

Member Rights and Responsibilities

Medicaid Community Mental Health Program

Northeast Behavioral Health Partnership (NBHP)

Provider Responsibilities regarding Member Rights

- ▶ As a provider,
 - You must know and understand Member Rights; and
 - Know how to assist a member in obtaining their rights.
- ▶ This is not only a list of the Member Rights and Responsibilities, but includes information that may help you. Referral information is included, as needed, to assist your client.
- ▶ The Rights and Responsibilities are shown as written in the Member Handbook, which is designed to be easily understood by a Medicaid Member.
- ▶ The Member Handbook contains all information provided in this presentation. It is suggested that you keep one at your desk for easy reference.

❖ **Be treated with respect, dignity and regard for your privacy.**

- If a Member suggests that he/she has not been treated with respect or dignity, or his/her privacy has not been maintained, encourage Member to contact the Office of Member and Family Affairs (OMFA) to file a complaint.

Northeast Behavioral Health Partnership
1300 North 17th Avenue
Greeley, CO 80631
Patrice Marqui - 970-347-2367
Director, Office of Member and Family Affairs
Toll Free 1-888-296-5827
TTY (800)432-9553

Members have the Right to:



❖ Get information about your mental health benefits and how to access them.

- The Member Handbook is a good source of information regarding benefits and how to access them.
- Member Handbooks are mailed to each Member when he/she become eligible for Medicaid.
- Member Handbooks should be given to new clients at intake.
- Each year a letter is sent to the Member informing them how to get a copy of the Handbook.
- When there is a major change to the Handbook, NBHP sends each Member a copy.
- Each office should keep copies on hand to give to Members when asked for one.

Members have the Right to:

- ❖ Get information about your treatment choices in a way that you can understand.
- ❖ Have an interpreter if you have problems communicating or do not speak English.
 - When speaking to a Member, remember their culture and education level.
 - Oral Interpretation:
 - During intake, determine if interpretation is needed and assign clinician with language knowledge.
 - Centers have the Language Line if interpreter is not available. Relay for Colorado provides TTY services for the deaf.
 - Try not to use family members or friends unless Member insists.
 - Written Information Requirements:
 - Written materials must have easily understood language simplified to 6th grade reading level.
 - NBHP must provide all required written materials in Spanish, the “prevalent non-English Language” in the NBHP area.
 - Written materials must be available in alternative formats; such as large print, or audio tapes.
 - Translated materials should be requested from NBHP and NBHP will mail the materials to the Member within 10 days of the request.

Members have the Right to:

- ❖ Help make decisions about your health care. You have the right to refuse treatment unless it is required by law.
- ❖ Not be secluded or restrained as punishment or to make things easier for your provider.

Members have the Right to:



❖ Get medically necessary mental health services according to federal law.

- Medical Necessity is defined by Health Care Policy and Financing (HCPF), which is the State of Colorado Department in charge of Medicaid funding and policy.
- A service is medically necessary if it:
 - Is reasonably needed to treat the problem,
 - Is reasonably needed to improve, make stable, or keep Member's condition from getting worse,
 - Is given in the most appropriate, least restrictive, and safest setting, and
 - Cannot be stopped without it having a bad effect on the Member's health or quality of care.

Members have the Right to:

- ❖ Have a choice of providers within our network. Ask that a provider be included in our network.
- ❖ Get services that are suitable to your culture.
 - NBHP has a extensive network of providers. A full list of providers and their specialties is available on the NBHP website.
 - NBHP's Provider Network information includes cultural factors such as sex, age, ethnicity, and languages spoken.

www.nbhpartnership.org

Or for assistance, call NBHP at

970-347-2374

1-888-296-5827

Members have the Right to:

- ❖ Have a service plan that you help write and get a copy of your plan.
 - Work with Member when developing the treatment plan.
 - Encourage Member to sign the treatment plan.
 - Give a copy of the treatment plan to the Member.

Members have the Right to:



❖ Get a second opinion from within our network at no cost.

