



UNIVERSITY of MARYLAND  
HEALTH PARTNERS

July 2017



Maryland Department of Health

# Maryland HealthChoice Program Member Handbook

410-779-9369 | 800-730-8530 | TTY: 711

[www.umhealthpartners.com](http://www.umhealthpartners.com)



Dear Member:

Welcome to University of Maryland Health Partners. We are happy to be your HealthChoice Managed Care Organization.

UM Health Partners will work with you and your doctors to help you get the health care you need. If you want help finding a doctor or have questions about your health care, call us. We can provide you with contact information, details and professional qualifications, such as medical school attended, residency completed and board certification status for all of our participating doctors. We are here to help.

This Member Handbook has important information about your health care benefits. It also has important phone numbers that you may need.

If you have any questions, please call us at 410-779-9369 or 800-730-8530. TTY users should call 711. A Member Services Representative can explain this handbook to you or answer any questions you have. Also, we offer interpretation services for our members who speak a language other than English. You can call the Member Services team and ask for an interpreter.

Please view our website at [www.umhealthpartners.com](http://www.umhealthpartners.com) for information on benefits, providers, preventive health schedules, health education.

We look forward to serving you.

Sincerely,

A handwritten signature in black ink that reads "Mark Puente".

Mark Puente  
President and Chief Executive Officer

**Si necesita una copia de este manual en español, llámenos**





# Language Accessibility

## ENGLISH

ATTENTION: If you speak English, language assistance services, free of charge, are available to you. Call 1-844-386-6762 (TTY: 711).

## SPANISH

ATENCIÓN: Si usted habla español, tenemos servicios de asistencia lingüística disponibles para usted sin costo alguno. Llame al 1-844-386-6762 (TTY: 711).

## CHINESE

小贴士：如果您说普通话，欢迎使用免费语言协助服务。请拨 1-844-386-6762 (TTY: 711)。

## KOREAN

알림: 한국어를 하시는 경우 무료 통역 서비스가 준비되어 있습니다. 1-844-386-6762 (TTY: 711) 로 연락주시기 바랍니다.

## VIETNAMESE

CHÚ Ý: Nếu quý vị nói tiếng Việt, thì có sẵn các dịch vụ trợ giúp ngôn ngữ miễn phí dành cho quý vị. Hãy gọi số 1-844-386-6762 (TTY: 711).

## FRENCH

ATTENTION: Si vous parlez français, des services gratuits d'interprétation sont à votre disposition. Veuillez appeler le 1-844-386-6762 (TTY: 711).

## TAGALOG

Pansinin: Kung nagsasalita ka ng Tagalog, mga serbisyo ng tulong sa wika, nang walang bayad, ay magagamit sa iyo. Tawagan ang 1-844-386-6762 (TTY: 711).

## RUSSIAN

ВНИМАНИЕ: Если вы говорите на русском языке, вам будут бесплатно предоставлены услуги переводчика. Звоните по телефону: 1-844-386-6762 (телетайп: 711).

## AMHARIC

ማስታወሻ: የሚናገሩት ቋንቋ አማርኛ ከሆነ የትርጉም አገዳጅ ድርጅቶች፣ በነጻ ሊያገዝዎት ተዘጋጅተዋል። ወደ ሚከተለው ቁጥር ይደውሉ 1-844-386-6762 (መስማት ለተሳናጥው: 711)።

## KRU (BASSA)

Dè dɛ nià kɛ dyédé gbo: ɔ jũ ké m̩ [Bàsɔ̀ɔ̀-wùdù-po-nyɔ̀] jũ ní, nií, à wuɔ̀u kà kò dò po-poɔ̀ b̩éin m̩ gbo kpáa. Dá 1-844-386-6762 (TTY:711)

## IBO

Ntj: Ọ bụrụ na asụ Ibo, asụsụ aka ọasụ n'efu, defu, aka. Call 1-844-386-6762 (TTY: 711).

## YORUBA

AKIYESI: Bi o ba nsọ èdè Yorùbú ọfẹ ni iranlọwọ lori èdè wa fun yin o. Ẹ pe ẹrọ-ibanisọrọ yi 1-844-386-6762 (TTY: 711).

## URDU

ہم نے تلو اب ی ز ی ر گ ن ا پ آ ر گ ا ن م ج و ت و ک پ آ ت ف م ، ت ا م د خ ت ن و ا ع م ن ا ب ز ل ا ک 1-844-386-6762 - ن ی م ب ا ی ت س د ( 711 : ی ئ ا و ی ٹ ی ٹ ) ن ی ر ک ۔

## FARSI

توجه: چنانچه به زبان فارسی صحبت می‌کنید، خدمات کمک زبانی، به صورت رایگان، در اختیار شما قرار خواهد گرفت. تماس (TTY: 711) 1-844-386-6762 با شماره بگیرید.

## FRENCH CREOLE

ATANSYON: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou. Rele 1-844-386-6762 (TTY: 711).

## PORTUGUESE

ATENÇÃO: Se fala português, estão disponíveis serviços gratuitos de assistência linguística na sua língua. Telefone para 1-844-386-6762 (TTY: 711).

## ARABIC

ملاحظة: إذا كنت تتحدث العربية، تتوفر خدمات المساعدة اللغوية مجاناً من أجلك. اتصل بالرقم (الهاتف النصي: 711) 1-844-386-6762

## GUJARATI

યુના: જો તમે જરાતી બોલતા હો, તો િન: છુ ભાષા સહાય સેવાઓ તમારા માટ ઉપલબ્ધ છ. ફોન કરો 1-844-386-6762 (TTY: 711).

## **Language Accessibility**

### **Interpretation Services and Auxiliary Aids**

Interpreter services are available for all HealthChoice members regardless of their primary spoken language. Interpreter services also provide assistance to those who are deaf, hard of hearing, or have difficulty speaking.

To request an interpreter, call MCO Member Services. Individuals who are deaf, hard of hearing, or have difficulty speaking can use the Maryland Relay Service (711). MCOs are required to provide auxiliary aids at no cost to you when requested. Auxiliary aids include assistive listening devices, written material, and modified equipment/devices.

If you need interpreter services for an appointment with a provider, contact your provider's office. It is best to notify them in advance of an appointment to ensure there is enough time to set-up the interpreter service and to avoid a delay in your medical care services. In some situations, the MCO may help facilitate interpreter services for provider appointments. Call MCO Member Services if you have questions.

# Table of Content

<b>1. HEALTHCHOICE OVERVIEW.....</b>	<b>9</b>
A. What is Medicaid.....	9
B. What is HealthChoice .....	9
C. How to Renew Medicaid Coverage .....	9
D. HealthChoice/MCO Enrollment.....	10
E. HealthChoice Enrollment Process .....	11
F. HealthChoice Eligibility/Disenrollment.....	12
G. Updating Status and Personal Information .....	12
<b>2. IMPORTANT INFORMATION.....</b>	<b>13</b>
A. HealthChoice and State Program Contact Information .....	14
B. Local Health Department Contact Information .....	15
<b>3. RIGHTS AND RESPONSIBILITIES.....</b>	<b>16</b>
A. Rights.....	16
B. Responsibilities.....	16
C. Non-Discrimination Statement .....	17
D. Notice of Privacy Practices (also see Attachment B) .....	18
<b>4. BENEFITS AND SERVICES.....</b>	<b>19</b>
A. HealthChoice Benefits.....	19
B. Self-referral Services .....	24
C. Benefits Not Offered by MCOs but Offered by the State .....	26
D. Additional Services Offered by MCOs and Not by the State.....	27
E. Excluded Benefits and Services Not Covered by MCOs and or the State.....	28
F. Change of Benefits or Service Locations.....	28
<b>5. INFORMATION ON PROVIDERS.....</b>	<b>29</b>
A. WHAT IS A PCP, A SPECIALIST, AND WHAT IS SPECIALTY CARE.....	29
B. SELECTING OR CHANGING PROVIDERS .....	29
C. TERMINATION OF A PROVIDER.....	29

- 6. GETTING INTO CARE.....30**
  - A. MAKING OR CANCELING AN APPOINTMENT .....30
  - B. REFERRAL TO A SPECIALIST OR SPECIALTY CARE.....30
  - C. AFTER HOURS, URGENT CARE, AND EMERGENCY ROOM CARE.....31
  - D. OUT-OF-SERVICE AREA COVERAGE .....32
  - E. WELLNESS CARE FOR CHILDREN (HEALTHY KIDS- EPSDT).....32
  - F. WELLNESS CARE FOR ADULTS .....33
  - G. CASE MANAGEMENT .....34
  - H. CARE FOR PREGNANT WOMEN .....34
  - I. FAMILY PLANNING (SEE SECTION 3-E, SELF-REFERRAL SERVICES).....34
  - J. DENTAL CARE .....35
  - K. VISION CARE .....35
  - L. HEALTH EDUCATION/OUTREACH.....35
  - M. BEHAVIORAL HEALTH SERVICES .....35
- 7. SPECIAL SERVICES.....37**
  - A. SERVICES FOR SPECIAL NEEDS POPULATIONS.....37
  - B. RARE AND EXPENSIVE CASE MANAGEMENT PROGRAM (REM).....39
- 8. UTILIZATION MANAGEMENT.....40**
  - A. MEDICAL NECESSITY .....40
  - B. PREAUTHORIZATION/PRIOR APPROVAL.....40
  - C. CONTINUITY OF CARE NOTICE .....41
  - D. COORDINATION OF BENEFITS .....43
  - E. OUT OF NETWORK SERVICES .....43
  - F. PREFERRED DRUG LIST.....43
  - G. NEW TECHNOLOGY/TELEHEALTH.....43
- 9. BILLING.....44**
  - A. EXPLANATION OF BENEFITS .....44
  - B. RECEIVING A MEDICAL BILL .....44
- 10. COMPLAINTS, GRIEVANCES AND APPEALS.....45**
  - A. ADVERSE BENEFIT DETERMINATIONS, COMPLAINTS, AND GRIEVANCES.....45
  - B. APPEALS .....46
  - C. HOW TO FILE A COMPLAINT, GRIEVANCE OR APPEAL.....47
  - D. THE STATE’S COMPLAINT/APPEAL PROCESS .....47
  - E. REVERSED APPEAL RESOLUTIONS .....49
  - F. MAKING SUGGESTIONS FOR CHANGES IN POLICIES AND PROCEDURES.....49

<b>11. CHANGING MCOS.....</b>	<b>50</b>
A. 90 DAY RULES.....	50
B. ONCE EVERY 12 MONTHS.....	50
C. WHEN THERE IS AN APPROVED REASON.....	50
D. HOW TO CHANGE YOUR MCO.....	50
<b>12. REPORTING FRAUD, WASTE AND ABUSE.....</b>	<b>51</b>
A. TYPES OF FRAUD, WASTE AND ABUSE.....	51
B. HOW TO REPORT FRAUD, WASTE AND ABUSE.....	51
<b>13. ATTACHMENT A - MCO CONTACTS.....</b>	<b>52</b>
<b>14. ATTACHMENT B - NOTICE OF PRIVACY PRACTICES.....</b>	<b>53</b>
<b>15. ATTACHMENT C - ADDITIONAL SERVICES OFFERED BY MCO.....</b>	<b>62</b>
<b>16. ATTACHMENT D - PRENATAL/POSTPARTUM PROGRAM.....</b>	<b>63</b>
<b>17. ATTACHMENT E - HEALTH EDUCATION PROGRAM.....</b>	<b>64</b>
<b>18. ATTACHMENT F - MCO INTERNAL COMPLAINT/APPEAL PROCESS.....</b>	<b>65</b>
<b>19. ATTACHMENT G - INFORMATION ABOUT YOUR PCP AND SPECIALISTS.....</b>	<b>69</b>
<b>20. ATTACHMENT H – DISEASE MANAGEMENT &amp; REFERRAL FOR CASE OR DISEASE MANAGEMENT.....</b>	<b>70</b>
<b>21. ATTACHMENT I – SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE.....</b>	<b>72</b>
<b>22. ATTACHMENT J - ACCESS TO UTILIZATION MANAGEMENT (UM) DEPARTMENT.....</b>	<b>73</b>
<b>23. ATTACHMENT K - PHARMACEUTICAL MANAGEMENT PROCEDURES.....</b>	<b>74</b>
<b>24. ATTACHMENT L - ADVANCED DIRECTIVES.....</b>	<b>76</b>



# 1. HealthChoice Overview

## A. What is Medicaid

Medicaid, also called Medical Assistance, is a health insurance (coverage of expenses incurred from health services) program that is administered by each state along with the federal government. Maryland Children's Health Program (MCHP), a branch of Medicaid, provides health insurance to children up to age 19. Medicaid provides coverage for:

- Low income families
- Low income pregnant women;
- Low income children - Higher income families may have to pay a premium (monthly fee)
- Low income adults and
- Low income individuals with disabilities

## B. What is HealthChoice

HealthChoice is Maryland's Medicaid Managed Care program. The HealthChoice Program provides health care to most Maryland Medicaid participants. HealthChoice members must enroll in a Managed Care Organization (MCO). Members get to choose their MCO (also referred to as a plan) as well as a primary care provider (PCP). A PCP can be a physician, physician's assistant or nurse practitioner. The PCP will oversee and coordinate your medical care. Some Medicaid recipients are not eligible for HealthChoice. They will receive their health care benefits through the Medicaid fee-for-service system.

MCOs are health care organizations that provide health care benefits to Medicaid recipients in Maryland. General health care benefits include (see pages 16-20 for a full listing of HealthChoice benefits):

- Physician Services - services provided by an individual licensed to provide inpatient/outpatient health care
- Hospital Services - services provided by licensed facilities to provide inpatient/outpatient benefits
- Pharmacy Services - services to provide prescription drugs and medical supplies

MCOs contract with a group of licensed/certified health care professionals (providers) to provide covered services to their enrollees, called a network. MCOs are responsible to provide or arrange for the full range of health care services covered by the HealthChoice program. There are some benefits that your MCO is not required to cover but the State will cover.

HealthChoice benefits are limited to Maryland residents and generally limited to services provided in the State of Maryland. Benefits are not transferrable to other states. In some cases, the MCO may allow you to get services in a nearby state if the provider is closer and in the MCO's network.

## C. How to Renew Medicaid Coverage

To keep HealthChoice you must have Medicaid. Most people need to reapply yearly. You will receive a notice when it is time to renew. The State may automatically renew some individuals. You will receive a notice telling you what is required. If you lose Medicaid the State will automatically remove you from HealthChoice. There are several ways to renew Medicaid:

- Maryland Health Connection
  - o Individuals eligible to apply/renew through Maryland Health Connection:
    - Adults under age of 65;
    - Parent/caretaker relatives;
    - Pregnant women; and
    - Children, and former foster care children.

# 1. HealthChoice Overview

- Maryland Health Connection
  - o Online: [www.marylandhealthconnection.gov](http://www.marylandhealthconnection.gov)
  - o Calling: 1-855-642-8572 (TTY: 1-855-642-8573)
  
- myDHR
  - o Individuals eligible to apply/renew through myDHR:
    - Aged, blind, or disabled (ABD);
    - Current foster care children or juvenile justice;
    - Receiving Supplemental Security Income (SSI); and
    - Qualified Medicare Beneficiaries (QMB) or Specified Low-income Medicare Beneficiaries (SLMB).
  - o Online: <https://mydhrbenefits.dhr.state.md.us>
  
- Department of Social Services (DSS) or Local Health Department (LHD)
  - o All individuals can apply
  - o To get connected with DSS call 800-332-6347
  - o To get connected with a LHD see page 11

## D. HealthChoice/MCO Enrollment

If you received this MCO Member Manual you have been successfully enrolled in HealthChoice. The State sent you an enrollment packet explaining how to select an MCO. If you did not choose an MCO the State automatically assigned you to an MCO in your area. It takes 10 -15 days after you chose or were automatically assigned until you are enrolled in HealthChoice. Until then you could use the red and white Medicaid card from the State.

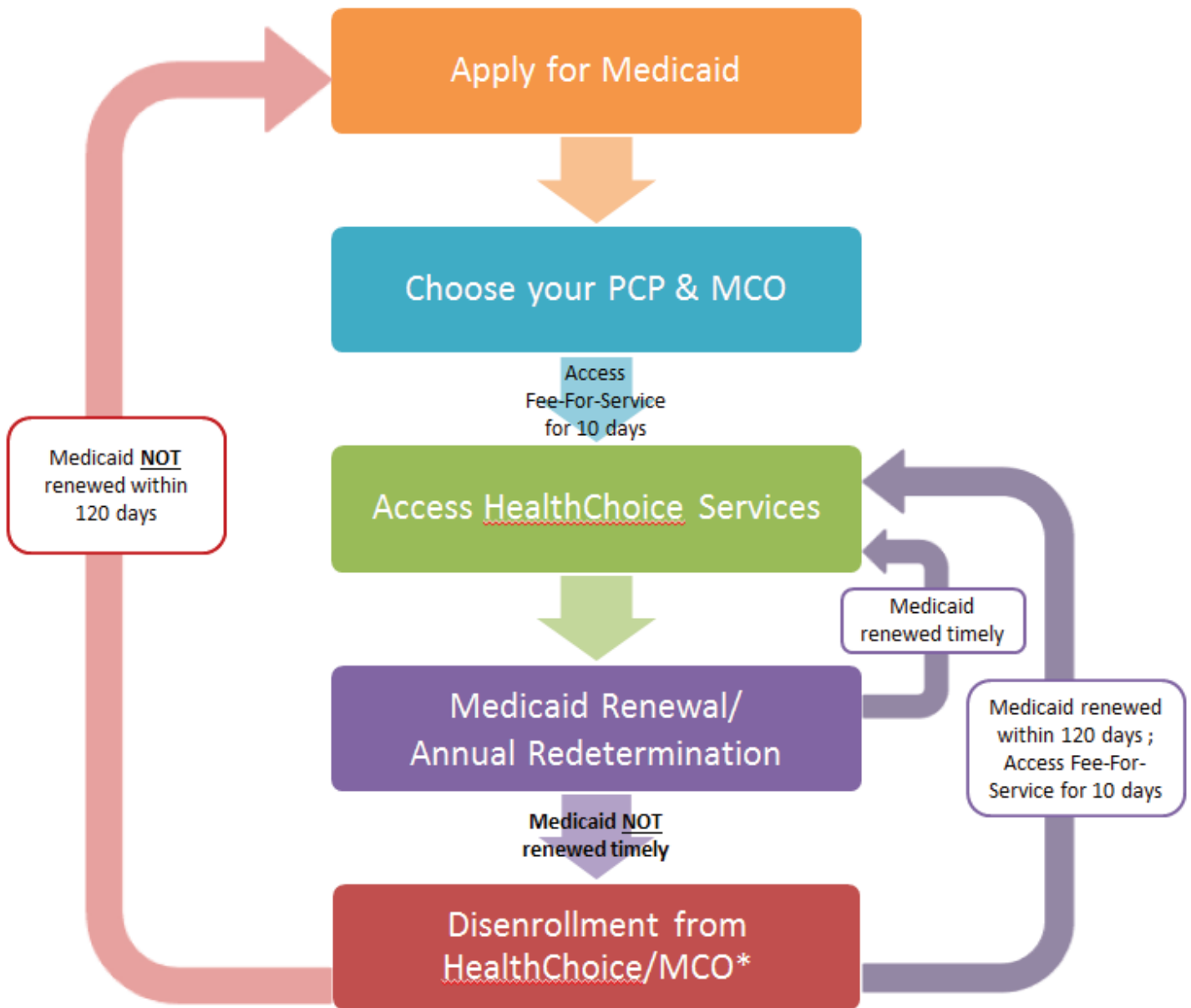
You must now use your MCO ID card when you get services. If the MCO assigned you a different number your Medicaid ID will also be the MCO member ID card. The phone number for MCO Member Services and the Health Choice Help Line (800-284-4510) are both on your card. If you have questions always call MCO Member Services first. If you did not receive your MCO member ID card or the card is misplaced, call MCO Member Services (see Attachment A).

Communication is key in ensuring your health care needs are met. Help the MCO to better serve you. If you enrolled by phone or on-line you were asked to complete the Health Service Needs Information form. This information helps the MCO to determine what kinds of services you may need and how quickly you need services. If the form is not completed, we will make efforts to contact you so we know what your needs are.

The MCO will assist you in receiving needed care and services. If you kept your same PCP but it has been three months since your last appointment, call to see when you are due for a wellness visit. If you selected a new PCP make an appointment now. It is important that you get to know your PCP. The PCP will help to coordinate your care and services. The MCO will assist you in receiving the needed care and services.

