

<b>SUBJECT</b> Enrollee Rights		<b>CHAPTER</b> 07	<b>SECTION</b> 01	<b>SUBJECT</b> 01
<b>CHAPTER</b> Rights of Persons Served		<b>SECTION</b> Individual Rights		
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I. APPLICATION:

- PIHP Board     
  CMH Providers     
  SUD Providers  
 PIHP Staff     
  CMH Subcontractors

II. POLICY STATEMENT:

It shall be the policy of Region 10 PIHP that all Medicaid enrollees receive enrollee rights information in accordance with the Code of Federal Regulations that relate to managed care.

III. DEFINITIONS:

Enrollee: A Medicaid recipient who is currently enrolled in PIHP.

Enrollee Rights Information: This includes specific and general information made available to consumers that explains their rights and provides for notice and informational exchange.

Enrollee Rights: Is a specific set of rights delineated in the Code of Federal Regulations that are to be guaranteed by the PIHP and network providers.

IV. STANDARDS:

- A. Enrollee rights information shall be distributed by the PIHP or the CMH. The CMHs still maintain responsibility for some State required information distribution and as such shall have materials and/or policies and procedures that address this area and meet the requirements of Standard C.7.
- B. All providers must take the enrollee's rights into account when furnishing services.
- C. An enrollee has the following rights:
  - 1. To be treated with dignity and respect.
  - 2. To receive information on available treatment options and alternatives.
  - 3. To participate in health care decisions.
  - 4. To be free from restraint and seclusion when used as a means of coercion, discipline, convenience or retaliation.
  - 5. To access to his/her record in a manner that confirms to Federal and State law.
  - 6. To receive services in a manner that meets the access standards; which means a PIHP must:
    - a. make state plan services available;
    - b. have adequate capacity within its network to provide services;
    - c. require coordination of care, as applicable; and

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- d. explain medical necessity and coverage of services offered (amount, duration, and scope) and authorize such services within the specified time frames.
7. To receive information about the above rights, notices and information generally, that:
  - a. is easily understood (in an appropriate manner to condition and ability to understand);
  - b. explains managed care;
  - c. notifies him/her that rights information can be conveyed at no cost, through oral interpretation and how to access it;
  - d. notifies him/her that rights information can be made available in alternate formats for special needs (e.g. visually limited, limited reading);
  - e. notifies him/her of the right to request and obtain the following information:
    - i. list of current providers with name, location, telephone number, any non-English language spoken, and those not accepting new consumers;
    - ii. any restrictions on freedom of choice within network;
    - iii. enrollee rights (outlined in this standard);
    - iv. grievance and appeal materials;
    - v. detail of benefit plan, including amount, duration and scope in sufficient detail;
    - vi. how to obtain benefits and service authorization;
    - vii. obtaining services from out of network providers, if necessary;
    - viii. explanation of after hours/emergency coverage's;
    - ix. advance directive information for adult consumers in licensed settings per state law;
    - x. how to access state plan services that are not part of the PIHP MDCH contract (medical) outside network;
    - xi. cost sharing, if applicable;
    - xii. additional information is available upon request about the structure and operations of PIHP and providers used by it.
8. To discuss treatment options, health status, risks and benefits of treatment or non-treatment, participation in treatment decisions.
9. To receive notice of a significant provider network change that has implications for the consumer.
10. To exercise the above rights freely.

D. Annual notice to recipients of their right to request C.7.f. items is delegated by the PIHP to the CMHSP.

V. PROCEDURES: N/A

VI. EXHIBITS: N/A