

OptumHealth Behavioral Solutions of California (OptumHealth)

Enrollee Rights & Responsibilities

- Enrollees have the right to be treated with personal dignity and respect.
- Enrollees have the right to care that is considerate and respects enrollee's personal values and belief system.
- Enrollees have the right to personal privacy and confidentiality of information.
- Enrollees have the right to receive information about OptumHealth's services, Clinicians, clinical guidelines, quality improvement program, and enrollee rights and responsibilities.
- Enrollees have the right to reasonable access to care, regardless of race, religion, gender, sexual orientation, ethnicity, age, or disability.
- Enrollees have the right to participate in an informed way in the decision making process regarding their treatment planning.
- Enrollees have the right to discuss with their Clinicians and Facilities the medically necessary treatment options for their condition regardless of cost or benefit coverage.
- Enrollees have the right of enrollees' families to participate in treatment planning as well as the right of enrollees over 12 years old to participate in such planning.
- Enrollees have the right to individualized treatment, including:
 - Adequate and humane services regardless of the source(s) of financial support,
 - Provision of services within the least restrictive environment possible,
 - An individualized treatment or program plan,
 - Periodic review of the treatment or program plan, and
 - An adequate number of competent, qualified, and experienced professional clinical staff to supervise and carry out the treatment or program plan.
- Enrollees have the right to participate in the consideration of ethical issues that arise in the provision of care and services, including:
 - Resolving conflict,
 - Withholding resuscitative services,
 - Forgoing or withdrawing life-sustaining treatment, and
 - Participating in investigational studies or clinical trials.
- Enrollees have the right to designate a surrogate decision-maker if the enrollee is incapable of understanding a proposed treatment or procedure or is unable to communicate his or her wishes regarding care.
- Enrollees and their families have the right to be informed of their rights in a language they understand.
- Enrollees have the right to voice complaints or appeals about OptumHealth, Clinicians and Facilities, or privacy practices.
- Enrollees have the right to request to inspect and obtain a copy of their Protected Health Information (PHI), to amend their PHI, to restrict the use of their PHI, and to receive an accounting of disclosures of PHI.

- Enrollees have the right to make recommendations regarding OptumHealth enrollee rights and responsibilities policies.
- Enrollees have the right to be informed of rules and regulations concerning enrollee's conduct.
- Enrollees have the responsibility to give their Clinicians and Facilities and OptumHealth information needed in order to receive care.
- Enrollees have the responsibility to follow their agreed upon treatment plan and instructions for care.
- Enrollees have the responsibility to participate, to the degree possible, in understanding their behavioral health problems and developing with their Clinician mutually agreed upon treatment goals.

OptumHealth Behavioral Solutions of California (OptumHealth)

Derechos y Responsabilidades del Miembro

- Los miembros tienen el derecho de ser tratados con respeto y dignidad personal.
- Los miembros tienen el derecho de recibir un cuidado que considere y respete sus valores y creencias.
- Los miembros tienen el derecho a la privacidad individual y la confidencialidad de la información.
- Los miembros tienen el derecho de recibir información sobre los servicios de OptumHealth, sus proveedores, sus guías clínicas, el programa de Mejoramiento de Calidad, y los derechos y responsabilidades del paciente.
- Los miembros tienen el derecho de recibir servicios sin consideración a su raza, grupo étnico, religión, género, orientación sexual, edad o incapacidades.
- Los miembros tienen el derecho de participar en forma bien informada en el proceso de tomar decisiones y desarrollar el plan de tratamiento.
- Los miembros tienen el derecho de discutir con sus proveedores de servicio, las opciones medicas relacionadas con su condición sin importar el costo o la cobertura de los beneficios.
- Los miembros tienen el derecho de incluir la participación de sus familiares en el tratamiento. Los miembros mayores de 12 años tienen el derecho de participar en la planificación de su tratamiento.
- Los miembros tienen el derecho de recibir un tratamiento individualizado incluyendo el derecho:
 - De recibir servicios adecuados y humanitarios sin importar el origen del apoyo económico
 - De recibir servicios dentro del medioambiente menos restrictivo posible
 - De implementar un plan de tratamiento individualizado
 - De revisar periódicamente el plan de tratamiento y;
 - De tener un número adecuado de profesionales competentes, cualificados y con experiencia para implementar y supervisar el plan de tratamiento.
- Los miembros tienen el derecho de participar en el proceso de consideración de problemas éticos que surjan durante el transcurso del tratamiento, incluyendo:
 - Resolución de conflictos
 - El derecho de rechazar medidas resucitativas
 - El derecho de rechazar tratamiento que prolonguen la vida
 - El derecho a participar en estudios e investigaciones clínicas
- Los miembros tienen el derecho de nombrar y autorizar a personas para tomar decisiones en su nombre en caso de que el paciente se encuentre incapacitado para entender el tratamiento propuesto o no pueda comunicar sus deseos y decisiones.
- Los miembros y sus familias tienen el derecho de ser informados sobre sus derechos en una lengua que puedan entender.
- Los miembros tienen el derecho de quejarse acerca de OptumHealth, sus proveedores de servicio, o las prácticas privadas, y someter apelaciones sobre las decisiones de los

