

# OHP Member Rights and Responsibilities

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## **ODS has processes in place to ensure members have the right to:**

- A. Be treated with dignity, respect and consideration for member privacy.
- B. Be treated by participating providers the same as other people seeking healthcare benefits to which they are entitled.
- C. Select or change primary care providers (PCP).
- D. Refer oneself directly to mental health, chemical dependency or family planning services without getting a referral from a PCP or other participating provider.
- E. Have a friend, family member, or support person present during office visits and at other times as needed within clinical guidelines.
- F. Be actively involved in creating treatment plans.
- G. Be given information about conditions and covered and non-covered services to allow an informed decision about proposed treatment(s).
- H. Agree to care or turn down care and be told what will happen if care is turned down except for court ordered services.
- I. Receive written materials describing rights, responsibilities, benefits available, how to access services and what to do in an emergency.
- J. To have written materials explained in a manner that is understandable.
- K. To receive necessary and reasonable services to diagnose the presenting conditions.
- L. Receive covered services under the Oregon Health Plan, which meet generally accepted standards of practice as is medically appropriate.
- M. Obtain covered preventive services.
- N. Have access to urgent and emergency services 24 hours a day, 7 days a week.
- O. Receive a referral to specialty providers for medically appropriate covered services.
- P. Have a clinical record maintained which documents conditions, services received, and referrals made.
- Q. Have access to one's own clinical record, unless restricted by law, and request and receive a copy of his or her medical records and request that they be amended or corrected.
- R. Transfer of a copy of his/her clinical record to another provider.
- S. Execute a statement of wishes for treatment (Advanced Directive), including the right to accept or refuse medical, surgical, chemical dependency or mental health treatment and the right to obtain a power of attorney for healthcare.
- T. Receive written notices before a denial of, or change in, a benefit or service level is made, unless such notice is not required by federal or state regulations.
- U. Know how to make a complaint or appeal about any aspect of care or the plan.
- V. Request an administrative hearing with the Department of Human Services (DHS).
- W. Receive interpreter services.
- X. Receive a notice of an appointment cancellation in a timely manner.
- Y. Be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience or retaliation and to report any violations to ODS or the Oregon Health Plan.

# OHP Member Rights and Responsibilities (Continued)

## **Members have the responsibility to:**

- A. Choose, or help with assignment to a provider or clinic, once enrolled.
- B. Treat all providers and their staff with respect.
- C. Be on time for appointments made with providers and call in advance either to cancel if unable to keep the appointment or if he/she expects to be late.
- D. Seek periodic health exams, check-ups, and preventive care from his/her PCP.
- E. Use his/her PCP or clinic for diagnostic and other care except in an emergency.
- F. Obtain a referral to a specialist from the PCP before seeking care from a specialist unless self-referral is allowed
- G. Use urgent and emergency services appropriately and notify ODS within 72 hours of an emergency.
- H. Give accurate information for the clinical record.
- I. Help the provider obtain clinical records from other providers. This may include signing a release of information form.
- J. Ask questions about conditions, treatments and other issues related to their care that they do not understand.
- K. Use information to decide about treatment before it is given.
- L. Help in the creation of a care plan with the provider.
- M. Follow prescribed and agreed upon treatment plans.
- N. Tell providers that his/her healthcare is covered under the Oregon Health Plan before services are received and, if requested, to show the provider the Division of Medical Assistance Programs Medical Care Identification card.
- O. Tell the DHS worker of a change of address or phone number.
- P. Tell the DHS worker if she becomes pregnant and to notify the DHS worker of the birth of the child.
- Q. Tell the DHS worker if any family members move in or out of the household.
- R. Tell the DHS worker if there is any other insurance available.
- S. Pay for non-covered services received.
- T. Pay the monthly OHP premium on time if so required.
- U. Assist in pursuing any third party resources available and to pay ODS the amount of benefits paid for an injury from any recovery received as the result of that injury.
- V. Bring issues, or complaints or grievances to the attention of ODS or DMAP.
- W. Sign an authorization for release of medical information so that ODS or DHS can get information which is pertinent and needed to respond to an administrative hearing request in an effective and efficient manner.