRA Lien will be filed against the member's real property. Should a member wish to contest the lien, he or she may file a request for a state fair hearing within thirty days of receiving the Notice of Intent.

#### **12. What happens after the lien has been filed?**

No further action is taken by AHCCCS after the lien has been filed until either:

- The member returns home with the intention of remaining in the home.
- The property is sold, or ownership is transferred; or
- The member passes away.

#### **13. What if I return home?**

If a member is discharged from a medical facility and returns to his or her own home on a permanent basis, the lien will be removed shortly after AHCCCS, or HMS is notified. However, if the member is readmitted into the medical facility permanently, a new lien may be filed against the member's real property.

#### **14. What happens if I want to transfer or sell the property?**

If you sell or transfer the property, you will need to repay AHCCCS for the medical payments AHCCCS has made on your behalf. The amount you need to repay will be equal to the amount that AHCCCS has paid or up to the amount of the excess proceeds.

#### **15. What happens when I pass away and a TEFRA lien was filed?**

The TEFRA lien will remain in place and claim will be made against your estate. The TEFRA lien may be released (removed) if there is an Estate Claim Statutory Exemption; if AHCCCS grants an Undue Hardship Waiver; if the Estate Claim is paid in full; or, if AHCCCS approves a request for a Partial Recovery (Reduction). These processes are discussed in FAQ numbers 17 and 18 below.

#### **16. How does AHCCCS' claim against the estate affect estates which will be filed by a Small Estate Affidavit and those filed through probate?**

The AHCCCS claim against the ALTCS member's estate has the same impact against the estate regardless of whether the estate will be filed by Small Estate Affidavit or filed through probate. Under Arizona Probate Law, A.R.S. § 14-3805, AHCCCS' claim against the estate is classified as a debt due to the State. AHCCCS' claim against the estate must be paid from available estate assets in accordance with A.R.S. §§ 14-3971 and 14-3807. AHCCCS does not usually take direct possession of the estate assets. Rather the payment of AHCCCS' estate claim is made from the AHCCCS member's estate. In rare situations, AHCCCS is authorized to initiate probate and petition the court to be appointed as the Personal Representative of a Decedent.

The Small Estate Affidavit and probate are the "processes" for liquidating the estate of a decedent and making distribution to the heir(s). The Small Estate Affidavit allows for some estates to be filed by an "affidavit" rather than probate, which reduces the administrative costs that are experienced when an estate must be probated.

#### **17. Does AHCCCS ever waive or reduce its claim against the ALTCS member's estate?**

Yes, in certain circumstances. AHCCCS will delay its estate claim recovery when an "Estate Claim Statutory Exemption" exists or when an "Undue Hardship Waiver of Estate Claim" exists. Also,

AHCCCS may reduce the amount of the estate claim when the heir(s) to the estate meets the criteria for a “Partial Recovery (Reduction)” of the estate claim.

In addition to the above waivers, Federal law limits recovery from the property owned by Native Americans (members of federally recognized Indian tribes).

Estate Claim Statutory Exemption: AHCCCS will delay recovery of its estate claim against the ALTCS member’s estate if there is an Estate Claim Statutory Exemption. An Estate Claim Statutory Exemption exists when there is a:

- Surviving spouse.
- Surviving child who is under age 21; or
- Surviving child of any age who is blind or disabled and meets SSA or SSI disability criteria.

To claim an Estate Claim Statutory Exemption, proof of the exemption must be provided. Examples of proof are:

- Member’s death Certificate, to verify there is a surviving spouse.
- A birth certificate or other legal document that verifies the child’s relationship to the ALTCS member to verify there is a surviving child under age 21.
- A current SSA/SSI disability benefit award letter from the Social Security Administration that verifies the child receives SSA or SSI disability benefits to verify the surviving child is blind or disabled along with a birth certificate or other legal document that verifies the child’s relationship to the ALTCS member.