- Members, parents/legal guardians, or providers may request a second opinion.
- Contact NBHP's Utilization Department at 888-296-5827 to request a second opinion. The Utilization Department will refer Member to an appropriate provider and approve prior authorization.
- Procedures and reports obtained from a second opinion consultation will become a part of the Member's clinical record.




Members have the Right to:

❖ Be told quickly if your services have ended. Be told when there are changes to your services or providers.

- NBHP will issue a Notice of Action letter to a Member if services end or change due to denial of authorization.
- If a provider will no longer provide services to a Member:
 - A provider must send a letter to the Member if he/she will no longer be able to provide services to the Member. The letter should include a statement that NBHP will assist the Member finding a new provider.
 - The provider must inform NBHP by sending a copy of the letter that he/she will not provide services so that NBHP, if needed, can assist the Member.
 - The provider can assist the Member finding a suitable provider.

Members have the Right to:

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- ❖ Have your record and the information you give in therapy kept private. Know that federal law and state law permit your information to be shared if:
 - You are a danger to yourself or others;
 - You are gravely disabled (unable to care for yourself); or
 - In cases of child abuse or suspected child abuse.
 - Provider must have Member sign a HIPAA compliant release of information if information is to be released to any others.



Members have the Right to:

- ❖ Review or get a copy of your medical records; ask that they be changed or corrected.
 - Providers must follow HIPAA regulations when providing records and/or making changes to the records.

Members have the Right to:

- ❖ Be free to use all of your rights without it affecting how you are treated.
- ❖ Get help understanding your rights and making a complaint or an appeal.
 - If Member suggests that he/she does not understand his/her rights or that those rights may have been compromised, refer him/her to the NBHP OMFA Director:

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Members have the Right to:

- ❖ Make a complaint about any of your services.
- ❖ Choose someone to represent your best interests if you need help.
 - Members should be referred to NBHP's OMFA office if they have a complaint.
 - Members can choose another individual to represent them including you. The OMFA office will ask the Members to sign a document assigning representation to the other individual.

Members have the Right to:

❖ Get help from the Ombudsman for Medicaid Manage Care.

- The Ombudsman assists members with information and referral about all Medicaid Services for physical health and mental health.
- Answers specific questions about Medicaid programs and services.
- Assists Members to file complaints or appeals with BHOs, MCOs, or primary care providers.
- Call:

303-830-3560
1-877-435-7123
TTY: 1-888-876-8864

Members have the Right to:

❖ Ask for a state fair hearing if a service is denied or reduced.

- When NBHP issues a Notice of Action letter due to ending or changing a service, Members are informed how to ask for an appeal and a state fair hearing.
- The NBHP OMFA will assist the Member, if asked, regarding how to get a state fair hearing.
- Members should be referred to the NBHP OMFA Office:

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Members have the Right to:

- ❖ Tell others your opinion about our services. Sharing your opinion with others will not affect how we provide your covered services.
- ❖ Be free from sexual closeness in any relationship with your providers. If this happens, you should report it to the board that regulates psychotherapy. In Colorado, that is the Department of Regulatory Agencies (DORA). You can reach them at 303-894-7788 or by writing to DORA at 1560 Broadway, Suite 1350, Denver, CO 80202.

Members have the Right to:

Members have the responsibility to:

- Learn about your mental health benefits and how to use them.
- Be a partner in your care. This means:
 - Following the plan you and your care coordinator have agreed on.
 - Participating in your treatment and working toward the goals in your service plan.
 - Taking medications as you and your doctor agreed.
- Tell your therapist or doctor if you do not understand your service plan. You should tell him/her if you do not agree with your service plan, or want to change it.
- Give your therapist or doctor the information he/she needs to give you good care. This includes giving written permission so that your providers can coordinate your care. This may also be called a release of information.

