



the podcast for people with limb loss

Ep. 11:
How to Appeal a
“Not Medically Necessary” Denial

The Issue

- There are two substantive grounds for denying your claim
 - Not medically necessary
 - Experimental/investigational
- This podcast focuses on the following issues:
 - How do you construct – before writing anything – a medical necessity denial?
 - What does an appeal of a medical necessity denial look like?

Constructing the Appeal: General Principles

- You have to prove the prescribed prosthesis is medically necessary
- Denials are usually generic – lack specific analysis
 - But if there is a specific reason, then you only need to focus on that
- Identify and review all the *exhibits* you'll attach to the appeal first

Constructing the Appeal: The Exhibits

Virtually every “not medically necessary” appeal you write will include each of these exhibits.

Assemble and review this information before writing a single word!

1. Letter of Medical Necessity
2. Prescription
3. Explanation of Benefits/Denial Letter
4. Prosthetist’s clinical notes
5. Doctor’s notes
6. Other provider’s notes (if relevant) (e.g., PT, OT)
7. Video/photos
8. Activity data
9. Delivery sheet

Beginning Your Appeal: The Easy Stuff

1. Same 5 main sections in *every* appeal
 - Issues
 - History
 - Analysis
 - Summary
 - Exhibits
2. Each main section should be bold, 16-point font, centered on page
3. Every not medically necessary appeal starts the same way
 - Sentence 1: who you are and what you're appealing
 - Sentence 2: insurer is wrong for the following [insert #] reasons

The Issue Statement

1. You have to show the reader all the key issues clearly and quickly
2. Use issue statements
3. Hardest part of the appeal – don't get discouraged!
4. Each issue statement must have the following characteristics
 - Bold-face word or words flagging the issue before the actual statement
 - Clear, concise summaries of the facts supporting your position
 - End every issue statement with an objective, non-leading question
 - Issue statements must be less than 100 words long

The Issue Statement: An Example

1. **Prosthetic Socket:** My prosthetist's records show that since receiving my last prosthesis, I have lost 15 pounds and my limb's circumference has decreased by nearly one-half inch. I have consistent skin breakdown due to the poor fit of my current socket that prevents me from using the prosthesis more than a few hours a day. DenyFirst's denial contains no specific information about my socket. Has DenyFirst established that a new socket is medically unnecessary?

The History Section

1. This is the section where you tell your story
2. Chronological – start with your amputation and move forward
3. Be specific – especially re. your daily activities/environment
 - If stuck, use the Day-In-A-Life technique
4. History section always ends with
 - A summary – not detailed – description of clinical issues you're having, AND
 - A summary of the claim status as of the time you are writing the appeal

The Analysis Section

1. You build this section directly from your Issue Statement(s)
2. It's simple: detailed fleshing out of each Issue Statement with exhibits
 - Reference the exhibits by using footnotes, not in body of appeal
2. Each Issue Statement becomes a subsection of the Analysis section
 - Analysis subsections numbered 1, 2, 3, etc.
4. First sentence of each subsection: bold, 14-point font.

The Summary Section

- Restate why the insurer should reverse its denial
- Not complicated – simply list the arguments

Summary

DenyFirst should overturn its original denial for the following three reasons:

1. The undisputed medical records of both my physician and prosthetist include multiple justifications supporting my need for a new prosthetic socket;
2. My health care providers' medical records also establish the need for new liners and DenyFirst fails to articulate single reason why they are medically unnecessary. And
3. DenyFirst ignores the fact that my prosthetic foot is unusable because it is the wrong category for someone of my weight, has structural integrity issues (a crack in the carbon footplate), and more than 3 years beyond the warranty period.

The Exhibits Section

1. You started by collecting exhibits – you end by organizing them
2. Assemble them in the correct order
3. Make it easy for the reader – underline relevant language

TAKEAWAYS

- Collect your Exhibits
- Work through the 5 sections in order
- Spend lots of time on the Issue Statement(s)
- Check out the *amp'd* [Not Medically Necessary Appeal example](#)

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