

Announcement of Policy for Processing Incomplete Claims

1. **Introduction.** The Claims Administrator has implemented an Incompleteness process that provides claimants with two written Notices informing the claimant about the documents required to complete the claim submission, before the Claims Administrator denies the claim for insufficient documentation. This announcement summarizes this policy.
2. **Incompleteness Process.** The Claims Administrator provides claimants with several opportunities to submit all documents required by the Settlement Agreement. First, the Claims Administrator issues written notification that a claim's documentation is incomplete. Second, if the claimant fails to submit sufficient documentation, the Claims Administrator issues a Follow-Up Incompleteness Notice. Third, if the claimant fails to submit sufficient documentation after a Follow-Up Incompleteness Notice, the Claims Administrator issues an Incompleteness Denial Notice.

(a) First Written Notification of Incompleteness.

(1) Preliminary Incompleteness Notice for Individual Economic Loss ("IEL")

Claims: When a claimant has not submitted the minimal documents necessary for the Claims Administrator to even begin review of an IEL Claim, the Claims Administrator issues a Preliminary Incompleteness Notice for Individual Economic Loss Claims ("Preliminary IEL Incompleteness Notice").

The Preliminary IEL Incompleteness Notice explains that the Claims Administrator cannot review the claim until the claimant submits additional documents. The Preliminary IEL Incompleteness Notice explains what is missing from the claim, provides tips for how to obtain the documents or information, and explains that the Claims Administrator may, after a full review of the claim, later find the claim incomplete for other reasons. The Notice states that the claimant has 30 days to submit the requested documents.

- ##### **(2) Incompleteness Notice:** When the Claims Administrator begins review of a claim of any type, and the claimant has not provided sufficient documents, the Claims Administrator uses the Incompleteness Notice to provide written notification that the claim's documents are incomplete. The Incompleteness Notice informs the claimant that the Claims Administrator cannot process the claim any further without the documents enumerated in the Notice and provides tips for how to obtain the required documents or information. The Notice states that the claimant has 30 days to submit the requested documents.

(b) Second Written Notification of Incompleteness – Follow-Up Incompleteness Notice:

If a claimant fails to respond to the first written notification of Incompleteness, or if the claimant responds but the claim is still incomplete, the Claims Administrator issues a Follow-Up Incompleteness Notice.

The Follow-Up Incompleteness Notice explains what documents the claim is missing and provides tips for how to obtain the documents or information. The Notice states that the claimant has 30 days to submit the requested documents or request a deadline extension.

(c) Third Written Notification of Incompleteness – Incompleteness Denial Notice:

When a claimant fails to submit adequate documents before the expiration of the deadline to respond to the Follow-Up Incompleteness Notice, the Claims Administrator issues an Incompleteness Denial Notice. The Incompleteness Denial Notice informs the claimant that the Claims Administrator denied the claim because the claimant failed to provide the documents required by the Settlement Agreement and provides tips for how to obtain the required documents or information. The Notice states that the claimant has 30 days to request Reconsideration of the denied result. If the claimant does not request Reconsideration, the Notice indicates the Claims Administrator will stop processing the claim, but the claimant may resubmit the claim by submitting a new Claim Form prior to any applicable claim submission deadline.

On rare occasions, the Claims Administrator may issue a second Follow-Up Incompleteness Notice, rather than an Incompleteness Denial Notice, to inform the claimant of a necessary document not requested in the first Follow-Up Incompleteness Notice. As with the first Follow-Up Incompleteness Notice, the claimant has 30 days to respond to the second Follow-Up Incompleteness Notice.

(1) Reconsideration. Claimants may request Reconsideration of an Incompleteness Denial Notice within 30 days after the Claims Administrator issues an Incompleteness Denial Notice. Claimants may submit additional documents with the Reconsideration Request. The Claims Administrator will review the claim again to determine whether the claimant has submitted all required documents. If the Claims Administrator determines the claim's documents are complete, it will review the claim and issue a Notice informing the claimant of the result of that review. If the Claims Administrator determines the claim's documents are still incomplete, the Claims Administrator will issue a Post-Reconsideration Incompleteness Denial Notice. The claimant will have 20 days after the date of the Post-Reconsideration Incompleteness Denial Notice to request an Appeal to the Documentation Reviewer.

(2) Appeal. Pursuant to Section 6.1.1.1 of the Settlement Agreement, claimants may request an Appeal to the Documentation Reviewer within 20 days after the Claims Administrator issues a Post-Reconsideration Incompleteness Denial Notice using the Request for Appeal Form. Claimants may submit additional documents with a Request for Appeal Form. The Documentation Reviewer will determine whether the Claims Administrator erred in denying the claim for insufficient documentation. If the Documentation Reviewer determines there was error in the denial, the Claims Administrator will review the claim again and issue a Notice informing the claimant of the result of that review. If the Documentation Reviewer does not find error in the denial, and the claimant has not cured the incompleteness, the Claims Administrator will issue a Post-Appeal Incompleteness Denial Notice and will stop processing the

claim. The claimant may resubmit the claim by submitting a new Claim Form prior to any applicable claim submission deadline.

2. **Issuing Notices.** All of the Notices described in Section A above are posted on the secure DWH Portal for claimants or their attorneys who registered with the Settlement Program to receive communication and Notices that way, or they are issued by regular mail for claimants and their attorneys who prefer not to use the DWH Portal. Each day that the Claims Administrator posts notices to the secure DWH Portal, the Claims Administrator sends an email to the Law Firm or claimant that informs the Law Firm or claimant that we have posted new Notice(s) to the Portal. The email lists the Claimant ID, Claimant Name, Claim ID, Claim Type and Notice Type for any Notices posted that day. The email also includes instructions about how to view Notices and track a claimant's status on the Portal.
3. **Resubmission.** If the claimant does not exercise his or her Reconsideration or Appeal rights described above, or if the Claims Administrator stops processing the claim because the Documentation Reviewer does not find error in the denial, the claimant may resubmit his or her claim by filing a new Claim Form with the Settlement Program prior to any applicable claim submission deadline.
4. **Questions.** If you have any questions regarding this Alert, email us at Questions@dhecc.com, call us at 1-800-353-1262, or visit a Claimant Assistance Center. Law firms should get in touch with their Law Firm Contacts for help.