# 1. HealthChoice Overview

## E. HealthChoice Enrollment Process



\*The State will disenroll you from HealthChoice and your MCO when Medicaid is NOT renewed timely.

# 1. HealthChoice Overview

## F. HealthChoice Eligibility/Disenrollment

You will remain enrolled in the HealthChoice Program and in the MCO unless you fail to renew or are no longer eligible for Medicaid. If your Medicaid is cancelled the State will automatically cancel your enrollment in the MCO.

Even if you still qualify for Medicaid there are other situations that will cause the State to cancel your MCO coverage. This happens when:

- You turn age 65 – regardless of whether you enroll in Medicare
- You enroll in Medicare earlier than age 65 because of disability
- You are in a Nursing Facility longer than 90 days or lose Medicaid coverage while in the Nursing Facility
- You qualify for Long Term Care
- You are admitted to an intermediate care facility for individuals with intellectual disabilities
- You are incarcerated (a judge has sentenced you to jail or prison)
- You move to a different state.

If you lose Medicaid eligibility but regain coverage within 120 days, the State will re-enroll you with the same MCO. However, your enrollment back into the MCO will take 10 days before it is effective. Until then you can use your red and white Medicaid card if your provider accepts it.

Always make sure the provider accepts your insurance otherwise you may be responsible for the bill. Also, remember Medicaid and HealthChoice are State run programs. They are not like the federal Medicare program for the elderly and disabled. HealthChoice is only accepted in Maryland and by providers in nearby states when they are part of the MCO's network or your care is arranged by the MCO. Even when a nationwide insurance company operates a Maryland MCO the MCO is only required to cover emergency services when you are out of the State.

## G. Updating Status and Personal Information

You must notify the State (where you applied for Medicaid, for example Maryland Health Connection, local Department of Social Services or myDHR, Local Health Department) of any change in your status or if corrections are needed. You must also keep your MCO informed about where you live and how to contact you. Notify the State when:

- Your mailing address changes. **If your mailing address is different from where you live we also need to know where you live.**
- You move. **Remember you must be a Maryland resident.**
- You need to change or correct your name, date of birth, or social security number
- Your income increases
- You get married or divorced
- You have a baby, adopt a child, or place a child for adoption or in foster care
- You gain or lose a tax dependent
- You gain or lose other health insurance
- Your disability status changes
- You are involved in an accident or are injured and another insurance or person may be liable

## 2. Important Information

### A. HealthChoice and State Programs Contact Information

Help Information	Phone Number	Website
Enrollment into <b>HealthChoice</b>	800- 977-7388 TDD (for hearing impaired) 800- 977-7389	<a href="https://mdhealthchoice.org">https://mdhealthchoice.org</a>
General Questions about <b>HealthChoice</b>	410-767-5800 (local) 800- 492-5231 (rest of state) TDD (for hearing impaired) 800-735-2258	<a href="https://mmcp.dhmh.maryland.gov/healthchoice/pages/Home.aspx">https://mmcp.dhmh.maryland.gov/healthchoice/pages/Home.aspx</a>
HealthChoice Help Line - for problems and complaints about access, enrollment process, and quality of care.	800-284-4510	
Pregnant women and family planning	800-456-8900	<a href="https://mmcp.dhmh.maryland.gov/chp/pages/Home.aspx">https://mmcp.dhmh.maryland.gov/chp/pages/Home.aspx</a>
Healthy Kids, EPSDT	410-767-1903	<a href="https://mmcp.dhmh.maryland.gov/epsdt/pages/Home.aspx">https://mmcp.dhmh.maryland.gov/epsdt/pages/Home.aspx</a>
Healthy Smiles Dental Program	855-934-9812	<a href="https://mmcp.dhmh.maryland.gov/Pages/maryland-healthy-smiles-dental-program.aspx">https://mmcp.dhmh.maryland.gov/Pages/maryland-healthy-smiles-dental-program.aspx</a>
Rare and Expensive Case Management Program (REM) - for questions about referrals, eligibility, grievances, services	800-565-8190	<a href="https://mmcp.dhmh.maryland.gov/longtermcare/Pages/REM-Program.aspx">https://mmcp.dhmh.maryland.gov/longtermcare/Pages/REM-Program.aspx</a>
Mental Health and substance use disorders- for referrals, provider information, grievances, preauthorization	800-888-1965	<a href="http://bha.dhmh.maryland.gov/Pages/HELP.aspx">http://bha.dhmh.maryland.gov/Pages/HELP.aspx</a>
Maryland Health Connection Consumer Support Center	855-642-8572 TDD (for hearing impaired) 855-642-8573	<a href="http://www.marylandhealthconnection.gov">www.marylandhealthconnection.gov</a>

## 2. Important Information

### B. Local Health Department Contact Information

County	Main Phone Number	Transportation Phone Number	Administrative Care Coordination Unit (ACCU) Phone Number	Website
Allegany	301-759-5000	301-759-5123	301-759-5094	<a href="http://www.alleganyhealthdept.com/">http://www.alleganyhealthdept.com/</a>
Anne Arundel	410-222-7095	410-222-7152	410-222-7541	<a href="http://www.aahealth.org/">http://www.aahealth.org/</a>
Baltimore City	410-396-3835	410-396-6422	410-649-0521	<a href="http://health.baltimorecity.gov/">http://health.baltimorecity.gov/</a>
Baltimore County	410-887-2243	410-887-2828	410-887-4381	<a href="http://www.baltimorecountymd.gov/agencies/health">http://www.baltimorecountymd.gov/agencies/health</a>
Calvert	410-535-5400	410-414-2489	410-535-5400 ext.360	<a href="http://www.calverthealth.org/">http://www.calverthealth.org/</a>
Caroline	410-479-8000	410-479-8014	410-479-8023	<a href="http://dhmh.maryland.gov/carolinecounty">http://dhmh.maryland.gov/carolinecounty</a>
Carroll	410-876-2152	410-876-4813	410-876-4940	<a href="http://cchd.maryland.gov/">http://cchd.maryland.gov/</a>
Cecil	410-996-5550	410-996-5171	410-996-5145	<a href="http://www.cecilcountyhealth.org">http://www.cecilcountyhealth.org</a>
Charles	301-609-6900	301-609-7917	301-609-6803	<a href="http://www.charlescountyhealth.org/">http://www.charlescountyhealth.org/</a>
Dorchester	410-228-3223	410-901-2426	410-228-3223	<a href="http://www.dorchesterhealth.org/">http://www.dorchesterhealth.org/</a>
Frederick	301-600-1029	301-600-1725	301-600-3341	<a href="http://health.frederickcountymd.gov/">http://health.frederickcountymd.gov/</a>
Garrett	301-334-7777	301-334-9431	301-334-7695	<a href="http://garretthealth.org/">http://garretthealth.org/</a>
Harford	410-838-1500	410-638-1671	410-942-7999	<a href="http://harfordcountyhealth.com/">http://harfordcountyhealth.com/</a>
Howard	410-313-6300	877-312-6571	410-313-7567	<a href="https://www.howardcountymd.gov/Departments/Health">https://www.howardcountymd.gov/Departments/Health</a>
Kent	410-778-1350	410-778-7025	410-778-7035	<a href="http://kenthd.org/">http://kenthd.org/</a>

## 2. Important Information

### B. Local Health Department Contact Information

County	Main Phone Number	Transportation Phone Number	Administrative Care Coordination Unit (ACCU) Phone Number	Website
Montgomery	311 or 240-777-0311	240-777-5899	240-777-1648	<a href="http://www.montgomerycountymd.gov/hhs/">http://www.montgomerycountymd.gov/hhs/</a>
Prince George's	301-883-7879	301-856-9555	301-856-9550	<a href="http://www.princegeorgescountymd.gov/1588/Health-Services">http://www.princegeorgescountymd.gov/1588/Health-Services</a>
Queen Anne's	410-758-0720	443-262-4462	443-262-4481	<a href="http://www.qahealth.org/">www.qahealth.org/</a>
St. Mary's	301-475-4330	301-475-4296	301-475-6772	<a href="http://www.smchd.org/">http://www.smchd.org/</a>
Somerset	443-523-1700	443-523-1722	443-523-1766	<a href="http://somersehealth.org/">http://somersehealth.org/</a>
Talbot	410-819-5600	410-819-5609	410-819-5654	<a href="http://talbothealth.org">http://talbothealth.org</a>
Washington	240-313-3200	240-313-3264	240-313-3290	<a href="http://dhmh.maryland.gov/washhealth">http://dhmh.maryland.gov/washhealth</a>
Wicomico	410-749-1244	410-548-5142 Option # 1	410-543-6942	<a href="https://www.wicomicohealth.org/">https://www.wicomicohealth.org/</a>
Worcester	410-632-1100	410-632-0092	410-632-9230	<a href="http://www.worcesterhealth.org/">http://www.worcesterhealth.org/</a>

### **3. Rights and Responsibilities**

#### **A. As a HealthChoice member, you have the right to:**

- Receive health care and services that are culturally competent and free from discrimination.
- Be treated with respect to your dignity and privacy.
- Receive information, including information on treatment options and alternatives, regardless of cost or benefit coverage, in a manner you can understand.
- Participate in decisions regarding your healthcare, including the right to refuse treatment.
- Be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation.
- Request and receive a copy of your medical records and request that they be amended or corrected as allowed.
- Request copies of all documents, records, and other information free of charge, that was used in an adverse benefit determination.
- Exercise your rights, and that the exercise of those rights does not adversely affect the way the Managed Care Organizations (MCO), their providers, or the Department of Health and Mental Hygiene treat you.
- File appeals and grievances with a Managed Care Organization.
- File appeals, grievances and State fair hearings with the State.
- Request that ongoing benefits be continued during an appeal or state fair hearing however, you may have to pay for the continued benefits if the decision is upheld in the appeal or hearing. Receive a second opinion from another doctor within the same MCO, or by an out of network provider if the provider is not available within the MCO, if you do not agree with your doctor's opinion about the services that you need. Contact your MCO for help with this.
- Receive other information about how your Managed Care Organization is managed including the structure and operation of the MCO as well as physician incentive plans. You may request this information by calling your Managed Care Organization.
- Receive Information about the services provided by your Managed Care Organization including information about practitioners and providers within its network.
- Receive information about your rights and responsibilities and make recommendations regarding those rights and responsibilities.

#### **B. As a HealthChoice member, you have the responsibility to:**

- Inform your provider and MCO if you have any other health insurance coverage.
- Treat HealthChoice staff, MCO staff, and health care providers and staff, with respect and dignity.
- Be on time for appointments and notify providers as soon as possible if you need to cancel an appointment.
- Show your membership card when you check in for every appointment. Never allow anyone else to use your Medicaid or MCO card. Report lost or stolen member ID cards to the MCO.
- Call your MCO if you have a problem or a complaint.
- Work with your Primary Care Provider (PCP) to create and follow a plan of care that you and your PCP agree on.
- Ask questions about your care and let your provider know if there is something you do not understand.
- Update the State if there has been a change in your status
- Provide the MCO and their providers with accurate health information in order to provide proper care
- Use the emergency department for emergencies only.
- Tell your PCP as soon as possible after you receive emergency care.
- Inform caregivers about any changes in your Advanced Directive.



### 3. Rights and Responsibilities

#### C. Nondiscrimination Statement

- It is the policy of all HealthChoice MCOs not to discriminate on the basis of race, color, national origin, sex, age or disability. MCOs have adopted an internal grievance procedures providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 1557 of the Affordable Care Act (42 U.S.C. 18116) and its implementing regulations at 45 CFR part 92, issued by the U.S. Department of Health and Human Services. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age or disability in certain health programs and activities. Section 1557 and its implementing regulations may be examined in the office of each MCO's nondiscrimination coordinator who has been designated to coordinate the efforts of each MCO in order to comply with Section 1557.
- Any person who believes someone has been subjected to discrimination on the basis of race, color, national origin, sex, age or disability may file a grievance under this procedure. It is against the law for an MCO to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

##### Procedure:

- Grievances must be submitted to the Section 1557 Coordinator within (60 days) of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 1557 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 1557 Coordinators will maintain the files and records relating to such grievances. To the extent possible, and in accordance with applicable law, the Section 1557 Coordinators will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.
- The Section 1557 Coordinators will issue a written decision on the grievance, based on a preponderance of the evidence, no later than 30 days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of race, color, national origin, sex, age or disability in court or with the U.S. Department of Health and Human Services, Office for Civil Rights. A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services  
]200 Independence Avenue SW., Room 509F, HHH Building  
Washington, DC 20201  
800-368-1019, TDD 800-537-7767

Complaint forms are available at: <http://www.hhs.gov/ocr/office/file/index.html>. Such complaints must be filed within 180 days of the date of the alleged discrimination.

MCOs will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing taped cassettes of material for individuals with low vision, or assuring a barrier-free location for the proceedings. The Section 1557 Coordinators will be responsible for such arrangements.

### **3. Rights and Responsibilities**

#### **D. Notice of Privacy Practices**

The Health Insurance Portability and Accountability Act (HIPAA) require MCOs and providers to report their privacy practices to their members. The Notice of Privacy Practices informs members of their rights to privacy as well as the access and disclosure of their protected health information (PHI). Examples of PHI include medical records, medical claims/billing, and health plan records. If you feel that your privacy rights have been violated, you can file a complaint with your provider, MCO, or the U.S. Department of Health and Human Services.

To file a complaint, see contact information below:

- Provider: call your provider's office
- MCO: call MCO Member Services
- U.S. Department of Health and Human Services
  - o Online at: <https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>
  - o Email: [OCRComplaint@hhs.gov](mailto:OCRComplaint@hhs.gov)
  - o In Writing at:
    - Centralized Case Management Operations
    - U.S. Department of Health and Human Services
    - 200 Independence Avenue, S.W.
    - Room 509F HHH Bldg.
    - Washington, D.C. 20201

**See Attachment B for the MCO's Notice of Privacy Practices.**

## 4. Benefits and Services

### A. HealthChoice Benefits

This table lists the basic benefits that all MCOs must offer to HealthChoice members. Review the table carefully as some benefits have limits, you may have to be a certain age, or have a certain kind of problem. Except for pharmacy co-payments (fee member pays for a health care service), you should never be charged for any of these health care services. Your PCP will assist you in coordinating these benefits to best suit your health care needs. You will receive most of these benefits from providers that participate in the MCO's network (participating provider) or you may need a referral to access them. There are some services and benefits you may receive from providers that do not participate with your MCO (non-participating provider) and do not require a referral. These services are known as self-referral services.

**MCOs may waive pharmacy co-pays and offer additional benefits such as adult dental and more frequent eye exams (see Attachment C).** Those are called optional benefits and can change from year to year. If you have questions call MCO Member Services.

BENEFIT	WHAT IT IS	WHO CAN GET THIS BENEFIT	WHAT YOU <u>DO NOT</u> GET WITH THIS BENEFIT
<b>Primary Care Services</b>	These are all of the basic health services you need to take care of your general health needs, and are usually provided by your primary care provider (PCP). A PCP can be a doctor, advanced practice nurse, or physician assistant.	All members	
<b>Early Periodic Screening Diagnosis Treatment (EPSDT) Services for Children</b>	Regular well-child check-ups, immunizations (shots), developmental screens and wellness advice. These services provide whatever is needed to take care of sick children and to keep healthy children well.	Under age 21	
<b>Pregnancy-related Services</b>	Medical care during and after pregnancy, including hospital stays and, when needed, home visits after delivery.	Women who are pregnant, and for two months after the birth.	
<b>Family Planning</b>	Family planning office visits, lab tests, birth control pills and devices (includes latex condoms and emergency contraceptives from the pharmacy, without a doctor's order) and permanent sterilizations.	All members	

## 4. Benefits and Services

### A. HealthChoice Benefits

BENEFIT	WHAT IT IS	WHO CAN GET THIS BENEFIT	WHAT YOU DO NOT GET WITH THIS BENEFIT
<b>Primary Mental Health Services</b>	Primary mental health services are basic mental health services provided by your PCP or another provider within the MCO. If more than just basic mental health services are needed, your PCP will refer you to or you can call the Public Behavioral Health System at 800-888-1965 for specialty mental health services.	All members	You do not get specialty mental health services from a MCO. For treatment of serious emotional problems your PCP or specialist will refer you or you can call the Public Behavioral Health System at: 800-888-1965.
<b>Prescription Drug Coverage (Pharmacy Services)</b>	Prescription drug coverage includes prescription drugs (drug dispensed only with a prescription from an authorized prescriber) insulin, needles and syringes, birth control pills and devices, coated aspirin for arthritis, iron pills (ferrous sulfate), and chewable vitamins for children younger than age 12. You can get latex condoms and emergency contraceptives from the pharmacy without a doctor's order.	All members  There are no copays for children under age 21, pregnant women, and for birth control.	
<b>Specialist Services</b>	Health care services provided by specially trained doctors, advanced practice nurses or physicians assistants. You may need a referral from your PCP before you can see a specialist.	All members	
<b>Laboratory &amp; Diagnostic Services</b>	Lab tests and X-rays to help find out the cause of an illness.	All members	
<b>Home Health Care</b>	Health care services received in-home that includes nursing and home health aide care.	Those who need skilled nursing care (care provided by or under the supervision of a registered nurse) in their home, usually after being in a hospital.	No personal care services (help with daily living)

## 4. Benefits and Services

### A. HealthChoice Benefits

BENEFIT	WHAT IT IS	WHO CAN GET THIS BENEFIT	WHAT YOU DO NOT GET WITH THIS BENEFIT
<b>Case Management</b>	A case manager may be assigned to help you plan for and receive health care services. The case manager also keeps track of what services are needed and what has been provided. You must communicate with case manager to receive effective case management.	(1) Children with special health care needs; (2) Pregnant and postpartum women; (3) Individuals with HIV/AIDS; (4) Individuals who are Homeless; (5) Individuals with physical or developmental disabilities; (6) Children in State-supervised care (7) Case management provided by MCO for other members as needed	
<b>Diabetes Care</b>	Special services, medical equipment, and supplies for members with diabetes.	Members who have been diagnosed with diabetes.	
<b>Podiatry</b>	Foot care when medically needed.	All members	Routine foot care; unless you are under 21 years of age or have diabetes or vascular disease affecting the lower extremities
<b>Vision Care</b>	<p><b>Eye Exams</b> Under 21: one exam every year. 21 and Older: one exam every two years</p> <p><b>Glasses</b> Under 21 only Contact lenses if there is a medical reason why glasses will not work</p>	<p><b>Exams</b> – all members.</p> <p><b>Glasses and contact lenses</b> – Members under age 21.</p>	More than one pair of glasses per year unless lost, stolen, broken or new prescription needed.
<b>Oxygen and Respiratory Equipment</b>	Treatment to help breathing problems	All members	
<b>Hospital Inpatient Care</b>	Services and care received for scheduled and unscheduled admittance for inpatient hospital stays(hospitalization)	All members with authorization or as an emergency.	

## 4. Benefits and Services

### A. HealthChoice Benefits

BENEFIT	WHAT IT IS	WHO CAN GET THIS BENEFIT	WHAT YOU DO NOT GET WITH THIS BENEFIT
<b>Hospital Outpatient Care</b>	Services and care received from an outpatient hospital setting that does not require inpatient admittance to the hospital. Services would include diagnostic and laboratory services, physician visit, and authorized outpatient procedures.	All members	MCOs are not obligated to cover hospital observation services beyond 24 hours.
<b>Emergency Care</b>	Services and care received from a hospital emergency facility to treat and stabilize an emergent medical condition.	All members	
<b>Urgent Care</b>	Services and care received from an urgent care facility to treat and stabilize an urgent medical need.	All members	
<b>Hospice Services</b>	Home or inpatient services designed to meet the physical, psychological, spiritual, and social needs for people who are terminally ill.	All members	
<b>Nursing Facility / Chronic Hospital</b>	Skilled nursing care or rehab care up to 90 days	All members	
<b>Rehabilitation Services/Devices</b>	Outpatient services/devices that help a member function for daily living. Services include: Physical, Occupational, and Speech Therapy, Speech Therapy	Members age 21 and older. Members under 21 are eligible under EPSDT (see section 6 E)	
<b>Habilitation Services/ Devices</b>	Services/devices that help a member function for daily living. Services include: Physical Therapy, Occupational Therapy, and Speech Therapy	Eligible members; benefits may be limited.	

