**MDCP Medical Necessity Denial**

Your child isn’t eligible for the Medically Dependent Children Program.

The Texas Medicaid and Healthcare Partnership determined your child doesn’t meet the medical necessity requirements for MDCP. See the Reason for Denial text box on Page 1 for more information about this determination.

You can appeal this decision by asking for a fair hearing. You have 90 days from the Date of Notice shown in the box on the top right-hand corner on Page 1. If your child is in MDCP now, your child may be able to keep getting services during your appeal. See the “Right to a Fair Hearing” page that came with this letter.

MDCP requires you to confirm eligibility every year. Your child’s health plan conducts an assessment to determine if your child meets the medical standards the law requires.

To be eligible for MDCP, your child must meet the medical necessity criteria for a nursing facility level of care. This means your child must have a medical condition that both:

* is of sufficient seriousness that your child's needs exceed the routine care which may be given by an untrained person.
* requires licensed nurses' supervision, assessment, planning and intervention that are available only in an institution.

In addition, your child must require medical or nursing services that:

* are ordered by a doctor.
* are needed because of your child’s documented medical conditions.
* need the skills of a registered or licensed vocational nurse.
* are provided directly by a licensed nurse in an institutional setting or under the supervision of a licensed nurse in an institutional setting.
* are needed on a regular basis.

The eligibility criteria for MDCP are provided in Title 1 of the Texas Administrative Code at Section 353.1155 and Title 26 of the Texas Administrative Code at Section 554.2401.