

## RECEIVERSHIP APPEAL PROCEDURE

### Claims Administration and Adjudication Procedure for Nevada Health CO-OP (“NHC”)

1. The Eighth Judicial District Court of Clark County, Nevada, Department Number 1, as the receivership court (the “Receivership Court”) for NHC, has directed that April 28, 2017, will be the claims filing deadline (the “Claims Deadline”) for the submission of NHC’s claims. Any proof of claim (“POC”) sent by U.S. Mail will be deemed timely filed so long as it is received within three business days after the Claims Deadline.
2. The claims of Health Care Providers (“Providers”), such as physicians or hospitals, will be exempted from the requirement to file a POC form, but all claims of Providers must be filed by the Claims Deadline as referenced by paragraph 3 below.
3. This paragraph 3 only applies to the claims of Providers, such as physicians or hospitals, and other claimants and parties need not read this paragraph. Providers are exempt from being required to use the POC form for existing claims that they have already filed with NHC, or new claims that they may file. Providers are not required to re-file existing claims with NHC, and these existing claims will be considered timely filed so long as they comply with the established procedures for processing claims in the normal course of business of NHC (*e.g.*, in most cases, claims filed for the first time more than 12 months after the date of service are considered late-filed claims by NHC and may be denied by the SDR for this reason). New claims of Providers must be filed with NHC by the Claims Deadline, but the claims for healthcare services must be submitted as they have previously been to NHC, and will still be subject to all pre-established NHC claim processing requirements and deadlines. Providers should not use the POC form for the submission of new or existing claims. New Provider claims filed after the Claims Deadline will be considered late-filed claims and are ineligible for payment. PROVIDERS SHOULD NOT SUBMIT DUPLICATE CLAIMS (*i.e.*, claims that have been previously submitted to NHC), as this will delay the processing time for all of their claims. However, Providers may re-submit claims that require correction. Providers may contact 1-855-606-2667 or e-mail **POC@NevadaHealthCoop.org** to verify that their claims have been submitted and are being processed. Providers who have received any partial claim payment are not required to submit a POC form for the remaining amount owed—and they are not required to take any further action unless notified by NHC. However, the appeal of any Provider claim determination will be governed by the terms of this appeal procedure.
4. Any claimant may contact 1-855-606-2667 or e-mail **POC@NevadaHealthCoop.org** if you would like to verify that your POC has been submitted and is being processed.
5. The Special Deputy Receiver (“SDR”) is not required to process any claims in a creditor class unless assets will be available to pay that class. The SDR shall notify the Receivership Court if there are insufficient assets to process and pay claims for a class, and the Court will later decide the disposition of these claims—and all affected claimants will be notified at that time.
6. All claims submitted to the SDR shall detail the amount and factual basis for the claim. All claims must be verified by an affidavit of the claimant, or someone authorized to act for the claimant with factual knowledge. Claims must be supported by documentation.

7. Under this appeal procedure, the SDR shall mail (by first class U.S. Mail to claimants) written notice of the claim determination (“Notice of Claim Determination”). The Notice of Claim Determination will inform claimants when the claimant’s appeal must be sent to the SDR. The procedure for appeal is described further below.
8. The SDR shall provide the Receivership Court with a report of all claim determinations.
9. The next section is only relevant if the claimant wishes to appeal the SDR’s Notice of Claim Determination. The next section details how to make and file an appeal.

### **Appeals of Receivership Decisions**

10. Claimants have sixty (60) days to appeal from the Notice of Claim Determination date.
11. Failure to file a timely objection with the SDR of the claim determination will waive any right of the claimant to pursue his, her, or its claim against NHC, and the SDR’s claim determination will become final and non-appealable.
12. The claimant’s appeal must be received by the appeal due date to be timely appealed. A claimant must submit any claim appeal to the SDR within sixty (60) days after the Notice of Claim Determination date. The SDR will work to resolve appeals based upon information submitted.
13. The SDR shall submit to the Receivership Court a report of all claim determinations on which any objection was filed, including a report of any unresolved objections.
14. The Receivership Court shall fix a time for a hearing on all unresolved claim objections, and the SDR will give these claimants notice of the Court hearing for an appealed claim.
15. The SDR’s notice of Receivership Court hearing will cover the following:
  - a. Will be addressed to the claimant by first class U.S. Mail not more than thirty (30) days and not less than ten (10) days before the Receivership Court hearing, on any unresolved claim to which an objection has been filed; and
  - b. Will specify the time and place of the hearing.
16. A hearing may be conducted by the Receivership Court or by any court-appointed master or referee. A master or referee will submit findings of fact and recommendations to the Receivership Court—and the Court will enter an order that decides the appealed claim.
17. An order by the Receivership Court may be appealable to the Supreme Court of Nevada in accordance with Nevada Supreme Court Rules.
18. An order by the Receivership Court that is not timely appealed to the Supreme Court of Nevada is deemed “final.”
19. Interested parties may also utilize this Receivership Appeal Procedure to appeal decisions of the Receiver concerning non-claim matters if the claim decision may affect a financial interest, contract right, or legal entitlement of the person making the appeal.