## 4. Benefits and Services

### A. HealthChoice Benefits

BENEFIT	WHAT IT IS	WHO CAN GET THIS BENEFIT	WHAT YOU DO NOT GET WITH THIS BENEFIT
<b>Blood and Blood Products</b>	Blood used during an operation, etc.	All members	
<b>Dialysis</b>	Treatment for kidney disease.	All members	
<b>Durable Medical Equipment (DME) &amp; Disposable Medical Supplies (DMS)</b>	DME (can use repeatedly) are things like crutches, walkers, and wheelchairs) DMS (cannot use repeatedly) are equipment and supplies that have no practical use in the absence of illness, injury, disability or health condition. DMS are things like finger stick supplies, dressings for wounds, and incontinence supplies	All members	
<b>Transplants</b>	Medically necessary transplants.	All members	No experimental transplants.
<b>Clinical Trials</b>	Members costs for studies to test the effectiveness of new treatments or drugs	Members with little threatening conditions, when authorized.	
<b>Plastic and Restorative Surgery</b>	Surgery to correct a deformity from disease, trauma, congenital or development abnormalities or to restore body functions.	All members.	Cosmetic surgery to make you look better.

## 4. Benefits and Services

### B. Self-referral Services

You will go to your PCP for most of your health care, or your PCP will send you to a specialist who works with the same MCO. For some types of services, you can choose a local provider who does not participate with your MCO. The MCO will still pay the non-participating provider for services as long as the provider agrees to see you and accept payment from the MCO. Services that work in this way are called “self-referral services”. The MCO will also pay for any related lab work and medicine received at the same site that you receive the self-referral visit. The following services are self-referral services.

- Emergency Services
- Family Planning
- Pregnancy, under certain conditions, and Birthing Centers
- Doctor's check of newborn baby
- School-Based Health Centers
- Assessment for Placement in Foster Care
- Certain Specialist for Children
- Diagnostic Evaluation for people with HIV/AIDS
- Renal Dialysis

#### **Emergency Services**

An emergency is considered a medical condition which is sudden, serious, and puts your health in jeopardy without immediate care. You do not need preauthorization or a referral from your doctor to receive emergency services. Emergency services are health care services provided in a hospital emergency facility from the result of an emergency medical condition. After you are treated or stabilized for an emergency medical condition you may need additional services to make sure the emergency medical condition does not return. These are called post-stabilization services.

#### **Family Planning Services (Birth Control)**

If you choose to do so, you can go to a provider who is not a part of your MCO for Family planning services. Family planning includes services such as contraceptive devices/supplies, laboratory testing, and medically necessary office visits. Voluntary sterilization is a family planning service but is NOT a self-referral service. If you need a voluntary sterilization you will need preauthorization from their PCP and must use a participating provider of the MCOs network.

#### **Pregnancy Services**

If you were pregnant when you joined the MCO, and had already seen a non-participating provider, for at least one complete prenatal check-up, then you can choose to keep seeing that non-participating provider all through your pregnancy, delivery, and for two months after the baby is born for follow-up, as long as the non-participating provider agrees to continue to see you.

#### **Birthing Centers**

Services performed at a birthing center, including an out-of-state center located in a contiguous (a state that borders Maryland) state.

#### **Baby's first check-up before leaving hospital**

It is best to select your baby's provider before you deliver. If the MCO provider you selected or another provider within the MCO network does not see your newborn baby for a check-up before the baby is ready to go home from the hospital, the MCO will pay for the on-call provider to do the check-up in the hospital.



## 4. Benefits and Services

### B. Self-referral Services

#### School-Based Health Center Services

For children enrolled in schools that have a health center, there are a number of services that they can receive from the school health center. Your child will still be assigned to a PCP.

- Office visits and treatment for acute or urgent physical illness, including needed medicine
- Follow up to EPSDT visits when needed
- Self-referred family planning services

#### Check-up for children entering State custody

Children entering foster care or kinship care are required to have a check-up within 30 days. The foster parent can choose a convenient provider to self-refer to for this visit.

#### Certain providers for children with special health care needs

Children with special healthcare needs may self-refer to providers outside of the MCO network (non-participating provider) under certain conditions. Self-referral for children with special needs is intended to ensure continuity of care, and assure that appropriate plans of care are in place. Self-referral for children with special health care needs will depend on whether or not the condition that is the basis for the child's special health care needs is diagnosed before or after the child's initial enrollment in an MCO. Medical services directly related to a special needs child's medical condition may be accessed out-of-network only if the following specific conditions are satisfied:

- New Member: A child who at the time of initial enrollment was receiving these services as part of a current plan of care may continue to receive these specialty services provided the pre-existing non-participating provider submits the plan of care for review and approval within 30 days of the child's effective date of enrollment. The approved services must be medically necessary.
- Established Member: A child who is already enrolled in a MCO when diagnosed as having a special health care need requiring a plan of care that includes specific types of services may request a specific non-participating provider. The MCO must grant the request unless the MCO has a local participating specialty provider with the same professional training and expertise who is reasonably available and provides the same services.

#### Diagnostic Evaluation Service (DES)

If you have HIV/AIDS, you are able to receive one annual diagnostic and evaluation service (DES) visit. The DES will consist of a medical and psychosocial assessment. You must select the DES provider from an approved list of sites, but the provider does not have to participate with your MCO. The MCO is responsible to assist you with this service. The State and not your MCO will pay for your HIV/AIDS related blood tests.

#### Renal Dialysis

If you have kidney disease that requires you to have your blood cleaned on a regular basis, then you can select your renal dialysis provider. You will have the option to choose either a renal dialysis provider who participates with your MCO or a provider who does not participate with your MCO. People needing this service may be eligible for the Rare and Expensive Case Management Program (REM).

If the MCO denies, reduces, or terminates the services, you can file an appeal.

## 4. Benefits and Services

### C. Benefits Not Offered by MCOs but Offered by the State

Benefits in the table below are not covered by the MCO. If you need these services you can get them through the State using your red and white Medicaid or dental card. If you have questions on how to access these benefits, call the HealthChoice Help Line (800-284-4510).

BENEFIT	DESCRIPTION
<b>Dental Services for Children Under 21, former foster care youth up to age 26, and Pregnant Women</b>	General dentistry including regular and emergency treatment is offered. Dental services are provided by the Maryland Healthy Smiles Dental Program administered by Scion. If you are eligible for the Dental Services Program, you will receive information and a dental card from Scion. If you have not received your dental ID card or have questions about your dental benefits, call the Maryland Healthy Smiles Dental Program at 855-934-9812.
<b>Occupational, Physical, Speech Therapies &amp; Audiology for Children Under the Age of 21</b>	The State pays for these services if medically needed. For help in finding a provider, you can call the State's Hotline at 800-492-5231.
<b>Speech Augmenting Devices</b>	Equipment that helps people with speech impairments to communicate.
<b>Behavioral Health</b>	Substance use disorder and specialty mental health services are provided through the Public Behavioral Health System. You can reach them by calling 800-888-1965.
<b>Intermediate Care Facility(ICF)-Mental Retardation (MR) Services</b>	This is treatment in a care facility for people who have an intellectual disability and need this level of care.
<b>Skilled Personal Care Services</b>	This is skilled help with daily living activities.
<b>Medical Day Care Services</b>	This is help to improve daily living skills in a center licensed by the state or local health department, which includes medical and social services.
<b>Nursing Facility &amp; Long Term Care Services</b>	The MCO does not cover care in a nursing home, chronic rehabilitation hospital, or chronic hospital after the first 90 days. If you lose Medicaid coverage while you are in a nursing facility you will not be re-enrolled in the MCO. If this happens you will need to apply for Medicaid under long term care coverage rules. If you still meet the State's requirements after you are disenrolled from the MCO or after the MCO has paid the first 90 days, the State would be responsible.
<b>HIV/AIDS</b>	Certain diagnostic services for HIV/AIDS are paid for by the State (Viral load testing, genotypic, phenotypic, or other HIV/AIDS resistance testing) Most HIV/AIDS drugs are also paid for by the State.
<b>Abortion Services</b>	This medical procedure to end certain kinds of pregnancies is covered by the State only if: <ul style="list-style-type: none"> <li>• The patient will probably have serious physical or mental health problems, or could die, if she has the baby;</li> <li>• She is pregnant because of rape or incest, and reported the crime; or</li> <li>• The baby will have very serious health problems.</li> </ul> Women eligible for HealthChoice only because of their pregnancy are not eligible for abortion services.

## 4. Benefits and Services

### C. Benefits Not Offered by MCOs but Offered by the State

BENEFIT	DESCRIPTION
Transportation Services	<p><b>Emergency Medical Transportation:</b> Medical services while transporting the member to a health care facility in response to a 911 call. This service is provided by local fire companies. If you are having an emergency medical condition, call 911.</p> <p><b>Non-Emergency Medical Transportation:</b> MCOs are not required to provide transportation for non-emergency medical visits. The exception is when you are sent to a far-away county to get treatment that you could get in a closer county.</p> <p>Certain MCOs may provide some transportation services such as bus tokens, van services, and taxis to medical appointments. Call your MCO to see if they provide any transportation services.</p> <p>Local health departments (LHD) provide non-emergency medical transportation to qualified individuals. The transports provided are only to Medicaid covered services. Transportation through the LHD is meant for individuals who have no other means of getting to their appointments. If you select a MCO that is not offered within your service area, both the LHD and MCO are not required to provide non-emergency medical transportation services.</p> <p>For assistance with transportation from your local health department, call the local health department's transportation program.</p>

### D. Additional Services Offered by MCOs and NOT by the State

At the beginning of each year MCOs must tell the State if they will offer additional services. Additional services are also called optional benefits. This means the MCO is not required to provide those services and the State does not cover them. If there is ever a change to the MCO's additional service(s), you will be notified in writing. However, if the MCO changes or stops offering additional services this is not an approved reason to change MCOs. Optional services and limitations of each service can vary between each MCO. Transportation to optional services may or may not be provided by the MCO. To find out the optional services and limitations provided by your MCO, see Attachment C or call MCO Member Services.

## 4. Benefits and Services

### E. Excluded Benefits and Services Not Covered by the MCO or the State

Below are the benefits and services that MCOs and the State are not required to cover (excluded services). The State requires MCOs to exclude most of these services. A few of these services such as adult dental may be covered by a MCO. See Attachment C or call MCO Member Services to find out their additional benefits and services.

#### Benefits and Services NOT covered:

- Dental services for adults. (Except for pregnant women and former foster care youth up to age 26)
- Orthodontist services for people 21 years and older or children who do not have a serious problem that makes it difficult for them to speak or eat
- Hearing aids for people 21 years and older.
- Non-prescription drugs. (Except coated aspirin for arthritis, insulin, iron pills, and chewable vitamins for children younger than age 12.)
- Routine foot care for adults 21 years and older who do not have diabetes or vascular problems.
- Special (orthopedic) shoes and supports for people who do not have diabetes or vascular problems.
- Shots for travel outside the continental United States or medical care outside the United States.
- Diet and exercise programs, to help you lose weight.
- Cosmetic surgery to make you look better, but you do not need for any medical reason.
- Fertility treatment services, including services to reverse a voluntary sterilization.
- Private hospital room for people without a medical reason such as having a contagious disease.
- Private duty nursing for people 21 years and older.
- Autopsies.
- Anything experimental unless part of an approved clinical trial.
- Anything that you do not have a medical need for.

### F. Change of Benefits and Service Locations

#### Change of Benefits

There may be times when HealthChoice benefits and services are denied, reduced or terminated because they are not or are no longer medically necessary. This is called an adverse benefit determination. If this situation occurs, you will receive a letter in the mail prior to any change of benefits or services. If you do not agree with this decision, you will be given the opportunity to file a complaint.

#### Loss of Benefits

Loss of HealthChoice benefits will depend on your Medicaid eligibility. Failure to submit necessary Medicaid redetermination paperwork or not meeting Medicaid eligibility criteria are causes for disenrollment from HealthChoice. If you become ineligible for Medicaid, the State will disenroll you from the MCO and you will lose your HealthChoice benefits. If you regain eligibility within 120 days, you will automatically be re-enrolled with the same MCO.

#### Change of Health Care Locations

When there is a change in a health care provider's location you will be notified in writing. If the provider is a PCP, and the location change is too far from your home, you can call MCO Member Services to switch to a PCP in your area.

## **5. Information on Providers**

### **A. What is a Primary Care Provider (PCP), Specialist, and Specialty Care**

Your PCP is the main coordinator of your care and assists you in managing your health care needs and services. Go to your PCP for routine checkups, medical advice, immunizations, and referrals for specialists when needed. A PCP can be a doctor, nurse practitioner, or physician assistant and will typically work in the field of General Medicine, Family Medicine, Internal Medicine or Pediatrics.

When you need a service not provided by your PCP, you will be referred to a Specialist. A Specialist is a doctor, nurse practitioner, or physician assistant that has additional training to focus on providing services in a specific area of care. The care you receive from a Specialist is called Specialty Care. To receive specialty care, you may need a referral from your PCP. There are some specialty care services that do not need a referral; these are known as self-referral services. For female members, if your PCP is not a women's health specialist, you have the right to see a women's health specialist within your MCO network without a referral.

### **B. Selecting or Changing Providers**

When you first enroll in a MCO, you need to select a PCP that is a part of the MCOs network. If you do not have a PCP or need assistance choosing a PCP, call MCO Member Services. If you do not choose a PCP, the MCO will choose one for you. If you are not satisfied with your PCP, you can change your PCP at any time by calling the MCO member services. They will assist you in changing your PCP and inform you of when you can begin seeing your new PCP.

If there are other members of your household that are HealthChoice members, they will need to choose a PCP too. HealthChoice members of a household can all choose the same PCP or each member can choose a different PCP. It is recommended for HealthChoice members, who are under 21 years of age, select an Early Periodic Screening Diagnosis and Treatment (EPSDT) provider. EPSDT providers are trained and certified to identify and treat health problems before they become complex and costly. MCO Member Services will be able to tell you which providers are EPSDT certified.

To view a list of participating providers within a MCO, provider directories are available on the MCOs website. If you would like a paper copy of the provider directory mailed to you, contact MCO Member Services.

See Attachment G for more PCP information.

### **C. Termination of a Provider**

There may be times when a PCP or provider no longer contracts or works with a MCO. You will be notified in writing and or you will receive a phone call from the MCO.

- If the MCO terminates your PCP, you will be asked to select a new PCP and may be given the opportunity to switch MCOs if that PCP participates with a different MCO.
- If your PCP terminates the contract with your MCO, you will be asked to select a new PCP within your MCO.
- If you do not choose a new PCP, your current MCO will choose a PCP for you. After a PCP is selected, you will receive a new MCO ID card in the mail with the updated PCP information.

## **6. Getting Into Care**

### **A. Making or Canceling an Appointment**

To make an appointment with your PCP or another provider, call the provider's office. Your PCPs name and number will be located on the front of the ID card the MCO provided you. You can also call MCO Member Services and they will provide you with your PCPs or other provider's name and number. To ensure the provider's office staff can have your records ready and there is availability in the provider's schedule, make an appointment prior going to the provider's office. When making an appointment:

- Inform the staff who you are;
- Inform staff why you are calling; and
- Inform staff if you think you need immediate attention.

Giving this information can help determine how quickly you need to be seen.

The day of the appointment, arrive on time. Arriving on time allows for the provider to spend the most amount of time with you and prevents long waiting times. For all appointments, bring your:

- Medicaid card
- MCO ID card
- A photo ID

To cancel an appointment with your PCP or another provider, call the provider's office as soon as you know you cannot make the appointment. Canceling appointments allows for providers to see other patients. Reschedule the appointment as soon as you can to stay up to date with your health care needs.


### **B. Referral to a Specialist or Specialty Care**

Your PCP is in charge of coordinating your care. If your PCP feels that you need specialty care, they will refer you to a specialist. Depending on your MCO, a referral may be needed from your PCP prior to making an appointment with a specialist. Call MCO Member Services for their referral requirements.

## 6. Getting Into Care

### C. After Hours, Urgent Care, and Emergency Room Care

**Know Where to Go:** Depending on your health needs, it is important to choose the right place at the right time. Below is a guide to help choose the right place based on your health needs.

		
Doctor's Office	Urgent Care Center	Emergency Room
<ul style="list-style-type: none"> <li>● Check-ups</li> <li>● Health screenings</li> <li>● If something causes you concern</li> <li>● Cough/cold</li> <li>● Fever</li> <li>● Lingering pain</li> <li>● Unexplained weight loss</li> </ul>	<ul style="list-style-type: none"> <li>● Minor illness/injury</li> <li>● Flu/fever</li> <li>● Vomiting/diarrhea</li> <li>● Sore throats, earaches, or eye infection</li> <li>● Sprains/strains</li> <li>● Possible broken bones</li> <li>● Sports injuries</li> </ul>	<ul style="list-style-type: none"> <li>● Unconsciousness</li> <li>● Difficulty breathing</li> <li>● Serious head, neck, or back injury</li> <li>● Chest pain/pressure</li> <li>● Severe bleeding</li> <li>● Poisons</li> <li>● Severe Burns</li> <li>● Convulsions/seizures</li> <li>● Severely broken bone</li> <li>● Sexual Assault</li> </ul>

#### After Hours

If you need non-emergency care after normal business hours, call your PCP's office or the MCO 24-hour Nurse Advice Line (1-844-685-8379). Your doctor or their answering service will be able to answer your questions, provide you instructions, and can arrange any necessary services. The Nurse Advice Line is always open to answer your questions. They will help guide you to the right place so you get the best care and so you don't get billed unnecessarily.

#### Urgent Care

If you have an illness or injury that could turn into an emergency within 48hrs if it is not treated go to an Urgent Care Center. Be sure to go to an in-network Urgent Care Center. Preauthorization is not required but make sure they participate with the MCO or you may be billed. If you are unsure if you should go to an Urgent Care Center, call your PCP or the MCO 24-hour Nurse Advice Line. Both numbers are on your MCO card.

#### Emergency Room Care

An emergency medical condition is when one requires immediate medical attention to avoid serious impairment or dysfunction to one's health. If you have an emergency medical condition and need emergency room care (services provided by a hospital emergency facility), call 911 or go to the closest hospital emergency department. You will be able to self-refer to any emergency department, preauthorization is not required.

If you are unsure if you should go to the emergency department, call your PCP or the MCO 24-hour Nurse Advice Line. After you are treated for an emergency medical condition you may need additional services to make sure the emergency medical condition does not return. These are called post-stabilization services. The MCO will work with the hospital staff to decide if you need these services. If you would like additional information about how this is decided, contact your MCO.

If your PCP and MCO are unaware of your emergency room care visit, call them as soon as you can after you receive emergency services so they can arrange for any follow-up care you may need.

## 6. Getting Into Care

### D. Out of Service Area Coverage

Not all MCOs operate in all areas of the State. If you need non-emergency care while out of the MCOs service area call your PCP or MCO Member Services. Both numbers are on your MCO card. If you move and your new residence is in a different Maryland county that your MCO does not service, you can change MCOs by calling HealthChoice Enrollment (800-977-7388). If you decide to stay with your MCO you may need to provide your own transportation to an in-network provider in another county.

HealthChoice is only accepted in Maryland and by providers in nearby states when they are part of the MCO's network or your care has been arranged by the MCO. Remember that when you travel out of the State of Maryland the MCO is only required to cover emergency services and post-stabilization services.

### E. Wellness Care for Children: Healthy Kids-Early Periodic Screening, Diagnosis, and Treatment (EPSDT)

It is important for infants, children and adolescents up to age 21 to receive regular checkups. The Healthy Kids/EPSDT program helps to identify, treat, and prevent health problems before they become complex and costly. EPSDT is a comprehensive benefit that covers medically necessary medical, dental, vision, and hearing services. Many of the EPSDT services will be covered by the MCO, but services such as dental, behavioral health, and therapies will be covered through fee-for-service Medicaid (see page 23).

Healthy Kids is the preventative well-child component of EPSDT. The State will certify your child's PCPs to ensure that he/she knows the Healthy Kids/EPSDT requirements, is prepared to perform the required screenings and has the required vaccines so your child receives immunizations at the appropriate times. We highly recommend that you select a PCP for your child who is EPSDT certified. If you choose a provider that is not EPSDT certified, the MCO will notify you. You can switch your child's PCP at any time. Contact MCO Member Services if you have any questions or need assistance switching your child's PCP.

The table below shows the ages that children need well child visits. If your child's PCP recommends more visits they will also be covered. During well child visits, the PCP will check your child's health and all aspects of development. They will also check for problems through screening. Some screenings for health problems are done through blood work while others are done by asking questions. Additional screens may be required based on age and risk. The PCP will also offer advice and tell you what to expect. Make sure you keep appointments for well-child exams. Do not miss immunizations and make sure children get their blood tested for lead. Lead in the blood causes serious problems so testing is required for all children regardless of risk. This applies even if your child has both Medicaid and other insurance.