Member Responsibilities

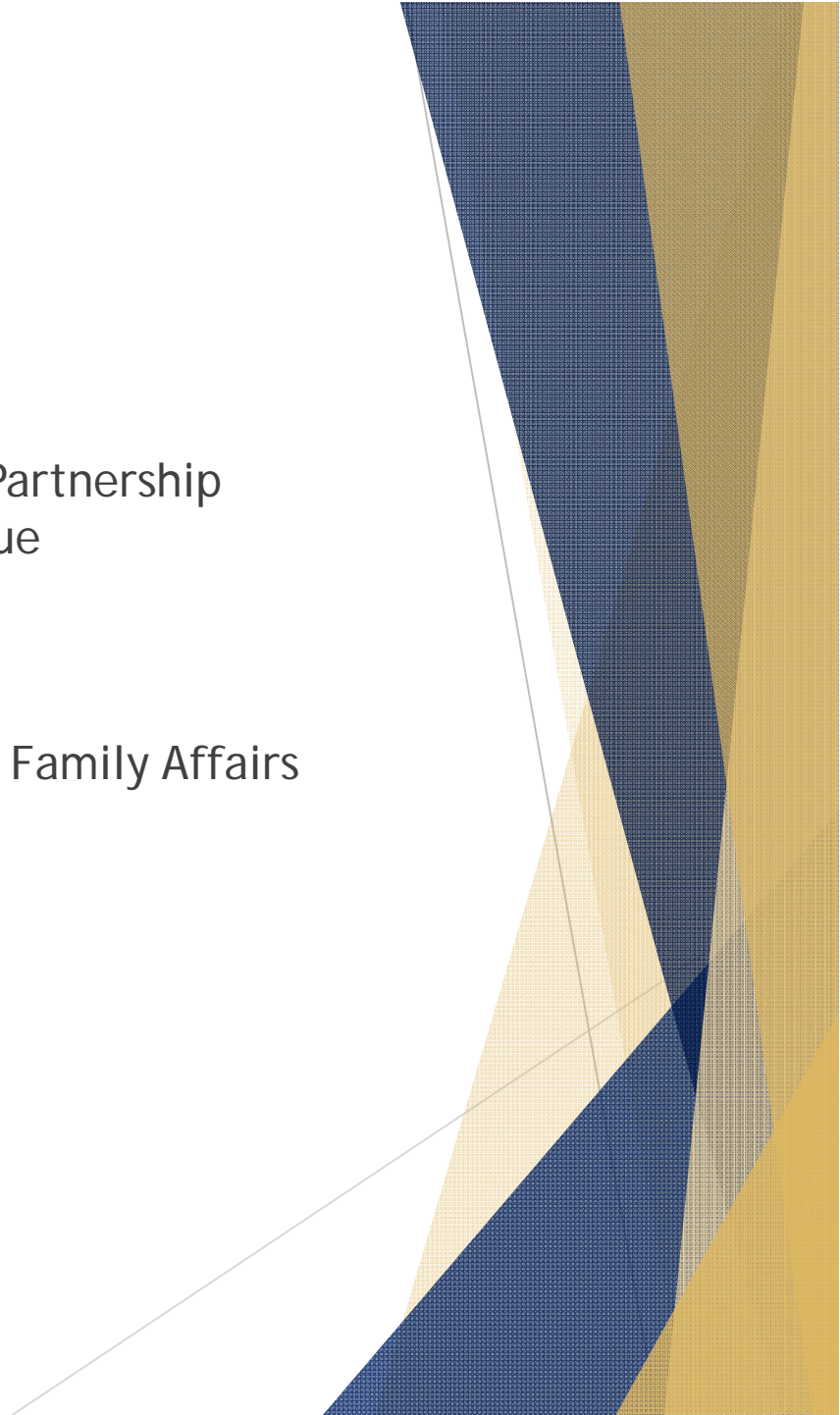
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- Come to your appointments on time. You should call the office if you will be late, or if you can't keep your appointment.
- Cooperate with NBHP when you choose a provider or are seen by your provider. If you have questions about choosing a provider, or how to make an appointment, call NBHP at 1-888-296-5827.
- Let us know when you change your address or phone number.
- Treat others with the same courtesy and respect that you expect.

Contacting NBHP

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Please submit evidence to NBHP that you have completed this training. You may access a certificate of training to complete at

[Certificate of Completion of Member Rights and Responsibilities Training](#)

Click on above.