

HEALTH PLAN OF SAN JOAQUIN			
Subject: Distribution of Members Rights and Responsibilities			
Department: Customer Services			Policy #: CS 16
Applies to: Medi-Cal			Scope: CS, PS
Effective Date: 2/1/96	Revised Date: 8/05	Approved by: <i>Signature on file</i> Chief Operating Officer	

PURPOSE

To distribute the following statement of *Members Rights and Responsibilities* to all members and contracted providers.

POLICY

A. Members Rights and Responsibilities Statement

You have a right to:

- Be treated with respect;
- Be provided with information about the Health Plan, its services, its participating providers;
- Choose a primary care provider, with the right to refuse care from specific participating providers, and to change primary care providers;
- Have a confidential relationship with your provider;
- To participate in decision-making regarding your own health care;
- Voice complaints about HPSJ or the care provided to you and to ask for a State Fair Hearing of your grievance, including information on the circumstances under which an expedited fair hearing is possible;
- Formulate advance directives (such as a living will);
- Have access to your medical records in accordance with applicable Federal and State laws;
- Have your records kept confidential; and to not have your health care information shared without written approval, or unless permitted by law;

- Have access an interpreter, either face-to face or through the language line when you receive medical care at no cost to you;
- Use interpreters who are not your family members or friends;
- File a complaint if you linguistic needs are not met;
- Receive member materials in other formats, including large-print, audio-tape or Braille on request;
- To be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation;
- To receive information on available treatment options and alternatives, presented in a manner appropriate to the Member's condition and ability to understand;
- Have full access to family planning services, Federally Qualified Health Centers (FQHC), Indian Health Centers, confidential HIV testing and counseling services and treatment for sexually transmitted disease (STD);
- Receive confidential and sensitive services if you are a minor;
- Disenroll from HPSJ at any time; and
- Freedom to exercise these rights without adversely affecting how they are treated by the HPSJ, providers or the State of California.

You have a responsibility to:

- Give your providers and HPSJ correct information;
- Understand your health problem(s) and participate in developing treatment goals, as much as possible, with your provider;
- Always present your Member Identification Card when getting services;
- Use the emergency room only in cases of an emergency or as directed by your provider;
- Make and keep medical appointments and inform your provider at least 24 hours in advance when an appointment must be cancelled;
- Ask questions about any medical condition and make certain you understand your provider's explanations and instructions;
- Help HPSJ maintain accurate and current medical records by providing timely information regarding changes in address, family status, and other health care coverage;
- Notify HPSJ as soon as possible if a provider bills you inappropriately or if you have a complaint; and
- Treat all HPSJ personnel and health care providers respectfully and courteously.

PROCEDURE

- A. Members rights and responsibilities are addressed in the EOC, which is included in new member packets at the time of enrollment, and distributed annually to existing members.
- B. The Health Plan will supply copies of the Members Rights and Responsibilities to all participating providers.
- C. Members Rights and Responsibilities may also be included in the member newsletter annually.

REFERENCE

- A. DHS Contract Exhibit A, Attachment 13, #1

Created by/Date	Revised by/Date	Revised by/Date	Revised by/Date	Revised by/Date	Revised by/Date
2/01/96	C. Fields 11/99	M. Jordan 8/02	R. Gallegos 4/05	R. Gallegos 8/05	