Age	Well Child Exam Assess Development Health Education	Childhood Immunizations (*influenza recommended every year starting at 6 months of age)	Blood Lead test (*additional if at risk)
Birth	X	X	
3-5 days	X		
1 month	X		
2 months	X	X	
4 months	X	X	
6 months	X	X	
9 months	X		
12 months (1 year)	X	X	X
15 months	X	X	
18 months (1.5 years)	X	X	
24 months (2 years)	X		X
30 months (2.5 years)	X		
36 months (3 years)	X		
4-20 years	X (yearly)	X (ages 4-6, 9-12 and 16)	



## 6. Getting Into Care

### F. Wellness Care for Adults

Wellness visits with your doctor are important. Your PCP will examine you, provide or recommend screenings based on your age and needs, review your health history and current medications. Your PCP will coordinate the services you need to keep you healthy. During your visit, let your PCP know if anything has changed since your last visit, if you have any questions, and how you are doing with your plan of care. When speaking with your PCP, always give the most honest and up to date information about your physical, social, and mental health so that you can get the care that best meets your needs.

**Adult Preventive Care Recommendations**

Service	Frequency - Population
Blood Pressure check	Yearly
Cholesterol	Every 5 years starting at age 35 for men and 45 for women, starting at age 20 if at increased risk
Diabetes	Adults aged 40 to 70 years who are overweight or obese
Colon Cancer Screening	Age 50-75, frequency depends on test used: stool based – yearly to every 3 years, flexisigmoid every 5 years, CT colonography every 5 years, or colonoscopy every 10 years
Sexually Transmitted Disease Screening	HIV - Once for all adults regardless of risk, additionally based on risk.  Hepatitis C (HCV) – Once for anyone born between 1945 and 1965, others based on risk Hepatitis B – adults at increased risk  Chlamydia/Gonorrhea – Yearly for women age 16 to 24 if sexually active, based on risk for age 25+  Syphilis – Adults at increased risk
Influenza Vaccine	Yearly
Tdap (tetanus, diphtheria, acellular Pertussis) Vaccine	Once as an adult (if didn't receive at age 11-12), During every pregnancy
Td (tetanus) Vaccine	Every 10 years, additional doses if dictated by risk
Shingles (zoster) Vaccine	Once for All adults age 60 and older
Pneumococcal vaccine (PPSV23)	Once for Everyone (age 2-64) with diabetes, lung disease, heart disease, smokers, alcoholism, or other risk factors (talk to your doctor to determine your risk)
Breast Cancer Screening (via Mammogram)	Every 2 years age 50-75, risk based 40-50
Lung Cancer Screening	Yearly for adults age 55-80 with 30 pack-year smoking history who are actively smoking or quit smoking less than 15 years ago, screening done using Low Dose CT (LDCT) scan
Cervical Cancer Screening	Every 3 years for women ages 21-29, every 5 years for women ages 30-65
Substance Use/Misuse: Alcohol, Tobacco, Other	Adult 18 and older. Yearly or more frequently depending on risk.

\*All recommendations are based on US Preventive Services Task Force (USPSTF). Excludes recommendations for patients 65 and older since not eligible for HealthChoice.

## **6. Getting Into Care**

### **G. Case Management**

If there is a time when you have a chronic health care need or an episode of care that affects your health status, the MCOs will assign a case manager to assist in coordinating your care. Case managers are nurses or licensed social workers trained to work with your providers to ensure your health care needs are being met. Communication with your case manager is important in order for them to help develop and implement a person-centered plan of care. Case managers will work with you over the phone or may provide case management in-person.

For information on disease management and referral for case or disease management, see attachment H.

### **H. Care for Women During Pregnancy and Two Months After Delivery**

When you are pregnant or suspect you are pregnant it is very important that you call the MCO. They will help you get prenatal care (care women receive during pregnancy). Prenatal care consists of regular check-ups with an obstetrician (OB doctor) or certified nurse midwife to monitor your health and the health of your unborn baby.

If you are pregnant the MCO will assist you in scheduling an appointment for prenatal care within 10 days of your request. If you already started prenatal care before you enrolled in the MCO, you may be able to keep seeing the same prenatal care provider through your pregnancy, delivery, and for two months after the baby is born.

The MCO may also connect you with a case manager. The case manager will work with you and your prenatal care provider to help you get necessary services, education and support. If you have other health problems or were pregnant before and had health problems, the MCO will offer extra help.

The State will automatically enroll your newborn in your MCO. If you qualified for Medicaid because you were pregnant your Medicaid and HealthChoice coverage will end two months after delivery.

If you have questions call the Help Line for Pregnant Women (800-456-8900) or MCO Member Services. For additional information see Special Services for Pregnant Women (7.1.) and Attachment D.

### **I. Family Planning (Birth Control)**

Family planning services provide individuals with information and means to prevent unplanned pregnancy and maintain reproductive health. You are eligible to receive family planning services without a referral. The MCO will pay a non-participating provider for services as long as the provider agrees to see you and accept payment from the MCO. Additionally, MCOs are not allowed to charge copays for family planning services. Family Planning services include but not limited to:

- Birth control
- Pregnancy testing
- Voluntary sterilizations (in network with a pre-authorization).

Call MCO Member Services or the State's Help Line (800-456-8900) for additional information on Family Planning and Self-Referral services.

## 6. Getting Into Care

### J. Dental Care

The State and the MCO are not required to offer adult dental care as a HealthChoice benefit to members age 21 and over and or members who are not pregnant.

- If you are under the age of 21, pregnant or a former foster care youth up to age 26 you are eligible for dental care provided through the Maryland Healthy Smiles Dental Program (855-934-9812).
- If you are age 21 and over and not pregnant, limited dental care may be provided through the MCO. See Attachment C.
- Call MCO Member Services if you have questions or need help finding a dental provider

### K. Vision Care

- If you are under the age of 21, you are eligible for:
  - o Eye exams;
  - o Glasses once a year; or
  - o Eye contact lenses if medically necessary over glasses.
- If you are age 21 and over, you are eligible for:
  - o Eye exams every two years.
  - o See Attachment C for additional adult vision benefits offered by your MCO.
- Call MCO Member Services if you have questions need finding a vision care provider.

### L. Health Education/Outreach

You have access to health education programs offered by your MCO. Health education programs provide information and resources to help you become active in your health and medical care. Programs are delivered in multiple formats and cover different health topics. See Attachment E or call the MCO Member Services to find out what health education programs are available, when they occur, and how you can stay informed about them.

MCOs will also provide outreach services to members they have identified who may have barriers to access their health care. The MCOs outreach plan targets individuals who are difficult to reach or are non-compliant with a plan of care. If the MCO cannot contact you or you have missed appointments, you may be referred to the Administrative Care Coordination Unit (ACCU) at your local health department.

ACCUs are not employed by MCOS. The State contracts with ACCUs to help you understand how the Medicaid and HealthChoice Programs work. If you are contacted by the ACCU from the local health department they will tell you the reason they called. If they cannot contact you by phone they may come to your house. The goal of the ACCU is to help you get and stay connected to appropriate medical care and services.

### M. Behavioral Health Services

If you have a mental health or substance use problem, call your PCP or MCO Member Services. Your PCP may treat you or may refer you to the Public Behavioral Health System. A range of behavioral health services are covered by the State's Behavioral Health System. You can access these services without a referral from your PCP by calling the Public Behavioral Health System (800-888-1965). This toll-free help line is open 24-hours a day, 7 days a week. Staff members are trained to handle your call and will help you get the services you need. Behavioral health services include but not limited to:

- Case Management
- Emergency Crisis/Mobile Crisis Services
- In-patient Psychiatric Services
- Outpatient Mental Health Centers
- Residential Treatment Centers

If the Public Behavioral Health System finds that you do not need a specialist to handle your behavioral health needs, your PCP (with your permission) will be informed so that you can receive any needed follow-up care.

## 7. Special Services

### A. Services for Special Needs Populations

The State has named certain groups as needing special support from the MCO. These groups are called "special needs populations" and include:

1. Pregnant women and women who have just given birth
2. Children with special health care needs
3. Children in State – supervised care
4. Adults or children with a physical disability or developmental disability
5. Adults and children with HIV/AIDS
6. Adults and children who are homeless

The MCO has a process to let you know if you are in a special needs population. If you have a question about your special needs call MCO Member Services.

#### Services Every Special Needs Population Receives

If you or a family member is in one or more of these special needs populations, you are eligible to receive the services below. You will need to work and communicate with the MCO so as to help you get the right amount and the right kind of care:

- A Case Manager - A case manager will be a nurse or a social worker or other professional that may be assigned to your case soon after you join a MCO. This person will help you and your PCP develop a patient centered plan that addresses the treatment and services you need. The case manager will:
  - o Help develop the plan of care
  - o Ensure the plan of care is updated at least every 12 months or as needed
  - o Keep track of the health care services
  - o Help those who give you treatment to work together.
- Specialists - Having special needs requires you to see providers who have the most experience with your condition. Your PCP and your case manager will work together to be sure to send you to the right specialists. This will include specialists for supplies and equipment you might need.
- Follow-up when visits are missed - If your PCP or specialist finds that you keep missing appointments, they will let us know and someone will try to get in touch with you by mail, by telephone or by a visit to your home to remind you to call for another appointment. If you still miss appointments, you may be visited by someone from the local health department near where you live.
- Special Needs Coordinator – MCOs are required to have a Special Needs Coordinator on staff. The Special Needs Coordinator will educate you about your condition and will suggest places in your area where you can get support from people who know about your needs.

## 7. Special Services

### A. Services for Special Needs Populations

As a member of a special needs population, the MCO will work with you to coordinate all of the services above. Some groups will receive other special services. The following are other special services specific to the special needs population:

#### 1. Pregnant Women and Women Who Have Just Given Birth:

- **Appointments** - The MCO will assist in scheduling an appointment for prenatal care within 10 days of your request.
- **Prenatal Risk Assessment** - Pregnant woman will have a prenatal risk assessment. At your first prenatal care visit the provider will complete a risk assessment. This information will be shared with the local health department and the MCO. The MCO will offer a range of services to help you take care of yourself and to help make sure your baby is born healthy. The local health department may also contact you and offer help and advice. They will have information about local resources.
- **Link to a Pediatric Provider** - The MCO will assist you in choosing a pediatric care provider. This may be a pediatrician, family practitioner or nurse practitioner.
- **Length of Hospital Stay** - The length of hospital stay after delivery is 48 hours for an uncomplicated vaginal delivery or 96 hours for an uncomplicated cesarean delivery. If you elect to be discharged earlier, a home visit will be offered within 24 hours after discharge. If you must remain in the hospital after childbirth for medical reasons, you may request that your newborn remain in the hospital while you are hospitalized, additional hospitalization up to four (4) days is covered for your newborn.
- **Follow-up** –The MCO will schedule the newborn for a follow-up visit two weeks after discharge if no home visit has occurred or within 30 days after discharge if there has been a home visit.
- **Dental** - Good oral health is important for a healthy pregnancy. All pregnant women are eligible to receive dental services through the State's Maryland Healthy Smiles Dental Program. Call Healthy Smiles (855-934-9812) if you have questions about your dental benefits. After delivery members age 21 and over will no longer be eligible for dental benefits through Healthy Smiles. The MCO may offer adult dental benefits. See Attachment C.
- **Substance Use Disorder Services** - If you request treatment for a substance use disorder you will be referred to the Public Behavioral Health System within 24 hours of request.
- **HIV Testing and Counseling** - Pregnant women will be offered a test for HIV and will receive information on HIV infection and its effect on the unborn child.
- **Nutrition Counseling** - Pregnant women will be offered nutritional information to teach them to eat healthy.
- **Smoking Counseling** - Pregnant women will receive information and support on ways to stop smoking.
- **EPSDT Screening Appointments** – Pregnant adolescents (up to age 21) should receive all EPSDT screening services in addition to prenatal care.

See Attachment D for additional services the MCO offers for pregnant women.

## 7. Special Services

### A. Services for Special Needs Populations

#### 2. Children with Special Health Care Needs

- Work with Schools – The MCO will work closely with the schools that provide education and family services programs to children with special needs.
- Access to Certain Non-Participating Providers – Children with special healthcare needs may self-refer to providers outside of the MCO’s network under certain conditions. Self-referral for children with special needs is intended to ensure continuity of care, and assure that appropriate plans of care are in place. Self-referral for children with special health care needs will depend on whether or not the condition that is the basis for the child’s special health care needs is diagnosed before or after the child’s initial enrollment in an MCO. Medical services directly related to a special needs child’s medical condition may be accessed out-of-network if specific conditions are satisfied.

#### 3. Children in State-supervised Care

- State Supervised Care - Foster and Kinship Care –The MCO will ensure that children in State supervised care (foster care or kinship care) get the services that they need from providers by having one person at the MCO be responsible for organizing all services. If a child in State supervised care moves out of the area and needs another MCO, the State and the current MCO will work together to quickly find the child new providers close to where the child has moved, or if needed, the child can change to another MCO.
- Screening for Abuse or Neglect - Any child thought to have been abused physically, mentally or sexually will be referred to a specialist who is able to determine if abuse has occurred. In the case of possible sexual abuse, the MCO will ensure that the child is examined by someone who knows how to find and keep important evidence.

#### 4. Adults and Children with Physical and Developmental Disabilities

- Materials Prepared in a Way You Can Understand – The MCO has materials reviewed by people with experience in the needs of people with disabilities. This means that the information will be presented using the right methods so that people with disabilities can understand, whether in writing or by voice translation.
- DDA Services - Members that currently receive services through the Developmental Disabilities Administration (DDA) or under the DDA waiver can continue to receive those services.
- Medical Equipment and Assistive Technology - MCO providers have the experience and training for both adults and children to provide medical equipment and assistive technology services.
- Case Management - Case managers are experienced in working with people with disabilities.

#### 5. Adults and Children with HIV/AIDS

- HIV/AIDS Case Management - The MCO has special case managers trained in dealing with HIV/AIDS issues and in linking persons with the services that they need.
- Diagnostic Evaluation Service (DES) assessment visits once every year - One annual diagnostic and evaluation service (DES) visit for any member diagnosed with HIV/AIDS, which the MCO is responsible for facilitating on the member’s behalf.
- Substance Use Disorder Services - Individuals with HIV/AIDS who need treatment for a substance use disorder will be referred to the Public Behavioral Health System within 24 hours of request.

#### 6. Adults and Children Who Are Homeless

The MCO will attempt to identify individuals who are homeless and link them with a case manager and appropriate health care services. It can be difficult for MCOs to identify when members become homeless. If you find yourself in this situation, contact the MCO member services.

## **7. Special Services**

### **B. Rare and Expensive Case Management Program (REM)**

The Rare and Expensive Case Management Program, REM for short, is a program provided by the State for children and adults who have very expensive and very unusual medical problems. The REM program offers Medicaid benefits plus other specialty services needed for special medical problems. Your primary care provider (PCP) and MCO will have a list of REM diagnosis and will let you know if you or any of your children should consider entering the REM Program. The MCO and your PCP will know if you have one of the diagnoses that may qualify you for the REM Program.

Your PCP or MCO will let you know if you or any of your children should consider entering the REM Program. You will be informed by telephone, by mail, or by a visit from a REM case manager. If you do not want to transfer to the REM program, you can stay in the MCO. Once a member is in REM they will no longer be enrolled in an MCO. This change will happen automatically.

Once you are enrolled in REM you will be assigned a REM Case Manager. The REM case manager will work with you to transition your care from the MCO. They will help you select the right provider. If possible they will help you arrange to see the same PCP and specialists. If your child is under age 21, and was getting medical care from a specialty clinic or other setting before going into REM you may choose to keep receiving those services. Call the REM Program (800-565-8190) if you have additional questions.

## 8. Utilization Management

### A. Medical Necessity

You are eligible to receive HealthChoice benefits when needed as described in the benefits and services section of this manual. Some benefits may have limitations or restrictions. All HealthChoice benefits/services need to be medically necessary in order for you to receive them.

For a benefit or service to be considered medically necessary it must be:

- Directly related to diagnostic, preventive, curative, palliative, rehabilitative, or ameliorative treatment of an illness, injury, disability, or health condition;
- Consistent with current accepted standards of good medical practice;
- The most cost efficient service that can be provided without sacrificing effectiveness or access to care; and
- Not primarily for the convenience of the member, the member's family, or the provider.

### B. Preauthorization/Prior Approval

There will be times when services and medications will need Preauthorization (also called prior approval or prior authorization) before you can receive that specific service or medication. Preauthorization is the process where a qualified health care professional reviews and determines if a service is medically necessary.

If the preauthorization is approved, then you can receive the service or medication. You will be notified in writing of the decision within 14 calendar days, or 28 calendar days if there was a request for an extension.

If the preauthorization is denied or reduced in amount, duration or scope, then that service or medication will not be covered by the MCO. You will be notified in writing of the decision within 14 calendar days, or 28 calendars if there was a request for an extension. You will be given the right to file an appeal for the denied for a denied preauthorization. (See Complaints, Grievance, and Appeals section on page 47)

There may be times where an expedited authorization is required to avoid potentially serious health complications. In these situations, the MCO must make their decision with 72 hours. If an extension is requested for an expedited authorization, then the MCO has up to 14 calendar days to make their decision.

**Note:** *The State is in the process of changing the time frames and processes that all MCOs must follow when considering preauthorization/prior approval requests. The information in this section will be effective for services received on or after 1/1/18. See Attachment F for the MCOs current policy.*



## 8. Utilization Management

### C. Continuity of Care Notice

If you are currently receiving treatment and fit in to a category below, then you have special rights in Maryland.

- New to HealthChoice; or
- Switched from another MCO; or
- Switched from another company's health benefit plan.

If your old company gave you preauthorization to have surgery or to receive other services, you may not need to receive new approval from your current MCO to proceed with the surgery or to continue receiving the same services. Also, if you are seeing a doctor or other health care provider who is a participating provider with your old company or MCO, and that provider is a non-participating provider under your new plan, you may continue to see your provider for a limited period of time as though the provider were a participating provider with us.

The rules on how you can qualify for these special rights are described below.

#### Preauthorization for health care services

- If you previously were covered under another company's plan, a preauthorization for services that you received under your old plan may be used to satisfy a preauthorization requirement for those services if they are covered under your new plan with us.
- To be able to use the old preauthorization under this new plan, you will need to contact your current MCO member services to let them know that you have a preauthorization for the services and provide us with a copy of the preauthorization. Your parent, guardian, designee, or health care provider may also contact us on your behalf about the preauthorization.
- There is a time limit for how long you can rely on this preauthorization. For all conditions other than pregnancy, the time limit is 90 days or until the course of treatment is completed, whichever is sooner. The 90-day limit is measured from the date your coverage starts under the new plan. For pregnancy, the time limit lasts through the pregnancy and the first visit to a health practitioner after the baby is born.
- Limitation on Use of Preauthorization: Your special right to use a preauthorization does not apply to:
  - o Dental Services
  - o Mental Health Services
  - o Substance Use Disorder Services
  - o Benefits or services provided through the Maryland Medicaid fee-for-service program
- If you do not have a copy of the preauthorization, contact your old company and request a copy. Under Maryland law, your old company must provide a copy of the preauthorization within 10 days of your request.

## 8. Utilization Management

### C. Continuity of Care Notice

#### Right to use non-participating providers

- If you have been receiving services from a health care provider who was a participating provider with your old company, and that provider is a non-participating provider under your new health plan with us, you may be able to continue to see your provider as though the provider were a participating provider. You must contact your current MCO to request the right to continue to see the non-participating provider as if the provider were a participating provider with us. Your parent, guardian, designee, or health care provider may also contact us on your behalf to request the right for your continue to see the non-participating provider.
- This right applies only if you are being treated by the non-participating provider for covered services for one or more of the following types of conditions:
  1. Acute conditions;
  2. Serious chronic conditions;
  3. Pregnancy; or
  4. Any other condition upon which we and the out-of-network provider agree.
- Examples of conditions listed above include bone fractures, joint replacements, heart attacks, cancer, HIV/AIDS, and organ transplants.
- There is a time limit for how long you can continue to see a non-network provider. For all conditions other than pregnancy, the time limit is 90 days or until the course of treatment is completed, whichever is sooner. The 90-day limit is measured from the date your coverage starts under the new plan. For pregnancy, the time limit lasts through the pregnancy and the first visit to a health care provider after the baby is born.