Undue Hardship Waiver: AHCCCS will waive the claim against the ALTCS member’s estate when the heir to the estate meets all of AHCCCS’ undue hardship criteria; heir has continuously resided in the home at least one year prior to the member’s passing, resided in the home at the time of member’s passing and has been residing in the home at the time of the undue hardship waiver application request, heir plans to continue residing at residence and does not own any other real property. Heir must meet all the AHCCCS’ undue hardship criteria in either a. or b. below:

- a. The estate contains real property assets only or both real and personal property assets, and
    1. The real property in the estate is listed as residential property by the Arizona Department of Revenue or County Assessor’s Office; and
    2. The heir to the estate meets all the criteria listed in either a. through d. or e. through h. below:
      - a. Owns a business that is located at the residential property.
      - b. The business has been in operation at the residential property for at least 12 months preceding the ALTCS member’s death.
      - c. The business provides more than 50% of the heir’s livelihood; and
      - d. The recovery of the property would result in the heir to the estate losing their means of livelihood.
- OR
- e. Currently resides in the residence.
  - f. Resided at the residence at the time of the ALTCS member’s death.
  - g. Has made the residence his or her primary residence for the 12 months immediately preceding the ALTCS member’s death; and

- h. Owns no other residence.
- b. The estate contains personal property assets only, and the heir to the estate meets all the criteria listed in both 1 and 2:
  - 1. The heir's annual gross income for their household size is less than the federal income poverty guidelines. New sources of income (for example, employment, Social Security, inheritance, settlement etc.) will be included in determining the household's annual gross income; and
  - 2. The heir does not own a home, land, or other real property.

If the estate contains both real and personal property, and the heir qualifies for an undue hardship, then AHCCCS shall not grant an undue hardship waiver, but adjusts its claim to the value of the personal property.

The notices HMS sends provide additional information about undue hardship and the process for applying, including what verification must be provided.

The undue hardship criteria are also specified in AHCCCS regulation at Arizona Administrative Code, R9-28-911.

Partial Recovery (Reduction): AHCCCS may reduce the amount of the estate claim when the criteria for a partial recovery are met. AHCCCS considers the following factors on a case-by-case basis in determining if a partial recovery (reduction) of the estate claim should be approved:

- Financial and medical hardship to the heir(s).
- Income of the heir(s) and whether the household income is within 100% of the Federal Poverty Guidelines.
- Resources of the heir(s).
- Value and type of assets in the estate (real and personal).
- Amount of AHCCCS' estate claim.
- Whether other creditors have filed claims against the ALTCS member's estate or have foreclosed on the property; or
- Any other factors relevant for a fair and equitable determination under the circumstances of a particular case.

The Partial Recovery criteria are also specified in AHCCCS regulations at Arizona Administrative Code R9-28-912.

The notices HMS sends provide additional information about partial recovery and the process for applying, including what verification must be provided.

**18. How does an heir apply for a waiver or reduction of AHCCCS' estate claim?**

If an heir to the estate wishes to apply for a waiver or reduction of AHCCCS' estate claim, the heir shall submit a completed application request and provide all supporting documentation to HMS so that it is received by HMS no later than 30 days from the date shown on the Notification of the AHCCCS Claim Against the Estate.



AHCCCS will decide within 60 days of receipt of a completed application and all supporting documentation. HMS will mail a Decision Notice Regarding the AHCCCS Estate Claim to the personal representative and/or heir informing them of AHCCCS' decision.

**19. When is the Member's Personal Representative required to notify AHCCCS?**

A member's Personal Representative must notify AHCCCS of the member's estate or property within three months after the member's death if the member was at least 55 years of age and if AHCCCS has not already filed a Statement of Claim in the estate proceedings (A.R.S. 36-2935.B).

**20. How does the estate recovery process work?**

When HMS is notified that an ALTCS member is deceased, and the ALTCS member received ALTCS benefits at age 55 or older on or after January 1, 1994, HMS will file a Demand for Notice with the Superior (Probate) Court. The purpose of the Demand for Notice is to require notice to AHCCCS of all orders and filings regarding the ALTCS member's estate. The Demand for Notice also assists in protection of AHCCCS' interest in any future estate proceedings. In accordance with A.R.S § 36-2635, HMS will impose a lien on behalf of AHCCCS to secure the real property for recovery of medical assistance paid on behalf of the member.

