

42 C.F.R. § 88.21

Appeal of certification, decertification, or treatment authorization decision.

(a) *Right to appeal.* A WTC Health Program member or the member's designated representative (appointed pursuant to § 88.2(a)) may appeal the following four types of decisions made by the WTC Health Program:

- (1) To deny certification of a health condition as a WTC-related health condition;
- (2) To deny certification of a health condition as medically associated with a WTC-related health condition;
- (3) To decertify a WTC-related health condition or a health condition medically associated with a WTC-related health condition; or
- (4) To deny authorization of treatment for a certified health condition based on a finding that the treatment is not medically necessary.

(b) *Appeal request.* (1) A letter requesting an appeal must be postmarked within 120 calendar days of the date of the letter from the Administrator of the WTC Health Program notifying the member of the adverse decision. Electronic versions of a signed letter will be accepted if transmitted within 120 calendar days of the date of the Administrator's notification letter.

(2) A valid request for an appeal must:

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