#### **Example of how the right to use non-participating providers works:**

You broke your arm while covered under Company A's health plan and saw a Company A network provider to set your arm. You changed health plans and are now covered under Company B's plan. Your provider is a non-participating provider with Company B. You now need to have the cast removed and want to see the original provider who put on the cast.

In this example, you or your representative needs to contact Company B so that Company B can pay your claim as if you are still receiving care from a participating provider. If the non-participating provider will not accept Company B's rate of payment, the provider may decide not to provide services to you.

- **Limitation on Use of Non-Participating Providers:** Your special right to use a non-participating provider does not apply to:
  - o Dental Services;
  - o Mental health services;
  - o Substance use disorder services; or
  - o Benefits or services provided through the Maryland Medicaid fee-for-service program.

#### Appeal Rights:

- If your current MCO denies your right to use a preauthorization from your old company or your right to continue to see a provider who was a participating provider with your old company, you may appeal this denial by contacting the MCO Member Services.
- If your current MCO denies your appeal, you may file a complaint with the Maryland Medicaid Program by calling the HealthChoice Help Line at 800-284-4510.
- If you have any questions about this procedure call MCO Member Services or the HealthChoice Help Line at 800-284-4510.

## **8. Utilization Management**

### **D. Coordination of Benefits - What to Do if You Have Other Insurance**

You are required to notify the MCO if you received medical care after an accident or injury. MCOs are required by the State to seek payment from other insurance companies. If you have other medical insurance, make sure you inform the MCO and tell your provider. They will need the name of the other insurance policy, the policy holder's name and the membership number. The State does a check of insurance companies to identify individuals that have both Medicaid/HealthChoice and other insurance.

Medicaid/HealthChoice is not a supplemental health insurance plan. Your other health insurance will always be your primary insurance which means participating providers must bill your other insurance first. It is likely that your primary insurance will have paid more than the MCOs allowed amount and therefore the provider cannot collect additional money from you or from the MCO. Talk with MCO Member services to better understand your options. Since other insurers will likely have co-pays and deductibles, in most cases MCOs will require you to use participating providers.

### **E. Out of Network Services**

There may be times that you need a covered service that the MCOs network cannot provide. If this situation occurs, you may be able to receive this service from a provider that is out of the MCOs network (a non-participating provider). You will need preauthorization from your MCO to receive this service out of network. If your preauthorization is denied, you will be given the right to file an appeal.

### **F. Preferred Drug List**

If you need medications, your PCP or specialist will use the MCOs preferred drug list (also called a formulary) to prescribe you medicines. A preferred drug list is a listing of medicines that you and your provider can choose from, that are safe, effective, and cost saving. If you want to know what medicines are on the MCOs preferred drug list, call MCO Member Services or go online and access their website. There are some medicines on the preferred drug list as well as any medicine not on the list that will require preauthorization before the MCO will cover it. If the MCO denies the preauthorization for the medicine, then you will be given the right to file an appeal

A copy of the preferred drug list can be found on the MCOs website or you can request a paper copy by calling MCOs Member Services.

### **G. New Technology and Telehealth**

As new and advanced health care technology emerges, MCOs have processes in place to review and determine if these innovations will be covered. Each MCO has their own policy on the review of new medical technology, treatments, procedures, and medications. To find out a MCOs policy and procedure on reviewing new technology for health care, contact the MCOs member services.

MCOs are required to provide telehealth services as medically necessary. Telehealth services utilize video and audio technology in order to improve health care access. Providing telehealth services can improve:

- Education and understanding of a diagnosis;
- Treatment recommendations; and
- Treatment planning.

## 9. Billing

### A. Explanation of Benefits

You may be receiving a statement in the mail from the MCO called an Explanation of Benefits (EOB). The EOB will inform you:

- Type of service
- Date of service
- Amount billed
- Amount of the bill that was paid

An EOB is not a bill but will list the services that the MCO has paid on your behalf. The purpose of the EOB is to summarize which provider charges are a covered service or benefit. If you feel that there is an error on the EOB, like finding a service that you never received, contact the MCO member services. If you are copied on a notice that your provider was not paid, you are not responsible for payment.

### B. What to Do if you Receive a Bill

- Do not pay for a service that is not your responsibility as you may not be reimbursed. Only providers can receive payment from Medicaid or MCOs. If you receive a medical bill for a covered benefit:
  - o First - Contact the provider who sent the bill.
  - o If you are told you did not have coverage on the date you received care or that the MCO did not pay, call MCO Member Services.
  - o The MCO will determine if there has been an error or what needs to be done to resolve the problem.
  - o If the MCO does not resolve the problem, contact the HealthChoice Help Line (800-284-4510).
- Providers are required to verify eligibility. Providers must bill the MCO. (If the service is covered by the State and not the MCO, the Eligibility Verification System (EVS) will tell them where to send the bill.)
- With few exceptions Medicaid and HealthChoice providers are not allowed to bill members. Small pharmacy copays and copays for optional services such as adult dental and eyeglasses for adults are examples of services you could be billed for.

**Note:** MCOs will be required to copy you on all claims denials for services provided on or after 1/1/18.

## 10. Complaints, Grievances and Appeals

### A. Adverse Benefit Determination, Complaints and Grievances

#### Adverse Benefit Determination

An adverse benefit determination is when a MCO does any of the following:

- Denies or limits a requested service based on type or level of service, meeting medical necessity, appropriateness, setting, effectiveness;
- Reduces, suspends, or terminates a previously authorized service;
- Denies partial or full payment of a service;
- Fails to make an authorization decision or to provide services in a timely manner;
- Fails to resolve a grievance or appeal in a timely manner;
- Does not allow members living in a rural area with only one MCO to obtain services outside the network; or
- Denies a member's request to dispute a financial liability, including cost sharing, copayments, coinsurance, and other member financial liabilities.

Once a MCO makes an adverse benefit determination, you will be notified in writing at least 10 days before the adverse benefit determination goes into effect. You will be given the right to file an appeal and can request a free copy of all of the information the MCO used when making their determination.

#### Complaints

If you disagree with the MCO or provider about an adverse benefit determination, this is called a complaint. Examples of complaints include reducing or stopping a service you are receiving, being denied a medication not on the preferred drug list, or having a preauthorization for a procedure denied.

#### Grievances

If your complaint is about something other than an adverse benefit determination, this is called a grievance. Examples of grievances include quality of care, not being allowed to exercise your rights, not being able to find a doctor, trouble getting an appointment, or not being treated fairly by someone who works at the MCO or at your doctor's office. See Attachment F for the MCOs internal complaint procedure.

## 10. Complaints, Grievances and Appeals

### B. Appeals

If your complaint is about a service you or a provider feels you need but the MCO will not cover, you can ask the MCO to review your request again. This request for a review is called an appeal.

If you want to file an appeal you have to file it within 60 days from the date that you receive the letter saying the MCO would not cover the service you wanted.

Your doctor can also file an appeal for you if you sign a form giving him or her permission. Other people can also help you file an appeal, like a family member or a lawyer.

When you file an appeal, be sure to let the MCO know of any new information that you have that will help them make a decision. The MCO will send you a letter letting you know that they received your appeal within five business days. While your appeal is being reviewed, you can still send or deliver any additional information that you think will help the MCO make a decision.

When reviewing your appeal, the MCO reviewers:

- Will be different from the medical professionals who made the previous decision;
- Will not be a subordinate of the reviewers who made the previous decision;
- Will have the appropriate clinical knowledge and expertise to perform the review;
- Will review all information submitted by the member or representative regardless if this information was submitted for the previous decision; and
- Will make a decision about your appeal within 30 calendar days.

The appeal process may take up to 44 days if you ask for more time to submit information or the MCO needs to get additional information from other sources. The MCO will call and send you a letter within two days if they need additional information.

If your doctor or MCO feels that your appeal should be reviewed quickly due to the seriousness of your condition, you will receive a decision about your appeal within 72 hours.

If your appeal does not need to be reviewed quickly, the MCO will try to call you and send you a letter letting you know that your appeal will be reviewed within 30 days.

If your appeal is about a service that was already authorized, the time period has not expired, and you were already receiving, you may be able to keep getting the service while your appeal is under review. You will need to contact the MCO's member services and request to keep getting services while your appeal is reviewed. You will need to contact member services within 10 days from when the MCO sent the determination notice or before the intended effective date of the determination. If you do not win your appeal, you may have to pay for the services that you received while the appeal was being reviewed.

Once the review is complete, you will receive a letter informing you of the decision. If the MCO decides that you should not receive the denied service, the letter will tell you how to ask for a State Fair Hearing.

If you file a grievance and it is:

- About an urgent medical problem you are having, it will be solved within 24 hours.
- About a medical problem but it is not urgent, it will be solved within 5 days.
- Not about a medical problem, it will be solved within 30 days.

**Note:** The State is in the process of changing the time you have to file an appeal. The information in this section will be effective for services received on or after 1/1/18. See Attachment F for the MCOs current policy.

## 10. Complaints, Grievances and Appeals

### C. How to File a Complaint, Grievance or Appeal

To submit a complaint or grievance, you can contact the MCOs Member Services. If you need auxiliary aids or interpreter services, let the member services representative know (hearing impaired members can use the Maryland Relay Service, 711). The MCOs customer service representatives can assist you with filing a complaint, grievance, or appeal.

**You can request to file an appeal verbally but will need to confirm the appeal request in writing, unless it is an expedited resolution request.** To file the appeal in writing the MCO can send you a simple form that you can complete, sign, and mail back. The MCO can also assist you in completing the form if you need help. You will also be given the opportunity to give the MCO your testimony and factual arguments prior to the appeal resolution.

*See Attachment F for the MCOs internal complaint procedure. If you need a copy of the MCOs official internal complaint procedure, call MCO Member Services.*

### D. The State's Complaint/Appeal Process

#### Getting Help from the HealthChoice Help Line

If you have a question or complaint about your health care and the MCO has not solved the issue to your satisfaction, you can ask the State for help. The HealthChoice Help Line (800-284-4510) is open Monday through Friday between 8:00 a.m. and 5:00 p.m. When you call the Help Line, you can ask your question or explain your problem to one of the Help Line staff, who will:

- Answer your questions;
- Work with the MCO to resolve your problem; or
- Send your complaint to a Complaint Resolution Unit nurse who may:
  - Ask the MCO to provide information about your case within five days;
  - Work with your provider and MCO to assist you in getting what you need;
  - Help you to get more community services, if needed; or
  - Provide guidance on the MCOs appeal process and when you can request a State Fair Hearing.

#### Asking the State to Review the MCO's Decision

If you appealed the MCOs initial decision and you received a written denial, you have the opportunity for the State to review your decision. This is called an appeal.

You can contact the HealthChoice Help Line at (800-284-4510) and tell the representative that you would like to appeal the MCOs decision. Your appeal will be sent to a nurse in the Complaint Resolution Unit. The Complaint Resolution Unit will attempt to resolve your issue with us in 10 business days. If it cannot be resolved in 10 business days, you will be sent a notice that gives you your options.

When the Complaint Resolution Unit is finished working on your appeal, you will be notified of their findings.

- If the State thinks the MCO should provide the requested service, it can order the MCO to give you the service; or
- If the State thinks that the MCO does not have to give you the service, you will be told that the State agrees with the MCO.
- If you do not agree with the State's decision, which you will receive in writing, you will again be given the opportunity to request a State Fair Hearing.

#### Types of State Decisions You Can Appeal

You have the right to appeal three types of decisions made by the State. When the State:

- Agrees with the MCO that we should not cover a requested service;
- Agrees with the MCO that a service you are currently receiving should be stopped or reduced; or
- Denies your request to enroll in the Rare and Expensive Case Management (REM) Program.

## 10. Complaints, Grievances and Appeals

### D. The State's Complaint/Appeal Process

#### Continuing Services During the Appeal

There are times when you may be able to keep getting a service while the State reviews your appeal. This can happen if your appeal is about a service that was already authorized, the time period for the authorization has not expired, and you were already receiving the service. Call the HealthChoice Help Line (800-284-4510) for more information. If you do not win your appeal, you may have to pay for the services that you received while the appeal was being reviewed.

#### Fair Hearings

To appeal one of the State's decisions, you must request that the State file a notice of appeal with the Office of Administrative Hearings on your behalf. The request for a State Fair Hearing must be submitted no later than 120 days from the date of the MCOs notice of resolution.

The Office of Administrative Hearings will set a date for the hearing based on the type of decision being appealed.

- If the appeal is about the MCO reducing or not giving you a service because both the State and MCO thinks you do not have a medical need for the service, the Office of Administrative Hearings will set a hearing date within 20 days of the day you file your appeal with the Office of Administrative Hearings. The Office of Administrative Hearings will make its decision on the case within 30 days of the date of the hearing.
- You can ask for an expedited appeal. If the State thinks your hearing should be held more quickly due to the seriousness of your health condition, a hearing will be held and a decision will be made within 72 hours.
- For all other appeals, the Office of Administrative Hearings will set a hearing date within 30 days of the day you file your appeal with the Office of Administrative Hearings. The Office of Administrative Hearings will make its decision on the case within 30 days of the date of the hearing.

#### The Board of Review/Judicial Appeal

- If the Office of Administrative Hearings decides against you, you may appeal to the State's Board of Review. You will get the information on how to appeal to the Board of Review with the decision from the Office of Administrative Hearings.
- If the Board of Review decides against you, you may appeal to the Circuit Court.



## **10. Complaints, Grievances and Appeals**

### **E. Reversed Appeal Resolutions**

If the MCO reverses a denial, termination, reduction, or delay in services, that were not provided during the appeal process, the MCO will have to provide the services no later than 72 hours from the date it receives the reverse appeal notice.

If the MCO reverses a denial, termination reduction, or delay in services that a member was receiving during the appeal process, the MCO will pay for the services received during the appeal process.

If you need to appeal a service covered by the State, follow the directions provided in the adverse determination letter.

### **F. Making Suggestions for Changes in Policies and Procedures**

If you have an idea on ways to improve a process or want to bring a topic to the MCOs attention, call MCO Member Services. MCOs are interested in both hearing from you and ways to enhance your experience receiving health care.

Each MCO is required to have a consumer advisory board. The role of the consumer advisory board is to provide member input to the MCO. The consumer advisory board is made up of members, members' families, guardians, caregivers and member representatives who meet regularly throughout the year. If you would like more information about the consumer advisory board, call MCO Member Services.

You may be contacted about services you receive from the MCO. If contacted, provide accurate information as this helps to determine the access and quality of care provided to HealthChoice members.

## **11. Changing Your MCO**

### **A. 90 Day Rules**

- The first time you enroll in the HealthChoice Program you have one opportunity to request to change MCOs. You must make this request within the first 90 days. You can make this one time change even if you originally selected the MCO.
- If you are out of the MCO for more than 120 days and the State auto assigned you to the MCO you can request to change MCOs. You must make this request within 90 days.

### **B. Once Every 12 Months**

You may change your MCO if you have been with the same MCO for 12 or more months.

### **C. When There is an Approved Reason to Change MCOs**

You may change your MCO and join another MCO near where you live for any of the following reasons at any time:

- If you move to another county where your current MCO does not offer care
- If you become homeless and find that there is another MCO closer to where you live or have shelter, which would make getting to appointments easier
- If you or any of your family has a doctor in a different MCO and the adult member wishes to keep all family members together in the same MCO
- If you have a foster child placed in your home and you or your family members receive care by a doctor in a different MCO than the foster child, the foster child being placed can switch to the foster family's MCO.
- If the MCO terminates your PCP contract for reasons other than listed below, then you will be notified by the state.
  - o Your MCO has been purchased by another MCO;
  - o The provider and the MCO cannot agree on a contract for certain financial reasons; or
  - o Quality of care.

### **D. How to Change Your MCO**

Contact the State's HealthChoice Enrollment Broker (800-977-7388). Note that:

- MCOs are not allowed to authorize changes. Only the State can change your MCO.
- If you are hospitalized or in a nursing facility you may not allow you to change MCOs.
- If you lose Medicaid eligibility but are approved again within 120 days, you will automatically be enrolled with the same MCO that you had prior to losing eligibility.

## 12. Reporting Fraud, Waste and Abuse

### A. Types of Fraud, Waste and Abuse

Medicaid fraud is the intentional deception or misrepresentation by a person who is aware that this action could result in an unauthorized benefit for themselves or others. Waste is overusing or inappropriate use of Medicaid resources. Abuse is the practice of causing unnecessary cost to the Medicaid program. Fraud, waste, and abuse require immediate reporting and can occur at all levels in the health care system. Examples of Medicaid fraud, waste, and abuse include but are not limited to:

- Member Examples
  - o Falsely reporting your income and or assets to qualify for Medicaid
  - o Permanently living in another state while receiving Maryland Medicaid benefits
  - o Lending your member ID card or using another member's ID card to obtain health services
  - o Selling or making changes to a prescription medicine
  
- Provider Examples
  - o Providing services that are not medically necessary
  - o Billing for services that were not provided
  - o Billing multiple times for the same service
  - o Altering medical records to cover up fraudulent activity

### B. How to Report Fraud, Waste and Abuse

If you suspect or know that fraud, waste, or abuse is occurring, report it immediately. Reporting fraud, waste, and abuse will not affect how you will be treated by the MCO. You have the choice to remain anonymous when you make the report. Provide as much information as possible; this will assist those investigating the report. There are many ways to report fraud, waste, and abuse. See the options below:

- Call MCO Member Services or write the MCO a letter
  
- Contact the Maryland Department of Health and Mental Hygiene, Office of the Inspector General:
  - o 866-770-7175
  - o [http://dhmh.maryland.gov/oig/Pages/Report\\_Fraud.aspx](http://dhmh.maryland.gov/oig/Pages/Report_Fraud.aspx)
  
- Contact the U.S. Department of Health and Human Services, Office of the Inspector General
  - o 800-447-8477
  - o <https://oig.hhs.gov/fraud/report-fraud/index.asp>

University of Maryland Health Partners	
<b>Member Services</b>	410-779-9369 or 800-730-8530 TTY: 711
<b>24/7 Nurse Advice Line</b>	844-685-8379 TTY: 711
<b>Website</b>	<a href="http://www.umhealthpartners.com">www.umhealthpartners.com</a>
<b>Online Member Portal</b>	<a href="http://medicaid.ummshealthplans.com">medicaid.ummshealthplans.com</a>
<b>Nondiscrimination Coordinator</b>	University of Maryland Health Partners Attn: Nondiscrimination Coordinator 1966 Greenspring Drive, Suite 100 Timonium, MD 21093 443-450-1414
<b>Complaints, Grievance, Appeals Address</b>	University of Maryland Health Partners Attn: Appeals and Grievance Department 1966 Greenspring Drive, Suite 100 Timonium, MD 21093
<b>Reporting Fraud and Abuse Address</b>	University of Maryland Health Partners Attn: Director of Compliance 1966 Greenspring Drive, Suite 100 Timonium, MD 21093 410-779-9323

This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

### **What is this Notice?**

This Notice tells you:

- How University of Maryland Health Partners handles your protected health information
- How University of Maryland Health Partners uses and gives out your protected health information
- Your rights about your protected health information
- Responsibilities University of Maryland Health Partners has in protecting your protected health information

This Notice follows what is known as the HIPAA Privacy Regulations. These regulations were given out by the federal government. The federal government requires companies such as University of Maryland Health Partners to follow the terms of the regulations and of this Notice. This Notice is also available on the University of Maryland Health Partners web site at [www.umhealthpartners.com](http://www.umhealthpartners.com).

**NOTE:** *You may also get a Notice of Privacy Practices from the State and other organizations.*

### **What is Protected Health Information?**

In this Notice, protected health information will be written as PHI. The HIPAA Privacy Regulations define protected health information as:

- Information that identifies you or can be used to identify you
- Information that either comes from you or has been created or received by a health care provider, a health plan, your employer, or a health care clearinghouse
- Information that has to do with your physical or mental health or condition, providing health care to you, or paying for providing health care to you

### **What are University of Maryland Health Partners' Responsibilities to You about Your Protected Health Information?**

Your/your family's PHI is personal. We have rules about keeping this information private. These rules are designed to follow state and federal requirements.

University of Maryland Health Partners must:

- We are required by law to maintain the privacy and security of your protected health information.
- We are required to keep your protected health information private and secure in all forms, including: hardcopy files, electronic files, as well as verbal communications. University of Maryland Health Partners is required by law to enable security and privacy features to ensure that these protections are met. Entry into buildings and offices is kept secure and monitored; electronic access to PHI is provided based on the role of the staff member. Staff are trained annually on how to keep your information private during verbal communication.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.

