



PENINSULA RSN

ADMINISTRATION POLICIES AND PROCEDURES

Policy Name: ENROLLEE RIGHTS

Policy Number: 2.11

Reference: 42 CFR 438.10 and 438.100, WAC 388-865-0410, -0436 (Outpatient), 388-865- 0550 through – 0560 (Inpatient)

Effective Date: 8/2003

Revision Date(s): 11/2011

Approved by: PRSN Executive Board

CROSS REFERENCES

- Form: PRSN Client Rights Statement (optional)
- Policy: Corrective Action Plan

PURPOSE

Medicaid enrollees shall be notified of their rights under federal and state law and regulation.

The Peninsula Regional Support Network (PRSN) shall ensure consumer rights are uniformly provided throughout the provider network. The PRSN provides a standardized outpatient rights form to be used by the core network providers for Medicaid and non-Medicaid individuals.

DEFINITIONS

Enrollee means a Medicaid recipient who is currently enrolled in a pre-paid inpatient health plan (PIHP).

PROCEDURE

The PRSN promotes customer satisfaction and requires through the network providers that all consumers be knowledgeable of and protected by certain rights.

The PRSN provides a standardized set of outpatient rights that includes federal and state required client rights.

Each network agency is responsible for providing Least Restrictive Alternative Order (LRAO) rights and inpatient (voluntary and involuntary), if applicable.

1. An individual shall receive notification of their rights in accordance with CFR 438.10 and WACs that includes the following mechanisms:
 - The Washington Mental Health Division distributes an enrollee booklet annually to all Medicaid recipients that includes client rights
 - The PRSN handbook includes the general information about enrollee rights. The PRSN mails the handbook directly to enrollees at the time of service authorization (admission or continuing services).
 - The PRSN QRT brochure includes information about general enrollee rights
 - PRSN contracted providers shall provide a copy of the PRSN standard outpatient client rights to each individual in their primary language at the time of admission for services.

This requirement is included in their contract with the PRSN.
 - PRSN contracted providers shall provide/ post the PRSN standard outpatient enrollee rights form in various public access areas through the community mental health agency (CMHA) main campus building and outstations.

This requirement is included in their contract with the PRSN.
2. An individual shall be treated with respect and with due consideration of individual dignity and privacy.
3. An individual shall receive information on available treatment options and alternatives, presented in a manner appropriate to the individual's condition and ability to understand.
 - An individualized plan of care and services is developed.
4. An individual shall participate in decisions regarding their health, including their right to refuse treatment. This includes Involuntary Treatment Acts, chapters 71.05 and 71.34 RCW.
5. An individual shall be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience or retaliation, as specified in federal regulations on the use of restraints and seclusion. Services shall be free of any sexual exploitation or harassment.
6. An individual can request and receive a copy of their medical records, and request they be amended or corrected (according to 45 CFR 164.524 and 164.526).

7. An individual has the right to be furnished medically necessary health care services.
 - Receive care which does not discriminate and is sensitive to gender, race, national origin, language, age, disability, and sexual orientation.
 - Receive an explanation of all medications prescribed, including expected effect and possible side effects.
8. An individual has the right to exercise their rights and to be free of adverse effects from the PRSN or provider network.
9. The PRSN Ombuds service shall be familiar with client rights and be available to explain rights to Medicaid enrollees. An individual shall have the right to lodge a compliant/ grievance with the Ombuds person, PRSN or provider if they feel their rights have been violated. If a complaint is lodged, there will be no retaliation.
10. The PRSN and network providers must comply with other federal and state laws, including:
 - Title IV of the Civil Rights Act of 1964
 - The Age Discrimination Act of 1975
 - The Rehabilitation Act of 1973
 - Title II and III of the Americans with Disabilities Act
 - and other laws regarding privacy and confidentiality

MONITORING

This policy is mandated by statute.

1. This policy will be monitored through use of PRSN:
 - Annual PRSN Provider and Subcontractor Administrative Review
 - Monthly Provider Chart Reviews
 - Exhibit N Reports and Grievance Tracking
 - Biennial Provider Quality Review Team Review
 - Quality Management Plan activities, such as review targeted issues for trends and recommendations
2. If a provider performs below expected standards during any of the reviews listed above a Corrective Action will be required for PRSN approval. Reference PRSN Corrective Action Plan Policy.