After HMS files the Demand for Notice, HMS will send the personal representative or authorized representative the following notices:

- A Notice of Intent to File a Claim Against the Estate.
- An Estate Questionnaire.
- A copy of the Demand for Notice that was filed with the Superior (Probate) Court(s); and
- A copy of the Medical Assistance Lien that was filed with the County Recorder's Office.

The Estate Questionnaire assists HMS in identifying if there are circumstances which qualify for an "Estate Claim Statutory Exemption". AHCCCS will delay recovery of its claim against the estate so long as there is a qualifying Estate Claim Statutory Exemption.

If the estate has already entered probate, HMS will bypass the Demand for Notice and Notice of Intent process. A claim is immediately placed against the estate.

If HMS does not identify a qualifying Estate Claim Statutory Exemption, and the ALTCS member owned property that is, or appears to be, subject to Small Estate Affidavit or probate, HMS files a Superior Court Claim Against the Estate (referred to as a creditor's claim) with the Superior (Probate) Court. For estates that will be probated, HMS files the Superior Court Claim Against the Estate to meet the timeframe requirements in A.R.S. §§ 14-3801 and 14-3804.

The Notification of the AHCCCS Claim Against the Estate provides the following information:

- AHCCCS' claim amount and list of AHCCCS expenditures to be recovered.
- Authority for the AHCCCS' estate claim.
- Explanation of the enclosed application form and the process for applying for one or more of the three processes which permit waiver or reduction of AHCCCS' estate claim: Estate Claim

Statutory Exemption, Undue Hardship Waiver of Estate Claim, and/or Partial Recovery (Reduction).

- Estate Claim Statutory Exemption Criteria, Undue Hardship Waiver of Estate Claim Criteria, and Partial Recovery (Reduction) Criteria.
- Timeframes for filing a completed application.
- To whom and where to file the application and supporting documentation.
- Whom to contact if there are any questions.
- Where to send payment of the estate claim; and
- The heir's right to file a grievance and request a hearing.

**21. What if an heir disagrees with the amount of AHCCCS' claim against the estate or a decision regarding an application filed for an Estate Claim Statutory Exemption, Undue Hardship Waiver, or a Partial Recovery (Reduction) of the estate claim?**

AHCCCS provides a grievance and request for hearing process for heir(s) or other interested parties (e.g., personal representative) to present any dispute or disagreement regarding AHCCCS' claim against the estate or a decision made regarding an application filed for a waiver or reduction of the estate claim. HMS' Notification of the AHCCCS Claim Against the Estate and Decision Notice Regarding the AHCCCS Estate Claim provide information regarding an heir's right to file a grievance and request a hearing.

The grievance must be submitted in writing and must be received by the AHCCCS Administration, Office of the General Counsel, Mail Drop 6200, P.O. Box 25520, Phoenix, Arizona 85034, no later than 60 days from the date shown on HMS' Notification of the AHCCCS Claim Against the Estate or Decision Notice regarding the AHCCCS Estate Claim.

**22. Who do I contact for more information?**

For more information about your Medicaid eligibility determination and ALTCS, please contact your local ALTCS eligibility office. Locations and telephone numbers for the ALTCS eligibility office in your area can be found on the AHCCCS web site, [www.azahcccs.gov](http://www.azahcccs.gov). You may also call 602-417-4000 for general AHCCCS information:

For more information regarding Arizona's Estate Recovery Program, you may contact the AHCCCS, Third Party Liability Office: 602-417-4531

OR

Health Management Systems, Inc. (HMS)  
Phoenix Area: 602-954-8380 (enter 0 for the receptionist)  
Out-of-state toll free: 1-888-378-2836 (enter 0 for the receptionist)

Information on the ALTCS program can be found at [www.azahcccs.gov](http://www.azahcccs.gov).

