

Insured Members Rights and Responsibilities

Insured Members have the right:

- To get details about what your insurance covers and how to use its Services and Providers
- To have their privacy protected
- To know the names and titles of doctors and others who treat them
- To talk openly about care needed for their health, no matter the cost or benefit coverage
- To freely talk about care options and risks involved
- To have this information shared in a way they understand
- To know what to do for their health after they leave the hospital or Provider's office
- To refuse to take part in research
- To create an Advance Directive
- To suggest ways your insurance coverage can improve
- To file complaints or Appeals about your insurance coverage or the care it provides
- To have a say in Member rights
- To have all these rights apply to the person who can legally make health care decisions for them
- To have all staff Members observe their rights
- To use these rights no matter what their sex, age, race, ethnic, economic, educational or religious background
- To receive information about your insurance, its services, its practitioners and Providers, and Members rights and responsibilities
- To participate with practitioners in making decisions about their health care
- To a candid discussion of appropriate or medical necessary treatment options for their conditions, regardless of cost or benefit coverage
- To make recommendations regarding Member rights and responsibilities
- To be treated with respect and with due consideration for dignity and privacy
- To receive information on available treatment options and alternatives, presented in a manner appropriate to the Member's condition and ability to understand
- To participate in decisions regarding health care, including the right to refuse treatment
- To be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience or retaliation
- To ask for and receive a copy of medical records, and ask that they be amended or corrected:

- o Requests must be received in writing from the Member or the person chosen to represent him or her
- o The records will be provided at no cost

o The records will be sent within 14 days of receipt of the request

To be furnished health care services in accordance with federal and state regulations the state must make sure a Member is:

- Free to exercise their rights
- The exercise of those rights does not adversely affect the way insurance companies and its Providers or the state agency treat the Member

Medicaid Members have the responsibility:

- To know how their plan works by reading their handbook
- To carry their ID card (and Medicaid Gold Card) with them at all times and to present them when they get health care services;
- To get nonemergency care from a primary doctor, to get referrals for specialty care, and to work with those giving them care
- To be on time for appointments
- To cancel or set a new time for appointments ahead of time
- To report unexpected changes to their Provider
- To respect doctors, staff and other patients
- To help set treatment goals that they and their doctor agree to
- To follow the treatment plan they and their Provider agree on
- To understand medical advice and ask questions
- To know about the medicine they take, what it is for, and how to take it
- To provide information needed to treat them
- To make sure their doctor has their previous medical records
- To tell your insurance company within 48 hours, or as soon as they can, if they are in a hospital or go to an emergency room
- To supply information (to the extent possible) that your insurance and its practitioners and Providers need in order to provide care
- To understand their health problems and participate in developing mutually agreed-upon treatment goals to the degree possible

Kids Members have the right to:

- Timely and appropriate care
- Receive information about the organization, its services, its practitioners and Providers, and Member rights and responsibilities

INSURED MEMBERS RIGHTS AND RESPONSIBILITIES

- Participate with practitioners in making decisions about their health care
- A candid discussion of appropriate or medically necessary treatment options for their conditions, regardless of cost or benefit coverage
- Make recommendations regarding the organization's Member rights and responsibilities
- Be treated with courtesy and respect, with appreciation of individual dignity, and protection of privacy
- A prompt and reasonable response to questions and requests
- Know who is providing medical services and who is responsible for their care
- Know what patient support services are available, including whether an interpreter is available if the Member does not speak English
- Know what rules and regulations apply to their conduct
- Get information concerning diagnosis, planned course of treatment, alternatives, risks and prognosis; and your insurance cannot keep the health care Provider from giving the information to the Member
- Refuse any treatment; except as otherwise provided by law
- Not be responsible for your insurance company's debts in the event of bankruptcy
- Not be held liable for Covered Services for which your insurance company does not pay the Provider, and the Provider cannot hold the Member responsible for any unpaid amounts due to the Provider other than a co-payment
- Be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience or retaliation
- Timely problem resolution
- Make complaints and appeals about the organization or the care it provides without discrimination and expect problems to be fairly examined and appropriately addressed
- Responsiveness to reasonable requests made for services
- Confidentiality
- Review and comment about their personal health information and review medical records and/or changes to personally identifiable health information
- Protection against unauthorized disclosure of their personal health information
- Approve the release of any information beyond your insurance company
- Have information used for research or performance measurement limited in that all data will be combined

- Authorize the use of their individually identifiable health information for any purpose including:
 - o The collection, use and sharing of data, unless the release of the information is required by law
 - o General consent is given when the enrollment application is submitted:
 - This authorizes the use of identifiable information that is needed for treatment, coordination of care, conducting quality assessment, utilization review, fraud detection and specific and known oversight reviews (such as state or accreditation organizations)
 - This consent covers future, known or routine needs for the use of the Member's health information. Other consents, or special consents, will be obtained if specific Member identifiable information is requested and is to be shared with another organization or agency
- To be furnished health care services in accordance with federal and state regulations, the state must make sure:
 - o A Member is free to exercise their rights
 - o The exercise of those rights does not adversely affect the way your insurance company and its Providers or the state agency treat the Member

Kids Members have the responsibility to:

- To supply information (to the extent possible) that your insurance company and its practitioners and Providers need in order to provide care; and
- Follow plans and instructions for care that they have agreed to with their practitioners
- Understand their health problems and participate in developing mutually agreed upon treatment goals to the degree possible
 - Keep appointments and, when unable to do so, to notify their health care Provider or the health care facility
- Provide to the health care Provider accurate and complete information about present complaints, past illnesses, hospitalizations, medications and other matters relating to health to the best of their knowledge
- Report unexpected changes in their condition to the health care Provider
- Follow the treatment plan recommended by the health care Provider
- Report to the health Provider whether they understand a course of treatment and what is expected of them
- Be responsible for their actions if they refuse treatment or do not follow the health care Provider's instructions
- Ensure that co-pays are paid as promptly as possible
- Follow health care facility rules and regulations affecting patient care and conduct

INSURED MEMBERS RIGHTS AND RESPONSIBILITIES



**ACKNOWLEDGEMENT OF RECEIPT OF
INSURED MEMBERS RIGHTS AND
RESPONSIBILITIES**

I have received a copy of this office's Insured Members Rights and Responsibilities.

Please Print Patient Name

Signature (Client or Parent/Guardian)

Date

Witness Signature

Date