We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

## **How does University of Maryland Health Partners Use Your Protected Health Information?**

The sections that follow tell some of the ways we can use and share PHI without your written authorization.

**For Payment** — University of Maryland Health Partners may use PHI about you so that the treatment services you get may be looked at for payment. For example, a bill that your provider sends us may be paid using information that identifies you, your diagnosis, the procedures or tests, and supplies that were used.

**For Health Care Operations** — University of Maryland Health Partners may use PHI about you for health care operations. For example, we may use the information in your record to review the care and results in your case and other cases like it. This information will then be used to improve the quality and success of the health care you get. Another example of this is using information to help enroll you for health care coverage.

University of Maryland Health Partners may use PHI about you to help provide coverage for medical treatment or services. For example, information we get from a provider (nurse, PCP, or other member of a health care team) will be logged and used to help decide the coverage for the treatment you need.

University of Maryland Health Partners may also use or share your PHI to:

- Send you information about one of our disease or case management programs
  - Send reminder cards that let you know that it is time to make an appointment or get services like EPSDT or Child Health Checkup services
  - Answer a customer service request from you
  - Make decisions about claims requests and Administrative Reviews for services you received
  - Look into any fraud or abuse cases and make sure required rules are followed
  - We are not allowed to use genetic information to decide whether we will give you coverage
- Other Uses of Protected Health Information

**Business Associates** — University of Maryland Health Partners may contract with business associates that will provide services to University of Maryland Health Partners using your PHI. Services our business associates may provide include dental services for members, a copy service that makes copies of your record, and computer software vendors. They will use your PHI to do the job we have asked them to do. The business associate must sign a contract to agree to protect the privacy of your PHI.

**People Involved with Your Care or with Payment for Your Care** — University of Maryland Health Partners may make your PHI known to a family member, other relative, close friend or other personal representative that you choose. This will be based on how involved the person is in your care, or payment that relates to your care. We may share information with parents or guardians, if allowed by law.

**Law Enforcement** — University of Maryland Health Partners may share PHI if law enforcement officials ask us to. We will share PHI about you as required by law or in response to subpoenas, discovery requests, and other court or legal orders. Some requests made by a court may require us to notify you.

**Other Covered Entities** — University of Maryland Health Partners may use or share your PHI to help health care providers that relate to health care treatment, payment or operations. For example, we may share your PHI with a health care provider so that the provider can treat you.

**Public Health Activities** — University of Maryland Health Partners may use or share your PHI for public health activities allowed or required by law. For example, we may use or share information to help prevent or control disease, injury or disability. We also may share information to assist with product recalls, and reporting of adverse reactions to medication. We also may share information with a public health authority allowed to get reports of child abuse, neglect or domestic violence.

**Health Oversight Activities** — University of Maryland Health Partners may share your PHI with a health oversight agency for activities approved by law, such as audits; investigations; inspections; licensure or disciplinary actions; or civil, administrative, or criminal proceedings or actions. Oversight agencies include government agencies that look after the health care system; benefit programs, including Medicaid, SCHIP or Healthy Kids, and other government regulation programs.

**Research** — University of Maryland Health Partners may share your PHI with researchers when an institutional review board or privacy board has followed the HIPAA information requirements.

**Coroners, Medical Examiners, Funeral Directors and Organ Donation** — University of Maryland Health Partners may share your PHI to identify a deceased person, determine a cause of death, or to do other coroner or medical examiner duties allowed by law. We also may share information with funeral directors, as allowed by law. We may also share PHI with organizations that handle organ, eye or tissue donation and transplants.

**To Prevent a Serious Threat to Health or Safety** — University of Maryland Health Partners may share your PHI if we feel it is needed to prevent or reduce a serious and likely threat to the health or safety of a person or the public.

**Military Activity and National Security** — Under certain conditions, University of Maryland Health Partners may share your PHI if you are or were in the Armed Forces. This may happen for activities believed necessary by appropriate military command authorities.

**Disclosures to the Secretary of the U.S. Department of Health and Human Services** — University of Maryland Health Partners is required to share your PHI with the Secretary of the U.S. Department of Health and Human Services. This happens when the Secretary looks into or decides if we are in compliance with the HIPAA Privacy Regulations.

## **What are Your Rights Regarding Your Protected Health Information?**

### **Right to Get the University of Maryland Health Partners Notice of Privacy Practices**

We are required to send each University of Maryland Health Partners head of case or head of household a printed copy of this Notice on or before (date needed). After that, each head of case or head of household will get a printed copy of the Notice in the New Member Welcome package. We have the right to change this Notice. Once the change happens, it will apply to PHI that we have at the time we make the change and to the PHI we had before we made the change. A new Notice that includes the changes and the dates they are in effect will be mailed to you at the address we have for you. The changes to our Notice will also be included on our web site. You may ask for a paper copy of the Notice of Privacy Practices at any time. Call Member Services toll free at 410-779-9369 or 1- 800-730-8530. TTY users should call 711. Our Member Services staff can talk with you Monday to Friday from 8:00 a.m. to 5:00 p.m.

## **Right to Access**

You have the right to look at and get a copy of your enrollment, claims, payment and case management information on file with University of Maryland Health Partners. This file of information is called a designated record set. We will provide the first copy to you in any 12-month period without charge. If you would like a copy of your PHI, you must send a written request to University of Maryland Health Partners' Director of Compliance. The address is at the end of this Notice. We will answer your written request in 30 calendar days. We may ask for an extra 30 calendar days to process your request if needed. We will let you know if we need the extra time. We do not keep complete copies of your medical records. If you would like a copy of your medical record, contact your PCP or other provider. Follow the PCP's or provider's instructions to get a copy. Your PCP or other provider may charge a fee for the cost of copying and/or mailing the record. We have the right to keep you from having or seeing all or part of your PHI for certain reasons. For example, if the release of the information could cause harm to you or other persons. Or, if the information was gathered or created for research or as part of a civil or criminal proceeding. We will tell you the reason in writing. We will also give you information about how you can file an Administrative Review if you do not agree with us.

## **Right to Amend**

You have the right to ask that the information in your health record be changed if you think it is not correct. To ask for a change, send your request in writing to University of Maryland Health Partners' Director of Compliance. We can send you a form to complete. You can also call Member Services to request a form. The address and phone number are at the end of this Notice.

- State the reason why you are asking for a change.
- If the change you ask for is in your medical record, get in touch with the provider who wrote the record. The provider will tell you what you need to do to have the medical record changed.

We will answer your request within 30 days of when we receive it. We may ask for an extra 30 days to process your request if needed. We will let you know if we need the extra time.

- We may deny the request for change. We will send you a written reason for the denial if: The information was not created or entered by University of Maryland Health Partners
- The information is not kept by University of Maryland Health Partners
- You are not allowed, by law, to see and copy that information
- The information is already correct and complete

## **Right to an Accounting of Certain Disclosures of Your Protected Health Information**

You have the right to get an accounting of certain disclosures of your PHI. This is a list of times we shared your information when it was not part of treatment, payment and health care operations. Most disclosures of your PHI by our business associates or us will be for treatment, payment or health care operations. To ask for a list of disclosures, please send a request in writing to University of Maryland Health Partners' Member Privacy Unit. We can send you a form to complete. For a copy of the form, contact Member Services. The address and phone number are at the end of this Notice. Your request must give a time-period that you want to know about.



## **Right to Request Restrictions**

You have the right to ask that your PHI not be used or shared. You do not have the right to ask for limits when we share your PHI if we are asked to do so by law enforcement officials, court officials, or State and Federal agencies in keeping with the law. We have the right to deny a request for restriction of your PHI.

To ask for a limit on the use of your PHI, send a written request to University of Maryland Health Partners' Member Privacy Unit. We can send you a form to fill out. You can contact Member Services for a copy of the form. The address and phone number are at the end of this Notice. The request should include:

- The information you want to limit and why you want to restrict access
- Whether you want to limit when the information is used, when the information is given out, or both
- The person or persons that you want the limits to apply to

We will look at your request and decide if we will allow or deny the request within 30 days. If we deny the request, we will send you a letter and tell you why.

## **Right to Choose Someone to Act for You**

If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information. We will make sure the person has this authority and can act for you before we take any action.

## **Right to Cancel a Privacy Authorization for the Use or Disclosure of Protected Health Information**

We must have your written permission (authorization) to use or give out your PHI for any reason other than treatment, payment and health care operations or other uses and disclosures listed under Other Uses of Protected Health Information. If we need your authorization, we will send you an authorization form explaining the use for that information.

You can cancel your authorization at any time by following the instructions below.

Send your request in writing to University of Maryland Health Partners' Member Privacy Unit. We can send you a form to complete. You can contact Member Services for a copy of the form. The address and phone number are at the end of this Notice. This cancellation will only apply to requests to use and share information asked for after we get your Notice.

## **Right to Request Confidential Communications**

You have the right to ask that we communicate with you about your PHI in a certain way or in a certain location. For example, you may ask that we send mail to an address that is different from your home address. Requests to change how we communicate with you should be submitted in writing to University of Maryland Health Partners' Member Privacy Unit. We can send you a form to complete. For a copy of the form, contact Member Services. The address and phone number are at the end of this Notice. Your request should state how and where you want us to contact you.

**What should you do if you have a complaint about the way that your protected health information is handled by University of Maryland Health Partners or our business associates?**

If you believe that your privacy rights have been violated, you may file a complaint with University of Maryland Health Partners or with the Secretary of Health and Human Services.

To file a complaint with University of Maryland Health Partners or to ask for an Administrative Review of a decision about your PHI, send a written request to University of Maryland Health Partners' Member Privacy Unit or call Member Services. The address and phone number are at the end of this Notice.

To file a complaint with the Secretary of Health and Human Services, send your written request to:

**Office for Civil Rights  
U.S. Department of Health and Human Services  
150 S. Independence Mall West, Suite 372  
Philadelphia, PA 19106-3499  
OR  
visit [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/)**

You will not lose your University of Maryland Health Partners membership or health care benefits if you file a complaint. Even if you file a complaint, you will still get health care coverage from University of Maryland Health Partners as long as you are a member. We will not retaliate against you for filing a complaint.

**Where should you call or send requests or questions about your protected health information?**

You may call us toll free at 410-779-9369 or 800-730-8530. TTY users call 711.

Or, you may send questions or requests, such as the examples listed in this Notice, to the address below:

**Director of Compliance  
1966 Greenspring Drive, Suite 100  
Timonium, MD 21093**

Send your request to this address so that we can process it timely. Requests sent to persons, offices or addresses other than the address listed above might be delayed.

### **Consent and Notice of Privacy Practices**

This consent form allows University of Maryland Health Partners to use and disclose information about me protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). This information may be used or disclosed to carry out treatment, payment, or health care operations.

University of Maryland Health Partners has provided me with a Notice of Privacy Practices, which completely describes uses and disclosures of my protected health information. It provided this notice prior to my signing this form in accordance with my right to review its practices before signing consent.

I understand that the terms of the Notice of Privacy Practices may change and that I may obtain revised notices by either writing to University of Maryland Health Partners at the address provided below:

University of Maryland Health Partners  
Attention: Compliance Department  
1966 Greenspring Drive, Suite 100  
Timonium, Maryland 21093

Or by calling University of Maryland Health Partners Member Services Department at the telephone numbers provided below:

Local: 410-779-9369; Toll Free: 1-800-730-8530; TTY: 711  
Hours of Operation: 8 AM to 5 PM, Monday through Friday

### **Right to Request Plan's Use and Disclosure of Protected Health Information**

I understand that I have the right to request – now and in the future – how protected health information is used or disclosed to carry out treatment, payment, and health care operations. I understand that while University of Maryland Health Partners is not required to agree to my requested restrictions, if it does agree, it is bound by that agreement. I understand that University of Maryland Health Partners may refuse me services if I refuse to sign this consent.

### **Authorization to Use and Disclose My Protected Health Information to individuals I have specifically designated below:**

This also serves as an authorization under the Privacy Rules of the Health Insurance Portability and Accountability Act of 1996 [45 CFR § 164.508]. It authorizes University of Maryland Health Partners staff to use and/or disclose my protected health information (PHI) with the individual(s) I have listed below for the purpose(s) designated by me. This authorization is valid until such time as I elect to revoke it.

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Relationship to Member: \_\_\_\_\_

**Purpose(s) Check those applicable for the individual listed above**

- Authorized to act as my representative in requesting services and/or payment of claims from the health plan only.
- Authorized to make any changes to the demographics in my membership record, including but not limited to address changes, telephone number changes, email address changes, and request for a replacement ID card only.
- Authorized to act as my representative in connection with my claim or asserted right under the Code of Maryland Regulations (COMAR), 10.01.04-12, 10.09.71.05, and 10.09.75.05. I authorize this individual to make any request; to present or to elicit evidence; to obtain appeals and grievance information; and to receive any notice in connection with my appeal or grievance, wholly in my stead. I understand that personal medical information related to my appeal or grievance may be disclosed to the representative indicated above.
- Authorized for all of the above actions

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Relationship to Member: \_\_\_\_\_

**Purpose(s) Check those applicable for the individual listed above**

- Authorized to act as my representative in requesting services and/or payment of claims from the health plan only.
- Authorized to make any changes to the demographics in my membership record, including but not limited to address changes, telephone number changes, email address changes, and request for a replacement ID card only.
- Authorized to act as my representative in connection with my claim or asserted right under the Code of Maryland Regulations (COMAR), 10.01.04-12, 10.09.71.05, and 10.09.75.05. I authorize this individual to make any request; to present or to elicit evidence; to obtain appeals and grievance information; and to receive any notice in connection with my appeal or grievance, wholly in my stead. I understand that personal medical information related to my appeal or grievance may be disclosed to the representative indicated above.
- Authorized for all of the above actions

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Relationship to Member: \_\_\_\_\_

**Purpose(s) Check those applicable for the individual listed above**

- Authorized to act as my representative in requesting services and/or payment of claims from the health plan only.
- Authorized to make any changes to the demographics in my membership record, including but not limited to address changes, telephone number changes, email address changes, and request for a replacement ID card only.
- Authorized to act as my representative in connection with my claim or asserted right under the Code of Maryland Regulations (COMAR), 10.01.04-12, 10.09.71.05, and 10.09.75.05. I authorize this individual to make any request; to present or to elicit evidence; to obtain appeals and grievance information; and to receive any notice in connection with my appeal or grievance, wholly in my stead. I understand that personal medical information related to my appeal or grievance may be disclosed to the representative indicated above.
- Authorized for all of the above actions

**Right to Revoke This Consent and Authorization**

I understand that I have the right to revoke this consent and authorization at any time provided that I do so in writing, but that University of Maryland Health Partners and any other entity working directly with University of Maryland Health Partners for the purposes of carrying out treatment, payment, or health care operations on my behalf may still use information to complete any actions that it began prior to my revoking consent and which rely on my protected health information. I understand that University of Maryland Health Partners may refuse me further service if I revoke consent.

Signature of Member: \_\_\_\_\_ Date: \_\_\_\_\_

Member ID Number (from membership ID card): \_\_\_\_\_

BENEFIT	WHAT IT IS	WHO CAN GET THIS BENEFIT	LIMITATIONS
<b>Acupuncture</b>	UM Health Partners will provide acupuncture services to members diagnosed with a substance abuse addiction. The benefit will be limited to 2 treatments per week up to 70 treatments per year.	Adults 21 and older	The service will be provided by a limited number of contracted providers within Baltimore City only.
<b>Adult Dental</b>	UM Health Partners will provide preventative and restorative dental benefits to all adult eligible members.	Adults 21 and older	There is an annual cap of \$250 per member. The benefit will include exams, x-rays, and extractions.
<b>Adult Vision</b>	The mandatory HealthChoice benefit allows for adults to receive a vision exam every two years. UM Health Partners will provide one pair of glasses or contact lenses every two years to all adult members in the event the exam outlines the needed for glasses.	Adults 21 and older	\$125 limit for glasses or contact lenses
<b>24 Hour Nurse Line</b>	UM Health Partners offers free service that provides real time access to a registered nurse who can give medical advice 24 hours a day 7 days a week. Members can connect directly with a nurse by calling 844-685-8379.	All members	
<b>Over the Counter Medications and Supplies (OTC)</b>	UM Health Partners will provide members with a \$15 per quarter OTC benefit for such items such as aspirin, cold suppressants, ointments, vitamins and herbal supplements. These items must be prescribed by a physician.	All members	\$15 per member per quarter
<b>Home Delivered Meals Post-Discharge from a Hospital Stay</b>	UM Health Partners will provide members with up to 18 nutritious meals to eligible members recovering from an inpatient stay in a hospital who have no support at home upon discharge.	All members	Members will need their physicians or facility discharge planners to obtain prior authorization for meals from UM Health Partners case managers.

When you are pregnant, UM Health Partners will send you a pregnancy education package. It will include:

- A letter welcoming you to our Baby Steps Program
- Self-care information including a guide to track your appointments and information about your pregnancy
- Contact information of your dedicated OB Case Manager
- Information on our text program delivering prenatal health and nutrition information
- Brochures on How Tobacco, Alcohol and Drugs Affect Pregnancy, Nutrition during Pregnancy and Care Seat Safety for you and your baby.

To ensure the healthiest pregnancy possible, your first prenatal visit should be in your first trimester of pregnancy or within 42 days of enrolling with UM Health Partners.

Services that may be done at your 1st visit:

- Early sonogram to confirm your pregnancy and due date
- Hear your baby's heartbeat
- Blood work to determine pregnancy risk factors

***\*If you haven't already, please schedule your first OB visit today\****

During your pregnancy, your OB Case Manager will:

- Contact you periodically to make sure you are getting the care you need
- Send you additional information on: How to Know You are in Labor, Pain Relief During Labor, and Breastfeeding
- Discuss birth control options for after delivery
- Address any concerns or questions you might have, as well as connect you to community resources available in your area

After you have your baby, UM Health Partners will send you a postpartum education package. It will include:

- A letter congratulating you on the birth of your baby and the importance of postpartum follow-up care
- Baby-care information including Safe Sleep, Never Shake a Baby, and a Newborn Immunization record booklet
- Wellness visit and vaccination schedule for baby
- Brochures about Postpartum Depression; Domestic Violence; and Exercise and Health after Pregnancy

University of Maryland Health Partners works to keep you healthy and will link you to health education materials, programs and classes. Call Member Services and ask for Health Education to be connected to someone who can help you get the information you need to care for yourself better.

Below are some of the resources we can help connect you with:

- **Chronic Conditions** – Education about chronic conditions, such as diabetes, asthma, and high blood pressure is offered through our LivingSmart program. You can access the LivingSmart portal through our website [www.umhealthpartners.com](http://www.umhealthpartners.com) for a self-assessment and educational tools and resources. You can also call us at 1-800-730-8530 for more information and ask for the LivingSmart Program.
- **Childbirth Preparation** – Many providers and hospitals offer classes on childbirth preparation. Your OB Case Manager can help connect you with classes in childbirth, infant care, and breastfeeding education when available in your local community. You can call us at 1-800-730-8530 and ask to speak with your OB Case Manager for more information.
- **Postpartum Support** - A good resource for social support and resources to women and their families after giving birth is the Postpartum Support International (PSI) organization. They offer local groups, telephone support, and services available at no charge. To get more information, contact your OB Case Manager by calling 1-800-730-8530. You can also contact PSI directly by calling 1-800-944-4773 or visit their website - <http://www.postpartum.net/locations/maryland/>.
- **Quitting cigarette smoking** – Our provider network is committed to helping you quit smoking. Your PCP can offer educational tools and tips to help you stop smoking. You can also call 1-800-QUIT-NOW (784-8669) to access the Maryland Smoking Cessation line for assistance.
- **Many other classes and resources about different health topics.** Call Member Services at 1-800-730-8530 and ask for Health Education to get more information about the health topic you are interested in. If you have a case manager or special needs coordinator, you should contact them to discuss your specific needs.

In some cases, University of Maryland Health Partners may request information from your PCP or treating provider to determine if health education can be provided at the medical practice or through qualified staff at the practice. For example, some of our larger medical sites show in-office health videos on prenatal care, infant care, well baby vaccines and wellness visits, nutrition, diabetes and other important health topics.

**Nurse Advice Line** – clinical help available 24 hours a day, 7 days a week. Nurse Wise is a free service that provides real time access to a Registered Nurse who can give medical advice 24 hours a day, 7 days a week. Call 1-844-685-8379 to speak with a nurse who will ask questions. Or, you can select from a list of pre-recorded messages.

**Website** - University of Maryland Health Partners' Website, [www.umhealthpartners.com](http://www.umhealthpartners.com) has member education you can view on-line or print. The Community Calendar of Health Education Events is also posted on the website.