The Centers for Medicare & Medicaid Services (CMS) provides information about Medicaid at its website: <http://www.cms.hhs.gov>

## **AHCCCS NOTICE OF NONDISCRIMINATION**

The Arizona Health Care Cost Containment System (AHCCCS) complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. AHCCCS does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex. AHCCCS provides free aids and services to people with disabilities to communicate effectively with us, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, and other formats). AHCCCS provides free language services to people whose primary language is not English, such as qualified interpreters and information written in other languages. If you need these services, contact the Health-e-Arizona Plus Customer Support Center at 1-855-432-7587 (TTY: 711).

If you believe that AHCCCS failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with the AHCCCS General Counsel. You can file a grievance in person or by mail, fax, or email.

Your grievance must be in writing and must be submitted within 180 days of the date that the person filing the grievance becomes aware of what is believed to be discrimination. Submit your grievance to: General Counsel, AHCCCS Administration, Office of the General Counsel, MD 6200, PO Box 25520, 801 E. Jefferson St., Phoenix, AZ 85034. Phone: 602-417-4455, fax: 602-253-9115. Email: [EqualAccess@azahcccs.gov](mailto:EqualAccess@azahcccs.gov). You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail at U.S. Department of Health and Human Services; 200 Independence Avenue, SW; Room 509F, HHH Building; Washington, D.C. 20201; or by phone: 1-800-368-1019, 800-537-7697 (TDD).

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.

## **AHCCCS AVISO DE NO DISCRIMINACIÓN**

Arizona Health Care Cost Containment System (AHCCCS) cumple con las leyes federales de derechos civiles aplicables y no discrimina por motivos de raza, color, nacionalidad, edad, discapacidad o sexo. AHCCCS no excluye a las personas ni las trata de forma diferente debido a su origen étnico, color, nacionalidad, edad, discapacidad o sexo. AHCCCS proporciona asistencia y servicios gratuitos a las personas con discapacidades para que se comuniquen de manera eficaz con nosotros, como los siguientes intérpretes de lenguaje de señas capacitados y información escrita en otros formatos (letra grande, audio, formatos electrónicos accesibles, y otros formatos). AHCCCS proporciona servicios lingüísticos gratuitos a personas cuya lengua materna no es el inglés, como los siguientes intérpretes capacitados y información escrita en otros idiomas. Si necesita recibir estos servicios, comuníquese con Health-e- Arizona Plus Customer Support Center at 1-855-432-7587 (TTY: 711).

Si considera que AHCCCS no le proporcionó estos servicios o lo discriminó de otra manera por motivos de origen étnico, color, nacionalidad, edad, discapacidad o sexo, puede presentar un reclamo a AHCCCS General Counsel. Puede presentar el reclamo en persona o por correo postal, fax o correo electrónico. Su querrela deberá presentarse por escrito en plazo de 180 días a partir de la fecha en la que la persona que se querelle se percate de lo que le parezca ser discrimin. Remita su querrela a: General Counsel, AHCCCS Administration, Office of the General Counsel, MD 6200, PO Box 25520, 801 E. Jefferson St., Phoenix, AZ 85034. Número de teléfono 602-417-4455, o envíela por fax a: 602-253-9115 o envíela por correo electrónico (Email) a: [EqualAccess@azahcccs.gov](mailto:EqualAccess@azahcccs.gov). También puede presentar un reclamo de derechos civiles ante la Office for Civil Rights (Oficina de Derechos Civiles) del Department of Health and Human Services (Departamento de Salud y Servicios Humanos) de EE. UU. De manera electrónica a través de Office for Civil Rights Complaint Portal, disponible en <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, o bien, por correo postal a la siguiente dirección o por teléfono a los números que figuran a continuación:

U.S. Department of Health and Human Services; 200 Independence Avenue, SW; Room 509F, HHH Building; Washington, D.C. 20201; 1-800-368-1019, 800-537-7697 (TDD). Puede obtener los formularios de reclamo en el sitio web <http://www.hhs.gov/ocr/office/file/index.html>.

