

ST. CLAIR COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE PROCEDURE

Date Issued 09/24

Page 1

CHAPTER Recipient Rights	CHAPTER 05	SECTION 001	SUBJECT 0020
SECTION Recipient Rights	SUBJECT Enrollee Rights		
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I. APPLICATION:

- SCCCMH Board
- SCCCMH Providers & Subcontractors
- Direct-Operated Programs
- Community Agency Contractors
- Residential Programs
- Specialized Foster Care

II. PURPOSE STATEMENT:

St. Clair County Community Mental Health (SCCCMH) shall ensure that all Medicaid enrollees receive enrollee rights information in accordance with federal and state law.

III. DEFINITIONS:

- A. Beneficiary: An individual who is eligible for Medicaid and who is receiving or may qualify to receive services through the Pre-Paid Inpatient Health Plan (PIHP) and its provider network.
- B. Enrollee: A Medicaid beneficiary who is currently enrolled in a Medicaid Benefit Plan.
- C. Enrollee Rights Information: This includes specific and general information made available to enrollees that explains their rights and provides for notice and informational exchange.
- D. Enrollee Rights: Is a specific set of rights delineated in the Code of Federal Regulations that are to be guaranteed by SCCCMH (and network providers). Note: Recipients of community mental health services have other "rights" as defined by other sources, such as the Michigan Mental Health Code.

IV. STANDARDS:

- A. Most enrollee rights information shall be distributed by Region 10 PIHP; however SCCCMH and its network providers still maintain responsibility for some state required information distribution and as such shall have materials and/or policies and procedures that address 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:

CHAPTER	CHAPTER	SECTION	SUBJECT
Recipient Rights	05	001	0020
SECTION	SUBJECT		
Recipient Rights	Enrollee 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 (which is no different than Person Centered Planning).
4. To be free from restraint and seclusion when used as a means of coercion, discipline, convenience, or retaliation.
5. To access their record in a manner that conforms to federal and state law.
6. To receive services in a manner that meets the access standards; which means Region 10 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
 - 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 them of the right to request and obtain the following information:
 - (1) list of current providers with name, location, telephone number, any non-English language spoken, and those not accepting new recipients;
 - (2) any restrictions on freedom of choice within network;
 - (3) enrollee rights (outlined in this standard);
 - (4) grievance and appeal materials;
 - (5) detail of benefit plan, including amount, duration, and scope in sufficient detail;
 - (6) how to obtain benefits and service authorization;
 - (7) obtaining services from out of network providers, if necessary;
 - (8) explanation of after-hours/emergency coverages;
 - (9) advance directive information for adult recipients in licensed settings per state law;
 - (10) how to access state plan services that are not part of MDHHS contract (medical) outside network;
 - (11) cost sharing, if applicable;
 - (12) additional information is available upon request about the structure and operations of the Region 10 PIHP and its network providers.
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 recipient.
10. To exercise the above rights freely.

D. Annual notice to recipients of their right to request C.7.e. items is delegated by Region 10 PIHP to SCCCMH.

CHAPTER Recipient Rights	CHAPTER 05	SECTION 001	SUBJECT 0020
SECTION Recipient Rights	SUBJECT Enrollee Rights		

V. PROCEDURES:

Region 10 PIHP/ Access Center

1. Develops, maintains, and disseminates customer service materials that meet the requirements of this administrative procedure.
2. Provides a welcome letter that directs enrollees to review the Customer Services Handbook on the Region 10 PIHP website and informs enrollees that they may request a hard copy of the handbook by calling the Access Center.
3. Provides enrollees with enrollee rights information at point of access.

SCCCMH and Network Providers

4. Gives annual notice of ability to request standard C.7.e. items to the enrollee and provides the information requested.
5. Ensures the enrollee is informed of enrollee rights outlined in the standards of the administrative procedure, as appropriate.
6. Provides services in a manner that meet the access standards in the Code of Federal Regulations.

VI. REFERENCES:

- A. St. Clair County Community Mental Health /Region 10 Customer Handbook
- B. Privacy Notice
- C. Access Brochure
- D. "Your Rights" booklet (Issued by ACCESS Center to all applicants, both approved and denied for services)
- E. MDHHS Medicaid Fair Hearings Brochure
- F. 42 CFR 438 et.al.
- G. Adverse Benefit Determination (Issued by the ACCESS Center)
- H. Denial/Referral Letter (Issued for any denial by the ACCESS Center)
- I. Grievance and Appeal Brochure (Posted in lobbies of all SCCCMMH sites and on Region 10 PIHP website)

CHAPTER	CHAPTER	SECTION	SUBJECT
Recipient Rights	05	001	0020
SECTION	SUBJECT		
Recipient Rights	Enrollee Rights		

J. Welcome Letter (Issued by the ACCESS Center)

K. [Administrative Policy #03-001-0005, Person Centered Planning Process, Individual Plan of Service](#)

VII. EXHIBITS:

N/A

VIII. REVISION HISTORY:

Dates issued 07/04, 08/05, 05/08, 08/11, 01/13, 11/14, 07/16, 07/17, 09/18, 09/19, 09/20, 09/21, 09/22, 09/23.