

		Policy & Procedure	
Policy Title: Enrollee Rights and Responsibilities			
Doc. # MR-105		Committee: Compliance Committee	
Origination Date: 11/8/2022		Effective Date: 11/8/2022	Next Review Date: 11/2024
Reviser (Title): Compliance Officer		Owner (Title): Compliance Officer	

I. POLICY STATEMENT AND PURPOSE

Tuality Health Plan Services has a statement that communicates its commitment to treat all enrollees in a manner that respects their rights and its expectations of enrollees’ responsibilities. Tuality Health Plan Services posts the statement of these rights and responsibilities on the Tuality Health Plan Services website and is available upon request.

II. ENROLLEE RIGHTS

Tuality Health Plan Services enrollees shall have the following rights and are entitled to:

- Be treated with dignity and respect
- Be given information about their condition and covered and non-covered services to allow an informed decision about proposed treatments
- Be actively involved in the development of their treatment plan
- Consent to treatment or refuse services and be told the consequences of that decision, except for court ordered services
- Be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation, as specified in other federal regulations on the use of restraints and seclusion
- Have a clinical record maintained that documents conditions, services received, and referrals made
- Have access to one's own clinical record, unless restricted by statute
- Request and receive a copy of the clinical record and request that it be amended or corrected
- Transfer of a copy of the clinical record to another provider
- Be treated by participating providers the same as other people seeking health care benefits to which they are entitled and to be encouraged to work with the enrollee’s care team, including providers and community resources appropriate to the enrollee’s needs
- Obtain timely access to health care services and medically necessary coordinated care
- Choose a provider or service site and to change those choices as permitted in the Tuality Health Plan Services administrative policies
- Obtain a second opinion
- Refer oneself directly to behavioral health or family planning services without obtaining a referral from a PCP or other participating provider
- Have a friend, family member, or advocate present during appointments and other times as needed within clinical guidelines
- Receive written materials describing rights, responsibilities, benefits available, how to access services, and what to do in an emergency
- Be provided equal access to appropriate facilities, services, and treatment regardless of gender
- Have written materials explained in a manner that is understandable to the enrollee and be educated about the coordinated care approach being used in the community and how to navigate the coordinated health care system

- Receive culturally and linguistically appropriate services and supports in locations as geographically close to where enrollees reside or seek services as possible and choice of providers within the delivery system network that are, if available, offered in non-traditional settings that are accessible to families, diverse communities, and underserved populations
- Receive oversight, care coordination and transition and planning management from Tuality Health Plan Services to ensure culturally and linguistically appropriate community-based care is provided in a way that serves them in as natural and integrated an environment as possible and that minimizes the use of institutional care
- Receive necessary and reasonable services to diagnose the presenting condition
- Receive integrated person-centered care and services designed to provide choice, independence and dignity and that meet generally accepted standards of practice and are medically appropriate
- Have a consistent and stable relationship with a care team that is responsible for comprehensive care management
- Receive assistance in navigating the health care delivery system and in accessing community and social support services and statewide resources including but not limited to the use of certified or qualified health care interpreters advocates, community health workers, peer wellness specialists, and personal health navigators who are part of the enrollee's care team to provide cultural and linguistic assistance appropriate to the enrollee's need to access appropriate services and participate in processes affecting the enrollee's care and services
- Obtain covered preventive services
- Have access to urgent and emergency services 24 hours a day, seven days a week without prior authorization
- Receive a referral to specialty providers for medically appropriate covered coordinated care services in the manner provided in the Tuality Health Plan Services referral policy
- Execute a statement of wishes for treatment, including the right to accept or refuse medical, surgical, or behavioral health treatment and the right to execute directives and powers of attorney for health care established under ORS 127
- Receive written notices before a denial of, or change in, a benefit or service level is made, unless a notice is not required by federal or state regulations
- Be able to make a complaint or appeal with Tuality Health Plan Services and receive a response
- Receive certified or qualified health care interpreter services free of charge
- Receive a notice of an appointment cancellation in a timely manner
- Receive enrollee information electronically upon request
- Only be responsible for cost sharing in accordance with 42CFR 447.50 through 447.90.

III. ENROLLEE RESPONSIBILITIES

Tuality Health Plan Services Enrollees shall have the following responsibilities:

- Choose or help with assignment to a PCP or service site
- Treat Tuality Health Plan Services, providers, and clinic staff enrollees with respect
- Be on time for appointments made with providers and to call in advance to cancel if unable to keep the appointment or if expected to be late
- Seek periodic health exams and preventive services from the PCP or clinic
- Use the Primary Care Provider (PCP) or clinic for diagnostic and other care except in an emergency
- Obtain a referral to a specialist from the PCP or clinic before seeking care from a specialist unless self-referral to the specialist is allowed
- Use urgent and emergency services appropriately and notify the Enrollee's PCP or clinic within 72 hours of using emergency services in the manner provided in the Tuality Health Plan Services referral policy
- Give accurate information for inclusion in the clinical record
- Help the provider or clinic obtain clinical records from other providers that may include signing an authorization for release of information
- Ask questions about conditions, treatments, and other issues related to care that is not understood

- Use information provided by Tuality Health Plan Services providers or care teams to make informed decisions about treatment before it is given
- Help in the creation of a treatment plan with the provider
- Follow prescribed agreed upon treatment plans and actively engage in their health care
- Bring issues or complaints or grievances to the attention of the Tuality Health Plan Services.

IV. STATEMENT OF ENROLLEE RIGHTS AND RESPONSIBILITIES

The statement of Enrollees' rights and responsibilities is published in the Tuality Health Plan Services provider manual and the website.

V. REVISION HISTORY

New P&P/Change/Revisions and Rationale	Final Review/Approval by	Approval Date	Effective Date of Policy/Change
New Policy	THPS Compliance Workgroup	11/8/2022	11/8/2022
Board Oversight, Consent Agenda	THPS Board of Directors	11/17/2022	11/8/2022