

1 **Policy:** **Statement of Members’ Rights and Responsibilities**

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3 **Date of Implementation:** **December 11, 2003**

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5 **Product:** **Specialty**

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8 In relation to the managed care delegated functions American Specialty Health (ASH)
 9 assumes from its clients, ASH generally recognizes the following rights for those members.
 10 ASH recognizes that the scope of services offered by its clients may not directly involve
 11 ASH or apply to the scope of activities delegated to the company by its managed care
 12 clients. ASH further recognizes that those clients may also have their own statement of
 13 rights and responsibilities for their members. Where state laws and regulations,
 14 accreditation standards, or specific health plan delegation agreements require modification
 15 to these rights, the Statement of Members’ Rights and Responsibilities will be modified
 16 and approved as applicable.

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18 **Statement of Members’ Rights and Responsibilities**

19 American Specialty Health – Specialty (ASH) members have a right to:

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- Considerate and respectful care in a culturally sensitive manner;

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- An appointment within a reasonable timeframe;

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- Receive information about their illness, including the diagnosis, in understandable terms so that they may give informed consent (except in emergencies, this information should include the proposed course of treatment, alternative, possibilities of non-treatment, prospects for recovery, and clinical risks involved);

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- Seek a second opinion from another health care practitioner as defined by their benefit plan;

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- See a specialist, when medically necessary, as defined by their benefit plan;

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- Use the information they have received to participate with practitioners in making decisions about their health care, including the right to refuse treatment;

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- Full consideration of privacy, including case discussion, consultation, examination, and treatment, all of which are confidential and should be conducted discreetly, with their consent to the presence of any third parties;

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- Reasonable continuity of care and services and advance notification of the appointment time and location as well as the identity of the person(s) providing service;

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- Be advised of and refuse treatment if their practitioner engages in experimental studies/procedures affecting their treatment;

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- Be informed of any post-service recommendation;

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- Receive care in a safe, supportive, and smoke-free environment;

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- 1 • Receive medically necessary and appropriate services, as defined in their member
- 2 benefit plan;
- 3 • File appeals and grievances, including an Independent Medical Review when
- 4 dissatisfied with ASH or with the treatment or service they have received;
- 5 • Exercise their rights and that the exercise of those rights shall not adversely affect
- 6 service delivery to the member;
- 7 • Candid discussion of appropriate or medically necessary treatment options for their
- 8 condition, regardless of cost or benefit coverage;
- 9 • Examine and receive an explanation regarding any charges billed to them;
- 10 • Have these rights apply to the person who has legal responsibility for making
- 11 decisions on their behalf;
- 12 • Non-Discrimination for any reason, including but not limited to health status,
- 13 values, race, color, creed, national origin, ancestry, ethnicity, religion, sex, marital
- 14 status, age, sexual orientation, gender, claims experience, medical history, genetic
- 15 information, evidence of insurability, geographic location, source of payment, how
- 16 much a person can do, or physical or mental disability including HIV status, or any
- 17 other category protected by applicable local, state or federal law;
- 18 • Receive information about ASH, its services, its practitioners and providers, and
- 19 members’ rights and responsibilities;
- 20 • Speak with a knowledgeable and competent customer service agent within 10
- 21 minutes of calling ASH during normal business hours, regarding questions and
- 22 concerns;
- 23 • Receive information on the types of payment arrangements used to compensate
- 24 practitioners and providers for services rendered to members, including, but not
- 25 limited to, withholds, bonus payments, capitation, processing fees, and fee-for-
- 26 service discounts;
- 27 • Obtain free interpretation services in the member’s preferred language when
- 28 communicating with ASH and its practitioners;
- 29 • Request and receive through ASH or their benefit plan, as appropriate, translation
- 30 of documents in threshold languages where applicable;
- 31 • A copy of their medical records (charges may apply) and
- 32 • Make recommendations regarding ASH’s members’ rights and responsibilities
- 33 policies.

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35 ASH members must take the responsibility to:

- 36 • Give their health care practitioner and/or health plan the information necessary to
- 37 provide them with the best possible care;
- 38 • Follow the treatment plan and instructions for care upon which they and their health
- 39 care practitioner have agreed;
- 40 • Arrive on time and let the staff know in advance when you are unable to keep an
- 41 appointment;

- 1 • Supervise any accompanying children at all times;
- 2 • Promptly pay copayment or co-insurance;
- 3 • Behave in a manner that is considerate of the rights and property of other patients
- 4 and staff. This includes smoking and visitation policies;
- 5 • Not behave in a manner that disrupts or does not allow the practitioner to deliver
- 6 treatment in a safe way; and
- 7 • Understand their health problems and participate in developing mutually agreed-
- 8 upon treatment goals, to the degree possible.

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10 **Distribution of Statement of Members’ Rights and Responsibilities to Members and**
11 **Practitioners**

12 ASH publishes the Statement of Members’ Rights and Responsibilities, and any revisions
13 to the document as they occur, via the Internet. The Statement of Members’ Rights and
14 Responsibilities is made available at www.ashlink.com. Members, practitioners, and
15 providers may request a hard copy of the statement by contacting ASH.