
42 C.F.R. § 476.94

Notice of QIO initial denial determination and changes as a result of a DRG validation.

(a) *Notice of initial denial determination*—(1) *Parties to be notified*. A QIO must provide written notice of an initial denial determination to—

- (i) The patient, or if the patient is expected to be unable to comprehend the notice, the patient's next of kin, guardian or other representative or sponsor;
- (ii) The attending physician, or other attending health care practitioner;
- (iii) The facility; and
- (iv) The Medicare administrative contractor, fiscal intermediary, or carrier.

(2) *Timing of the notice*. The notice must be delivered to beneficiaries in the facility or mailed to those no longer in the facility, within the following time periods—

- (i) For admission, on the first working day after the initial denial determination;
- (ii) For continued stay (e.g., outliers in facilities under a prospective payment system), by the first working day after the initial denial determination if the beneficiary is still in the facility, and within 3 working days if the beneficiary has been discharged;

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