

42 C.F.R. § 478.40

Beneficiary's right to a hearing.

(a) *Amount in controversy.* If the amount in controversy is at least \$200, a beneficiary (but not a provider or practitioner) who is dissatisfied with a QIO reconsidered determination may request a hearing by an administrative law judge (ALJ) of the Office of Medicare Hearings and Appeals (OMHA).

(b) *Subject matter.* A beneficiary has a right to a hearing on the following issues:

- (1) Reasonableness of the services.
- (2) Medical necessity of the services.
- (3) Appropriateness of the setting in which the services were furnished.

This document is only available to subscribers. Please log in or purchase access.

[Purchase Login](#)