**Newsletter** - You may also receive a University of Maryland Health Partners' newsletter in the mail to keep you up to date on changes and provide health education information. This newsletter provides you with health information about wellness care, managing your illness, parenting and many other topics. The newsletter is also posted on University of Maryland Health Partners' website, [www.umhealthpartners.com](http://www.umhealthpartners.com).



### Grievances and Appeals

#### UM Health Partners' Member Services and Hotline Information:

You can call our Member Services department at 410-779-9369 or 1-800-730-8530, Monday through Friday from 8:00 am – 5:00 pm.

#### UM Health Partners' Internal Grievance Procedures

If you have a complaint you can contact us at 410-779-9369 or 1-800-730-8530 (TTY users should call 711) or you can send us a complaint in writing at the address provided below.

#### Appeals

If your complaint is about a service you or a provider feels you need but we will not cover, you can ask us to review your request again. This is called an appeal.

If you want to file an appeal you have to file it within 90 days for a Level I Appeal, from the date that you received the letter saying that we would not cover the service you wanted; and 15 days for a Level II Appeal, from the date on the Level I Appeal outcome letter.

You may file your appeal in writing. We have a simple form you can use to file your appeal. Please call Member Services at 410-779-9369 or 1-800-730-8530 to get one. We will mail or fax the appeal form to you and provide assistance if you need help completing it. This form can also be found on our website at [www.umhealthpartners.com](http://www.umhealthpartners.com).

Once you complete the form, you should mail it to:

University of Maryland Health Partners  
Attention: Appeals & Grievance Department  
1966 Greenspring Drive, Suite 100  
Timonium, MD 21093

Your doctor can also file an appeal for you if you sign a form giving him or her permission. Other people can also help you file an appeal, like a family member or a lawyer, when they file a form (i.e. an Appointment of Representative Form) allowing them to file on your behalf.

When you file an appeal, be sure to let us know any new information that you have that will help us make our decision. We will send you a letter letting you know that we received your appeal within 5 business days of receipt in the company. While your appeal is being reviewed, you can still send or deliver any additional information that you think will help us make our decision.

When reviewing your appeal, we will:

- Use doctors who know about the type of illness you have.
- Not use the same people who denied your request for a service.
- Make a decision about your appeal within 30 days.

The appeal process may take up to 44 days if you ask for more time to submit information or we need to get additional information from other sources. We will send you a letter if we need additional information.

If your doctor or UM Health Partners feels that your appeal should be reviewed quickly due to the seriousness of your condition, this is called an expedited appeal. A UM Health Partners Medical Director will review the request and determine if your issue is life threatening. You will receive a decision about your appeal within 72 hours. When you ask for an expedited appeal, you may do so by calling us, or asking us in writing.

If we do not feel that your appeal needs to be reviewed quickly, we will try to call you and send you a letter letting you know that your appeal will be reviewed within 30 days.

If your appeal is about a service that was already authorized and you were already receiving, you may be able to keep getting the service while we review your appeal. Contact us at 1-800-730-8530 if you would like to keep getting services while your appeal is reviewed. If you do not win your appeal, you may have to pay for the services that you received while the appeal was being reviewed.

Once we complete our review, we will send you a letter letting you know our decision. If we decide that you should not receive the denied service, that letter will tell you how to file another appeal or ask for a State Fair Hearing.

## **Grievances**

If your complaint is about something other than not receiving a service, this is called a grievance. Examples of grievances would be, not being able to find a doctor, trouble getting an appointment, or not being treated fairly by someone who works at UM Health Partners or at your doctor's office.

If your grievance is:

- About an urgent medical problem you are having, it will be solved within 24 hours.
- About a medical problem but it is not urgent, it will be solved within 5 days.
- Not about a medical problem, it will be solved within 30 days.

If you would like a copy of our official complaint procedure, or if you need help filing a complaint, please call UM Health Partners at 410-779-9369 or 1-800-730-8530. You may also submit your grievance in writing. We have a simple form you can use to submit your grievance. Please call Member Services at 410-779- 9369 or 1-800-730-8530 to get one. We will mail or fax the appeal form to you and provide assistance if you need help completing it. This form can also be found on our website at [www.umhealthpartners.com](http://www.umhealthpartners.com).

Once you complete the form, you should mail it to:

University of Maryland Health Partners  
Attn: Appeals & Grievance Department  
1966 Greenspring Drive, Suite 100  
Timonium, MD 21093

Use this form if you want to tell us you have a complaint or when you don't agree with a decision we made about your health care (an appeal). For help with this form, please call us at 410-779-9369 or 800-730-8530. TTY users should call 711. Our Member Services staff can talk to you Monday to Friday from 8:00 A.M. to 5:00 P.M.

Member Name: \_\_\_\_\_ Member ID: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Member ID Number: \_\_\_\_\_

Phone Number: Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Other: \_\_\_\_\_

Please tell us why you are filing this complaint:

- You don't agree with a decision we made not to cover a service your doctor asked for (appeal)
- You have a complaint (grievance)

Tell us more (you can attach a separate piece of paper if you need more room)

---

---

---

Name of Member's Primary Care Provider Name (if applicable): \_\_\_\_\_

Date(s) of Service (if needed): \_\_\_\_\_  
It may take us up to 30 days to get back to you.

Do you or your doctor think that waiting 30 days could be bad for your health?

- Yes
- No

If yes, please tell us why (you can attach a separate piece of paper if you need more room)

---

---

---

Signature of UM Health Partners Member:

---

Please fax the form to 410-779-9389 or mail it to:

University of Maryland Health Partners  
Appeals & Grievances Department  
1966 Greenspring Drive, Suite 100  
Lutherville-Timonium, MD 21093

If you are NOT the University of Maryland Health Partners member, but are filing this on behalf of the University of Maryland Health Partners member, complete this section. Unless you are the parent of the member, federal and state laws require us to get official authorization for you to represent our member. If the University of Maryland Health Partners member has not signed this document, you need to attach a completed Appointment of Representative Form; a letter from our member letting us know that you can represent them; proof of guardianship; or Durable Power of Attorney for Health Care.

Signature of Representative: \_\_\_\_\_ Your Name: \_\_\_\_\_

Relationship to Member: \_\_\_\_\_

Phone Number: Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Other: \_\_\_\_\_

## ATTACHMENT G – Information About Your PCP and Specialists

If you need more information about your PCP, specialist or other UM Health Partners provider please call Member Services at 410-779-9369 or 800-730-8530 (TTY: 711). Member Services Representatives can give you information about your practitioner including:

- Contact information
- Office locations
- Professional qualifications
- Medical specialty
- Medical education and training
- Board certification status

For female enrollees, if your PCP is not a women's health specialist, you have the right to see a women's health specialist within the UM Health Partners network without a referral for covered routine and preventive health care services.

### Disease Management

If you are a living with a chronic condition, you may be able to benefit from the participating in University of Maryland Health Partner’s disease management program.

This program is customized to support members with chronic conditions such as:

- Asthma
- Diabetes
- Chronic Heart Failure (CHF)
- Chronic Obstructive Pulmonary Disease (COPD)
- Coronary Artery Disease (CAD)
- High Blood Pressure, and
- High Cholesterol

The program is designed with you in mind.

- to help you understand the day-to-day management of your condition
- to help you follow your doctor’s plan of care
- to help you improve your quality of life

It also provides individual self-assessment and educational tools. When appropriate, a health coach will contact you to help you take a more active role in your own health management.

### Program Benefits and Advantages

- Increase your understanding of your condition
- Improve your ability to follow your treatment plan
- Help reduce complications
- Deliver educational materials

### Referral for Case or Disease Management

UM Health Partners’ Case Management and Disease Management Programs are voluntary and are provided at no cost to you. Members identified with certain needs may be automatically enrolled, but are under no obligation to participate in these programs.

University of Maryland Health Partners offers Case Management to members who have had a critical medical event, been diagnosed with a chronic illness, and have multiple illnesses or complications.

We will work with you and your doctors to help you get the services, resources and one-one coaching you may need to better take care of your health.

You will get your own UM Health Partners Case Manager. Your Case Manager will:

- Help you set goals and make a care plan to reach them
- Make sure you get the care you need when you need it
- Make sure you have what you need to get care, such as a way to get to and from the doctor
- Find ways to help you manage your symptoms so you can feel better
- Answer questions about your health and health care
- Keep you up to date with information about your health
- Answer any questions you may have about your health over the phone. If you want us to visit you in your home or at your doctor's office, we can do that too.

If you think UM Health Partners programs could help you, call UM Health Partners' Member Services Department at 1-410-779-9369 or 1-800-730-8530. TTY users should call 711. We can talk to you Monday to Friday from 8 a.m. to 5 p.m. Or, you can email us at [healthservices@umhealthpartners.com](mailto:healthservices@umhealthpartners.com).

**Nurse Advice Line** – Clinical help available 24 hours a day, 7 days a week.

The Nurse Advice Line is a free service that provides real time access to a Registered Nurse who can give medical advice 24 hours a day, 7 days a week. Call 1-844-685-8379 to speak with a nurse who will ask questions. Or, you can select from a list of pre-recorded messages.

Domestic violence is abuse. Abuse is unhealthy. Abuse is unsafe. It is never OK for someone to hit you. It is never OK for someone to make you afraid. Domestic violence causes harm and hurt on purpose. Domestic violence in the home can affect your children and it can affect you. Domestic violence can be physical, emotional, sexual, financial or psychological.

If you feel you may be a victim of abuse, call or talk to your PCP. Your PCP can talk to you about domestic violence. Safety tips for your protection:

- Call the domestic violence hotline for help. They can tell you about safe shelter areas.
- If you are hurt, call your PCP. Call 911 or go to the nearest hospital if you need emergency care (see the section on Emergency Care).
- Have a plan on how you can get to a safe place (like a women’s shelter or a friend’s or relative’s home).
- Pack a small bag and give it to a friend to keep for you until you need it.

If you have questions or need help, please call our Member Services Department at 800-730-8530 (TTY:711) and you will be assigned a social worker or call the National Domestic Violence hotline number at 800-799-7233.



- Utilization Management (UM) staff are available by telephone, from 8 am to 5:30 pm EST, Monday through Friday (except company holidays), to render UM decisions.
- Obtaining prior authorization is the responsibility of the PCP or treating provider. Members who need prior authorization should work with their provider to submit the required clinical data.
- If you would like to contact the UM Department, please call 1-800-730-8530 or 1-410-779-9369. If the local telephone number is called the UM Department may accept collect calls. Or you can email us at [healthservices@umhealthpartners.com](mailto:healthservices@umhealthpartners.com).
- University of Maryland Health Partners also offers a 24-Hour Nurse Advice Line 1-844-685-8379. This service offers medical triage and health education.
- University of Maryland Health Partners staff always identify themselves by name, title and name of organization when initiating or returning calls regarding UM issues.
- Language assistance is available for members to discuss UM issues. University of Maryland Health Partners also offers TDD/TTY services for members who are hard of hearing, deaf, and/or speech disabled.
- UMHP makes utilization management decisions solely on the appropriateness of care and services, and the existence of coverage. UMHP does not specifically reward providers or other individuals for issuing denials of coverage. Financial incentives for utilization management decision makers do not encourage decisions that result in underutilization. UMHP does not use incentives to encourage barriers to care and service.

**Pharmaceutical Management Procedures**

The UM Health Partners Pharmacy and Therapeutics Committee reviews and approves all pharmaceutical management procedures during its quarterly meetings when applicable. Approved policies and procedures are used to aid in the establishment and management of UM Health Partners' list of covered, commonly prescribed drugs and products that you or your provider may choose to help you stay well. Ongoing decisions to add/remove a drug or product to the formulary list are made if the drug or product are based on one or more of the following criteria:

- Treats a condition that is not treated by a drug currently listed;
- Treats a condition in a different way than a drug currently listed;
- Has been reported as safe to use;
- Is easier to use or can increase patient compliance;
- Is readily available;
- Works better than drugs or products currently listed;
- Is lower or equivalent in cost to those currently listed.

UM Health Partners may also use additional pharmaceutical management procedures to manage the use of pharmaceuticals:

**Generic Substitution**

UM Health Partners is required by state rules to dispense generic versions of drugs and products rather than brand-name drugs and products unless a provider requests otherwise.

**Prior Authorization**

UM Health Partners may require providers to get approval before prescribing some drugs and products to make sure the drug or product is appropriate. Prior authorization requested by you or your provider may be reviewed by UM Health Partners' pharmacy benefits manager for clinical appropriateness. Please be prepared to provide supporting clinical documentation to show that the member has tried and failed a formulary option. Contact CVS Health at 1-877-418-4133 for medication request review. (A CVS clinical reviewer will provide the prior authorization criteria used for evaluating the requested drugs/products upon request during the call.)

**Step Therapy**

UM Health Partners starts therapy with the most cost-effective and safest drugs and products. If needed, more costly or riskier therapies will be used. Contact CVS Health at 1-877-418-4133 for medication request review. (A CVS clinical reviewer will provide the step-therapy criteria used for evaluating the requested drugs/products upon request during the call.)

**Quantity Limits**

UM Health Partners limits the amount of specific drugs and/or products covered within a certain time period based on evidence-based treatment durations. Contact CVS Health at 1-877-418-4133 for medication request review. (A CVS clinical reviewer will provide drug or product specific quantity limits upon request during the call.)

**Age Limits**

UM Health Partners may require prior approval of certain drugs and products based on age. (A CVS clinical reviewer will provide drug or product specific age limits upon request during the call.)

**Therapeutic Interchange**

UM Health Partners prohibits a pharmacist from switching a prescribed drug or product to an alternative drug or product within the same therapeutic drug class except when the pharmacist is servicing patients of a hospital, resident of a comprehensive care or extended care facility with an established procedure for therapeutic interchange.

**Medication Exceptions**

Non-covered drugs and products requested by you or your provider may be reviewed by UM Health Partners' pharmacy benefits manager when the formulary does not adequately accommodate your clinical needs. Please be prepared to provide supporting clinical documentation to show that the member has tried and failed a formulary option (medical necessity). Contact CVS Health at 1-877-418-4133 for a medication exception request review. Members or providers can initiate a medication exception request by contacting CVS Health.

The complete list of drugs that your provider can prescribe is updated quarterly but changes to the drug list may occur at any time depending on pharmaceutical management procedures. Both quarterly updated drug list and interim formulary changes are available on our website [www.umhealthpartners.com](http://www.umhealthpartners.com). Regular formulary update reminders are distributed to the membership via the Member Newsletter.

**MARYLAND ADVANCE DIRECTIVE:**

**PLANNING FOR FUTURE HEALTH CARE DECISIONS**



**A Guide to  
Maryland Law on  
Health Care Decisions  
(Forms Included)**

**STATE OF MARYLAND  
OFFICE OF THE ATTORNEY GENERAL**

*Brian E. Frosh  
Attorney General*



*June 2016*

Dear Fellow Marylander:

I am pleased to send you an advance directive form that you can use to plan for future health care decisions. The form is optional; you can use it if you want or use others, which are just as valid legally. If you have any legal questions about your personal situation, you should consult your own lawyer. If you decide to make an advance directive, be sure to talk about it with those close to you. The conversation is just as important as the document. Give copies to family members or friends and your doctor. Also make sure that, if you go into a hospital, you bring a copy. Please do not return completed forms to this office.

Life-threatening illness is a difficult subject to deal with. If you plan now, however, your choices can be respected and you can relieve at least some of the burden from your loved ones in the future. You may also use another enclosed form to make an organ donation or plan for arrangements after death.

Here is some related, important information:

- If you want information about Do Not Resuscitate (DNR) Orders, please visit the website <http://marylandmolst.org> or contact the Maryland Institute for Emergency Medical Services Systems directly at (410) 706-4367. A Medical Orders for Life-Sustaining Treatment (MOLST) form contains medical orders regarding cardiopulmonary resuscitation (CPR) and other medical orders regarding life-sustaining treatments. A physician or nurse practitioner may use a MOLST form to instruct emergency medical personnel (911 responders) to provide comfort care instead of resuscitation. The MOLST form can be found on the Internet at: <http://marylandmolst.org>. From that page, click on "MOLST Form."
- The Maryland Department of Health and Mental Hygiene makes available an advance directive focused on preferences about mental health treatment. This can be found on the Internet at: <http://bha.dhmh.maryland.gov/SitePages/Forms.aspx>. From that page, under "Forms," click on "Advance Directive for Mental Health Treatment."

I hope that this information is helpful to you. I regret that overwhelming demand limits us to supplying one set of forms to each requester. But please feel free to make as many copies as you wish. Additional information about advance directives can be found on the Internet at: <http://www.oag.state.md.us/healthpol/advancedirectives.htm>.

*Brian E. Frosh*  
*Attorney General*

Adults can decide for themselves whether they want medical treatment. This right to decide - to say yes or no to proposed treatment - applies to treatments that extend life, like a breathing machine or a feeding tube. Tragically, accident or illness can take away a person's ability to make health care decisions. But decisions still have to be made. If you cannot do so, someone else will. These decisions should reflect your own values and priorities.

A Maryland law called the Health Care Decisions Act says that you can do health care planning through "advance directives." An advance directive can be used to name a health care agent. This is someone you trust to make health care decisions for you. An advance directive can also be used to say what your preferences are about treatments that might be used to sustain your life.

The State offers a form to do this planning, included with this pamphlet. The form as a whole is called "Maryland Advance Directive: Planning for Future Health Care Decisions." It has three parts to it: Part I, Selection of Health Care Agent; Part II, Treatment Preferences ("Living Will"); and Part III, Signature and Witnesses. This pamphlet will explain each part.

The advance directive is meant to reflect your preferences. You may complete all of it, or only part, and you may change the wording. You are not required by law to use these forms. Different forms, written the way you want, may also be used. For example, one widely praised form, called Five Wishes, is available (for a small fee) from the nonprofit organization Aging With Dignity. You can get information about that document from the Internet at [www.agingwithdignity.org](http://www.agingwithdignity.org) or write to: Aging with Dignity, P.O. Box 1661, Tallahassee, FL 32302.

This optional form can be filled out without going to a lawyer. But if there is anything you do not understand about the law or your rights, you might want to talk with a lawyer. You can also ask your doctor to explain the medical issues, including the potential benefits or risks to you of various options. You should tell your doctor that you made an advance directive and give your doctor a copy, along with others who could be involved in making these decisions for you in the future.

In Part III of the form, you need two witnesses to your signature. Nearly any adult can be a witness. If you name a health care agent, though, that person may not be a witness. Also, one of the witnesses must be a person who would not financially benefit by your death or handle your estate. You do not need to have the form notarized.

This pamphlet also contains a separate form called "After My Death." Like the advance directive, using it is optional. This form has four parts to it: Part I, Organ Donation; Part II, Donation of Body; Part III, Disposition of Body and Funeral Arrangements; and Part IV, Signature and Witnesses

Once you make an advance directive, it remains in effect unless you revoke it. It does not expire, and neither your family nor anyone except you can change it. You should review what you've done once in a while. Things might change in your life, or your attitudes might change. You are free to amend or revoke an advance directive at any time, as long as you still have decision-making capacity. Tell your doctor and anyone else who has a copy of your advance directive if you amend it or revoke it.

If you already have a prior Maryland advance directive, living will, or a durable power of attorney for health care, that document is still valid. Also, if you made an advance directive in another state, it is valid in Maryland. You might want to review these documents to see if you prefer to make a new advance directive instead.

## **Part I of the Advance Directive: Selection of Health Care Agent**

You can name anyone you want (except, in general, someone who works for a health care facility where you are receiving care) to be your health care agent. To name a health care agent, use Part I of the advance directive form. (Some people refer to this kind of advance directive as a “durable power of attorney for health care.”) Your agent will speak for you and make decisions based on what you would want done or your best interests. You decide how much power your agent will have to make health care decisions. You can also decide when you want your agent to have this power – right away, or only after a doctor says that you are not able to decide for yourself.

You can pick a family member as a health care agent, but you don't have to. Remember, your agent will have the power to make important treatment decisions, even if other people close to you might urge a different decision. Choose the person best qualified to be your health care agent. Also, consider picking one or two back-up agents, in case your first choice isn't available when needed. Be sure to inform your chosen person and make sure that he or she understands what's most important to you. When the time comes for decisions, your health care agent should follow your written directions.

We have a helpful booklet that you can give to your health care agent. It is called “Making Medical Decisions for Someone Else: A Maryland Handbook.” You or your agent can get a copy on the Internet by visiting the Attorney General's home page at:

<http://www.oag.state.md.us>, then clicking on “Guidance for Health Care Proxies.” You can request a copy by calling 410-576-7000.

