

HEALTH AND DENTAL APPEALS COMMITTEE

PRINCIPLES AND DECISION MAKING GUIDELINES

APPROVED BY THE GSS EXECUTIVE BOARD SEPTEMBER 5, 2012

This document shall come into effect on September 1, 2012. This means that the precedent log shall only start as of that date. While decisions made prior to this date shall obviously be considered, they shall not dictate a decision if it is not in keeping with the letter and/or spirit of these Guidelines.

COMMITTEE MANDATE:

The mandate of the Committee is to review the substance of any appeal to render a decision upholding or rejecting the appeal. It is recognized that in some cases a decision is not immediately possible. This might be because there is not yet enough information about the specific issue(s) involved, or because the appeal raises a new policy issue and further consultation with either the carrier or the GSS Executive is required. The Committee recognizes it is not appropriate to independently set new policy in the course of deciding an appeal without executive approval.

GUIDING PRINCIPLES:

All decisions will be made solely on the merits of the case based on fair and equitable consideration. The Committee operates on the basis of openness and transparency in all its decisions. This means the following must be used as guiding principles in any decision:

1. Previous decisions involving substantially the same issues act as precedents and must be followed unless the previous decision can be shown to have been wrong or in violation of other guiding principles. The Plan Co-ordinator is a non-voting member of the Committee and has an obligation to advise the Committee of previous decision on a similar issue(s).
2. An appeal shall be referred to the first meeting of the Committee after receipt of **all** of the documentation necessary to enable a decision. If it is not possible to hear the appeal within a

month of all the documentation being received, the appellant shall be notified of the delay, the reason for it, and the date the appeal will be heard.

3. Appellants have the right to submit whatever documentation and explanations they think will help the Committee to understand their case.
4. The appellant shall normally be notified by a phone call or e-mail of the decision of the Committee within 4 business days of the decision of the Committee. Such notification shall contain the Committee's decision and the reason(s) for either upholding/rejecting the appeal, or for postponing such a decision. A letter signed by the Chair of the Committee containing this same information shall be sent at the earliest opportunity.
5. The Appeal Decision Form shall be completed when a decision is rendered and shall note the decision, the reasons and shall contain the names and signatures of the voting members of the Committee.
6. Any appeal received shall cause a case file to be opened using the following format: year: number this file represents of those received in same year (e.g. 2012-001 would be the first appeal received in 2012). Files shall not bear the name of the appellant and a master list shall be kept, password protected, by the Plan Administrator. The GSS Executive Director who shall be given the password.
7. Appellant files shall be kept in a secure filing cabinet by the GSS Plan Administrator and access shall only be available to the Plan Coordinator (or her alternate), a member of the Appeal Committee (or authorized substitute), or the GSS Executive Director if she has to consult a file in order to carry out her authorized responsibilities (such as supervision of the Plan Administrator).
8. The Plan Coordinator shall maintain an ongoing log which contains: the case number; date received; date decision made or appeal abandoned; the issue(s); the decision of the Committee and a summary of the reasons. This log shall be available, upon request, to any graduate student, or to any other party who has a legitimate need to see this information.
9. Copies of documentation relevant to an appeal which contain identifying or personal information about the appellant may only be copied for the purposes of making a decision, and shall be given back to the Plan Coordinator (or her alternate) once a decision has been made. Unless there is a good reason to maintain such copies in the appellant's file, these copies shall be shredded as soon as possible after the meeting.
10. The Appeal form and its supporting documentation shall be kept for 15 months and then destroyed.

11. Members of the Appeals Committee shall ensure that the identity of a specific appellant is not revealed to any other person who is not a member of the Committee, except when it is necessary to do so to arrive at a decision in a particular appeal.
12. If a Committee member has a personal relationship with an appellant, that member shall immediately notify the Chair of the Committee that he/she may be in a possible conflict-of-interest situation and shall be excluded from any further action on that file. If the Chair is the person disclosing, then another member of the GSS Executive shall sit in the Chair's place for the consideration of that particular case. Failure to disclose shall be grounds for permanent removal from the Appeals Committee and, in the case of the Plan Coordinator or GSS Executive member, may result in additional disciplinary action.

DECISION GUIDELINES:

In deciding whether to uphold or reject an appeal the following issues shall be specifically considered in making the final decision:

1. Each student has the responsibility to bring forward a matter relating to coverage at the earliest time that is reasonable to the facts of the case. Failure to act, except where there are demonstrable extenuating circumstances, shall normally result in the appeal being rejected.
2. Each student is expected to know the details of the Health and Dental Plan, as outlined through any GSS provided communications about the Plan (e.g. website, brochure) and, an appeal based on lack of knowledge, except where there are demonstrable extenuating circumstances, shall normally result in the appeal being rejected.
3. Where an appeal is based on circumstances that are beyond the reasonable control of the appellant, or the GSS, the cost of the decision and its fairness to the GSS Plan community as a whole shall be considered.
4. When a new issue arises that is central to an appeal (i.e. it has not previously been germane to a previous appeal decision), the Committee shall consult with the GSS Executive Director and Executive Committee to determine if there are likely any unintended impacts of approving or rejecting the appeal, prior to rendering a decision.