The form included with this pamphlet does not give anyone power to handle your money. We do not have a standard form to send. Talk to your lawyer about planning for financial issues in case of incapacity.

## **Part II of the Advance Directive: Treatment Preferences ("Living Will")**

You have the right to use an advance directive to say what you want about future life-sustaining treatment issues. You can do this in Part II of the form. If you both name a health care agent and make decisions about treatment in an advance directive, it's important that you say (in Part II, paragraph G) whether you want your agent to be strictly bound by whatever treatment decisions you make.

Part II is a living will. It lets you decide about life-sustaining procedures in three situations: when death from a terminal condition is imminent despite the application of life-sustaining procedures; a condition of permanent unconsciousness called a persistent vegetative state; and end-stage condition, which is an advanced, progressive, and incurable condition resulting in complete physical dependency. One example of end-stage condition could be advanced Alzheimer's disease.

## FREQUENTLY ASKED QUESTIONS ABOUT ADVANCE DIRECTIVES IN MARYLAND

1. **Must I use any particular form?** No. An optional form is provided, but you may change it or use a different form altogether. Of course, no health care provider may deny you care simply because you decided not to fill out a form.
2. **Who can be picked as a health care agent?** Anyone who is 18 or older except, in general, an owner, operator, or employee of a health care facility where a patient is receiving care.
3. **Who can witness an advance directive?** Two witnesses are needed. Generally, any competent adult can be a witness, including your doctor or other health care provider (but be aware that some facilities have a policy against their employees serving as witnesses). If you name a health care agent, that person cannot be a witness for your advance directive. Also, one of the two witnesses must be someone who (i) will not receive money or property from your estate and (ii) is not the one you have named to handle your estate after your death.
4. **Do the forms have to be notarized?** No, but if you travel frequently to another state, check with a knowledgeable lawyer to see if that state requires notarization.
5. **Do any of these documents deal with financial matters?** No. If you want to plan for how financial matters can be handled if you lose capacity, talk with your lawyer.
6. **When using these forms to make a decision, how do I show the choices that I have made?** Write your initials next to the statement that says what you want. Don't use checkmarks or X's. If you want, you can also draw lines all the way through other statements that do not say what you want.
7. **Should I fill out both Parts I and II of the advance directive form?** It depends on what you want to do. If all you want to do is name a health care agent, just fill out Parts I and III, and talk to the person about how they should decide issues for you. If all you want to do is give treatment instructions, fill out Parts II and III. If you want to do both, fill out all three parts.
8. **Are these forms valid in another state?** It depends on the law of the other state. Most state laws recognize advance directives made somewhere else.
9. **How can I get advance directive forms for another state?** Contact Caring Connections (NHPCO) at 1-800-658-8898 or on the Internet at: <http://www.caringinfo.org>.
10. **To whom should I give copies of my advance directive?** Give copies to your doctor, your health care agent and backup agent(s), hospital or nursing home if you will be staying there, and family members or friends who should know of your wishes. Consider carrying a card in your wallet saying you have an advance directive and who to contact.
11. **Does the federal law on medical records privacy (HIPAA) require special language about my health care agent?** Special language is not required, but it is prudent. Language about HIPAA has been incorporated into the form.
12. **Can my health care agent or my family decide treatment issues differently from what I wrote?** It depends on how much flexibility you want to give. Some people want to give family members or others flexibility in applying the living will. Other people want it followed very strictly. Say what you want in Part II, Paragraph G.



**13. Is an advance directive the same as a “Patient’s Plan of Care”, “Instructions on Current Life-Sustaining Treatment Options” form, or Medical Orders for Life-Sustaining Treatment (MOLST) form?** No. These are forms used in health care facilities to document discussions about current life-sustaining treatment issues. These forms are not meant for use as anyone’s advance directive. Instead, they are medical records, to be done only when a doctor or other health care professional presents and discusses the issues. A MOLST form contains medical orders regarding life-sustaining treatments relating to a patient’s medical condition.

**14. Can my doctor override my living will?** Usually, no. However, a doctor is not required to provide a “medically ineffective” treatment even if a living will asks for it.

**15. If I have an advance directive, do I also need a MOLST form?** Yes. The MOLST form contains medical orders that will help ensure that all health care providers are aware of your wishes. If you don’t want emergency medical services personnel to try to resuscitate you in the event of cardiac or respiratory arrest, you must have a MOLST form containing a DNR order signed by your doctor, nurse practitioner, or physician assistant. A signed EMS/DNR order approved by the Maryland Institute for Emergency Medical Services Systems would also be valid.

**16. Does the DNR Order have to be in a particular form?** Yes. Emergency medical services personnel have very little time to evaluate the situation and act appropriately. So, it is not practical to ask them to interpret documents that may vary in form and content. Instead, the standardized MOLST form has been developed. Have your doctor or health care facility visit the MOLST web site at <http://marylandmolst.org> or contact the Maryland Institute for Emergency Medical Services System at (410) 706-4367 to obtain information on the MOLST form.

**17. Can I fill out a form to become an organ donor?** Yes, Use Part I of the “After My Death” form.

**18. What about donating my body for medical education or research?** Part II of the “After My Death” form is a general statement of these wishes. The State Anatomy Board has a specific donation program, with a pre-registration form available. Call the Anatomy Board at 1-800-879-2728 for that form and additional information.

**19. If I appoint a health care agent and the health care agent and any back-up agent dies or otherwise becomes unavailable, a surrogate decision maker may need to be consulted to make the same treatment decisions that my health care agent would have made. Is the surrogate decision maker required to follow my instructions given in the advance directive?** Yes, the surrogate decision maker is required to make treatment decisions based on your known wishes. An advance directive that contains clear and unambiguous instructions regarding treatment options is the best evidence of your known wishes and therefore must be honored by the surrogate decision maker.

Part II, paragraph G enables you to choose one of two options with regard to the degree of flexibility you wish to grant the person who will ultimately make treatment decisions for you, whether that person is a health care agent or a surrogate decision maker. Under the first option you would instruct the decision maker that your stated preferences are meant to guide the decision maker but may be departed from if the decision maker believes that doing so would be in your best interests. The second option requires the decision maker to follow your stated preferences strictly, even if the decision maker thinks some alternative would be better.

Revised June 2016

IF YOU HAVE OTHER QUESTIONS, PLEASE TALK TO YOUR DOCTOR OR YOUR LAWYER. OR, IF YOU HAVE A QUESTION ABOUT THE FORMS THAT IS NOT ANSWERED IN THIS PAMPHLET, YOU CAN CALL THE HEALTH POLICY DIVISION OF THE ATTORNEY GENERAL’S OFFICE AT (410) 767-6918 OR E-MAIL US AT [ADFORMS@OAG.STATE.MD.US](mailto:ADFORMS@OAG.STATE.MD.US). MORE INFORMATION ABOUT ADVANCE DIRECTIVES CAN BE OBTAINED FROM OUR WEBSITE AT: <http://www.oag.state.md.us/Healthpol/AdvanceDirectives.htm>

**MARYLAND ADVANCE DIRECTIVE:  
PLANNING FOR FUTURE HEALTH CARE DECISIONS**

**By:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_  
(Print Name) (Month/Day/Year)

Using this advance directive form to do health care planning is completely optional. Other forms are also valid in Maryland. No matter what form you use, talk to your family and others close to you about your wishes.

This form has two parts to state your wishes, and a third part for needed signatures. Part I of this form lets you answer this question: If you cannot (or do not want to) make your own health care decisions, who do you want to make them for you? The person you pick is called your health care agent. **Make sure you talk to your health care agent (and any back-up agents) about this important role.** Part II lets you write your preferences about efforts to extend your life in three situations: terminal condition, persistent vegetative state, and end-stage condition. In addition to your health care planning decisions, you can choose to become an organ donor after your death by filling out the form for that too.

→ You can fill out Parts I and II of this form, or only Part I, or only Part II. Use the form to reflect your wishes, then sign in front of two witnesses (Part III). If your wishes change, make a new advance directive.

Make sure you give a copy of the completed form to your health care agent, your doctor, and others who might need it. Keep a copy at home in a place where someone can get it if needed. Review what you have written periodically.

**PART I: SELECTION OF HEALTH CARE AGENT**

**A. Selection of Primary Agent**

I select the following individual as my agent to make health care decisions for me:

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Telephone Numbers:** \_\_\_\_\_

(home and cell)

**B. Selection of Back-up Agents**

(Optional; form valid if left blank)

- 1. If my primary agent cannot be contacted in time or for any reason is unavailable or unable or unwilling to act as my agent, then I select the following person to act in this capacity:

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone Numbers:** \_\_\_\_\_

(home and cell)

- 2. If my primary agent and my first back-up agent cannot be contacted in time or for any reason are unavailable or unable or unwilling to act as my agent, then I select the following person to act in this capacity:

**Name:** \_\_\_\_\_

**Telephone Numbers:** \_\_\_\_\_

(home and cell)

**C. Powers and Rights of Health Care Agent**

I want my agent to have full power to make health care decisions for me, including the power to:

- 1. Consent or not to medical procedures and treatments which my doctors offer, including things that are intended to keep me alive, like ventilators and feeding tubes;
- 2. Decide who my doctor and other health care providers should be; and
- 3. Decide where I should be treated, including whether I should be in a hospital, nursing home, other medical care facility, or hospice program.
- 4. I also want my agent to:
  - a. Ride with me in an ambulance if ever I need to be rushed to the hospital; and
  - b. Be able to visit me if I am in a hospital or any other health care facility.

*THIS ADVANCE DIRECTIVE DOES NOT MAKE MY AGENT RESPONSIBLE FOR ANY OF THE COSTS OF MY CARE.*

This power is subject to the following conditions or limitations:  
(Optional; form valid if left blank)

---

---

---

---

---

---

---

**D. How my Agent is to Decide Specific Issues**

I trust my agent’s judgment. My agent should look first to see if there is anything in Part II of this advance directive that helps decide the issue. Then, my agent should think about the conversations we have had, my religious and other beliefs and values, my personality, and how I handled medical and other important issues in the past. If what I would decide is still unclear, then my agent is to make decisions for me that my agent believes are in my best interest. In doing so, my agent should consider the benefits, burdens, and risks of the choices presented by my doctors.

**E. People My Agent Should Consult**  
(Optional; form valid if left blank)

In making important decisions on my behalf, I encourage my agent to consult with the following people. By filling this in, I do not intend to limit the number of people with whom my agent might want to consult or my agent’s power to make decisions.

<b>Name(s)</b>	<b>Telephone Number(s):</b>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

**F. In Case of Pregnancy**  
(Optional, for women of child-bearing years only; form valid if left blank)

If I am pregnant, my agent shall follow these specific instructions:

---

---

**G. Access to my Health Information – Federal Privacy Law (HIPAA) Authorization**

1. If, prior to the time the person selected as my agent has power to act under this document, my doctor wants to discuss with that person my capacity to make my own health care decisions, I authorize my doctor to disclose protected health information which relates to that issue.
2. Once my agent has full power to act under this document, my agent may request, receive, and review any information, oral or written, regarding my physical or mental health, including, but not limited to, medical and hospital records and other protected health information, and consent to disclosure of this information.
3. For all purposes related to this document, my agent is my personal representative under the Health Insurance Portability and Accountability Act (HIPAA). My agent may sign, as my personal representative, any release forms or other HIPAA-related materials.

**H. Effectiveness of this Part**

(Read both of these statements carefully. Then, initial one only.)

My agent’s power is in effect:

1. Immediately after I sign this document, subject to my right to make any decision about my health care if I want and am able to.

 \_\_\_\_\_

>>OR<<

2. Whenever I am not able to make informed decisions about my health care, either because the doctor in charge of my care (attending physician) decides that I have lost this ability temporarily, or my attending physician and a consulting doctor agree that I have lost this ability **permanently**.

 \_\_\_\_\_

If the only thing you want to do is select a health care agent, skip Part II. Go to Part III to sign and have the advance directive witnessed. If you also want to write your treatment preferences, go to Part II. Also consider becoming an organ donor, using the separate form for that.

PART II: TREATMENT PREFERENCES ("LIVING WILL")

**A. Statement of Goals and Values**

(Optional: Form valid if left blank)

I want to say something about my goals and values, and especially what's most important to me during the last part of my life:

---

---

---

---

**B. Preference in Case of Terminal Condition**

(If you want to state what your preference is, initial **one** only. If you do not want to state a preference here, cross through the whole section.)

**If my doctors certify that my death from a terminal condition is imminent, even if life-sustaining procedures are used:**

1. Keep me comfortable and allow natural death to occur. I do not want any medical interventions used to try to extend my life. I do not want to receive nutrition and fluids by tube or other medical means.

>>OR<<



2. Keep me comfortable and allow natural death to occur. I do not want medical interventions used to try to extend my life. If I am unable to take enough nourishment by mouth, however, I want to receive nutrition and fluids by tube or other medical means.

>>OR<<



3. Try to extend my life for as long as possible, using all available interventions that in reasonable medical judgment would prevent or delay my death. If I am unable to take enough nourishment by mouth, I want to receive nutrition and fluids by tube or other medical means.



**C. Preference in Case of Persistent Vegetative State**

(If you want to state what your preference is, initial **one** only. If you do not want to state a preference here, cross through the whole section.)

**If my doctors certify that I am in a persistent vegetative state, that is, if I am not conscious and am not aware of myself or my environment or able to interact with others, and there is no reasonable expectation that I will ever regain consciousness:**

1. Keep me comfortable and allow natural death to occur. I do not want any medical interventions used to try to extend my life. I do not want to receive nutrition and fluids by tube or other medical means.

>>OR<<

 \_\_\_\_\_

2. Keep me comfortable and allow natural death to occur. I do not want medical interventions used to try to extend my life. If I am unable to take enough nourishment by mouth, however, I want to receive nutrition and fluids by tube or other medical means.

>>OR<<

 \_\_\_\_\_

3. Try to extend my life for as long as possible, using all available interventions that in reasonable medical judgment would prevent or delay my death. If I am unable to take enough nourishment by mouth, I want to receive nutrition and fluids by tube or other medical means.

 \_\_\_\_\_

**D. Preference in Case of End-Stage Condition**

(If you want to state what your preference is, initial **one** only. If you do not want to state a preference here, cross through the whole section.)

**If my doctors certify that I am in an end-state condition, that is, an incurable condition that will continue in its course until death and that has already resulted in loss of capacity and complete physical dependency:**

1. Keep me comfortable and allow natural death to occur. I do not want any medical interventions used to try to extend my life. I do not want to receive nutrition and fluids by tube or other medical means.

>>OR<<

 \_\_\_\_\_

2. Keep me comfortable and allow natural death to occur. I do not want medical interventions used to try to extend my life. If I am unable to take enough nourishment by mouth, however, I want to receive nutrition and fluids by tube or other medical means.

>>OR<<

 \_\_\_\_\_

3. Try to extend my life for as long as possible, using all available interventions that in reasonable medical judgment would prevent or delay my death. If I am unable to take enough nourishment by mouth, I want to receive nutrition and fluids by tube or other medical means.

 \_\_\_\_\_

**E. Pain Relief**

No matter what my condition, give me the medicine or other treatment I need to relieve pain.

**F. In Case of Pregnancy**

(Optional, for women of child-bearing years only; form valid if left blank)

If I am pregnant, my decision concerning life-sustaining procedures shall be modified as follows:

---

---

---

---

**G. Effect of Stated Preferences**

(Read both of these statements carefully. Then, initial **one** only.)

- 1. I realize I cannot foresee everything that might happen after I can no longer decide for myself. My stated preferences are meant to guide whoever is making decisions on my behalf and my health care providers, but I authorize them to be flexible in applying these statements if they feel that doing so would be in my best interest.

 \_\_\_\_\_

>>OR <<

- 2. I realize I cannot foresee everything that might happen after I can no longer decide for myself. Still, I want whoever is making decisions on my behalf and my health care providers to follow my stated preferences exactly as written, even if they think that some alternative is better.

 \_\_\_\_\_



**PART III: SIGNATURE AND WITNESSES**

By signing below as the Declarant, I indicate that I am emotionally and mentally competent to make this advance directive and that I understand its purpose and effect. I also understand that this document replaces any similar advance directive I may have completed before this date.

\_\_\_\_\_ (Signature of Declarant)                      \_\_\_\_\_ (Date)

The Declarant signed or acknowledged signing this document in my presence and, based upon personal observation, appears to be emotionally and mentally competent to make this advance directive.

\_\_\_\_\_ (Signature of Witness)                      \_\_\_\_\_ (Date)

\_\_\_\_\_ Telephone Number(s):

\_\_\_\_\_ (Signature of Witness)                      \_\_\_\_\_ (Date)

\_\_\_\_\_ Telephone Number(s):

**(Note:** Anyone selected as a health care agent in Part I may not be a witness. Also, at least one of the witnesses must be someone who will not knowingly inherit anything from the Declarant or otherwise knowingly gain a financial benefit from the Declarant's death. Maryland law does **not** require this document to be notarized.)

**AFTER MY DEATH**  
(This document is optional. Do only what reflects your wishes.)

By: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
(Print Name) (Month/Day/Year)

**PART I: ORGAN DONATION**

(Initial the ones that you want. Cross through any that you do not want.)

Upon my death I wish to donate: \_\_\_\_\_  
Any needed organs, tissues, or eyes. \_\_\_\_\_

Only the following organs, tissues or eyes:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I authorize the use of my organs, tissues, or eyes:*

- For transplantation \_\_\_\_\_
- For therapy \_\_\_\_\_
- For research \_\_\_\_\_
- For medical education \_\_\_\_\_
- For any purpose authorized by law \_\_\_\_\_

I understand that no vital organ, tissue, or eye may be removed for transplantation until after I have been pronounced dead. *This document is not intended to change anything about my health care while I am still alive.* After death, I authorize any appropriate support measures to maintain the viability for transplantation of my organs, tissues, and eyes until organ, tissue, and eye recovery has been completed. I understand that my estate will not be charged for any costs related to this donation.

**PART II: DONATION OF BODY**

After any organ donation indicated in Part I, I wish my body to be donated for use in a medical study program.

\_\_\_\_\_

**PART III: DISPOSITION OF BODY AND FUNERAL ARRANGEMENTS**

I want the following person to make decisions about the disposition of my body and my funeral arrangements: (Either initial the first or fill in the second.)

The health care agent who I named in my advance directive.

>>**OR**<<

This person:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

(Home and Cell)

If I have written my wishes below, they should be followed. If not, the person I have named should decide based on conversations we have had, my religious or other beliefs and values, my personality, and how I reacted to other peoples' funeral arrangements. My wishes about the disposition of my body and my funeral arrangements are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART IV: SIGNATURE AND WITNESSES**

By signing below, I indicate that I am emotionally and mentally competent to make this donation and that I understand the purpose and effect of this document.

\_\_\_\_\_  
(Signature of Donor) (Date)

The Donor signed or acknowledged signing the foregoing document in my presence and, based upon personal observation, appears to be emotionally and mentally competent to make this donation.

\_\_\_\_\_  
(Signature of Witness) (Date)

\_\_\_\_\_  
Telephone Number(s):

\_\_\_\_\_  
(Signature of Witness) (Date)

\_\_\_\_\_  
Telephone Number(s):

## **AFTER MY DEATH**

### **Part II: Donation of Body**

The State Anatomy Board, a unit of the Department of Health and Mental Hygiene administers a statewide Body Donation Program. Anatomical Donation allows individuals to dedicate the use of their bodies upon death to advance medical education, clinical and allied-health training and research study to Maryland's medical study institutions. The Anatomy Board requires individuals to pre-register prior to death as an anatomical donor to the state Body Donation Program. There are no medical restrictions or qualifications to becoming an a "Body Donor". At death the Board will assume the custody and control of the body for study use. It is truly a legacy left behind for others to have healthier lives. For donation

### *Did You Remember To ...*

- Fill out Part I if you want to name a health care agent?
- Name one or two back-up agents in case your first choice as health care agent is not available when needed?
- Talk to your agents and back-up agent about your values and priorities, and decide whether that's enough guidance or whether you also want to make specific health care decisions in the advance directive?
- If you want to make specific decisions, fill out Part II, choosing carefully among alternatives?
- Sign and date the advance directive in Part III, in front of two witnesses who also need to sign?
- Look over the "After My Death" form to see if you want to fill out any part of it?
- Make sure your health care agent (if you named one), your family, and your doctor know about your advance care planning?
- Give a copy of your advance directive to your health care agent, family members, doctor, and hospital or nursing home if you are a patient there?