mismos.

- Los miembros tienen el derecho de solicitar una petición para inspeccionar y obtener una copia de su información protegida de salud (PHI), para enmendar su PHI, para restringir el uso de su PHI, y para recibir una contabilidad de descubrimientos de PHI.
- Los miembros tienen el derecho de presentar recomendaciones con relación a las pólizas de derechos y responsabilidades del paciente que OptumHealth promulga.
- Los miembros tienen el derecho de ser informados sobre los reglamentos y reglas que aplican a su conducta.
- Los miembros tienen la responsabilidad de proveer a los proveedores y OptumHealth la información necesaria para su tratamiento.
- Los miembros tienen el deber de cumplir con el plan de tratamiento y las instrucciones prescritas por su proveedor.
- Los miembros tienen la responsabilidad de participar, en la medida posible, en desarrollar un entendimiento de sus problemas de salud mental y en establecer metas de tratamiento conjuntamente con su proveedor.

Optum Member Rights and Responsibilities

Introduction

In the course of care, a Member has both rights and responsibilities.

Member Rights

Optum believes and supports the proposition that every Member has the right to:

- Receive information about Optum's services, network practitioners, and Members' rights and responsibilities
- Be treated with respect and recognition of his or her dignity and right to privacy
- Participate with network practitioners in making decisions about his or her health care
- A candid discussion of appropriate or medically necessary treatment options for his or her condition regardless of cost or benefit coverage
- Voice complaints or appeals about Optum for the services provided by Optum
- Make recommendations regarding Optum's Members' rights and responsibilities policies
- Care that is considerate and that respects his or her personal values and belief system
- Personal privacy and confidentiality of information
- Reasonable access to care regardless of race, religion, gender, sexual orientation, ethnicity, age, or disability
- Have family Members participate in treatment planning. Members over 12 years of age have the right to participate in such planning
- Individualized treatment, including:
 - Adequate and humane services regardless of the source(s) of financial support
 - Provision of services within the least restrictive environment possible
 - An individualized treatment or program plan
 - Periodic review of the treatment or program plan
 - An adequate number of competent, qualified and experienced professional Clinicians to supervise and carry out the treatment or program plan
- Participate in the consideration of ethical issues that may arise in the provision of care and services, including:
 - Resolving conflict
 - Withholding resuscitative services
 - Forgoing or withdrawing life-sustaining treatment
 - Participating in investigational studies or clinical trials
- Designate a surrogate decision-maker if he or she is incapable of understanding a proposed treatment or procedure or is unable to communicate his or her wishes regarding care

- Be informed, along with his or her family, of his or her rights and responsibilities, in a language they understand
- Choose not to comply with recommended care, treatment, or procedures, and be informed of the potential consequences of not complying with the treatment recommendations
- Be informed of rules and regulations concerning his or her own conduct
- Be informed of the reason for any non-coverage determination, including the specific criteria or benefit provisions used in the determination
- Have decisions about the management of their behavioral health benefits made based on appropriateness of care. Optum does not reward network practitioners or other individuals for issuing non-coverage determinations
- Inspect and copy their protected health information (PHI) and, in addition:
 - Request to amend their PHI
 - Request an accounting of non-routine disclosures of PHI
 - Request limitations on the use or disclosure of PHI
 - Request confidential communications of PHI to be sent to an alternate address or by alternate means
 - Make a complaint regarding use or disclosure of PHI
 - Receive a *Privacy Notice*
- Receive information about Optum’s clinical guidelines and Quality Management (QM) program

Member Responsibilities

In addition to the rights listed above, every Member has the responsibility to:

- Supply information (to the extent possible) that Optum and its network practitioners need in order to provide care
- Follow plans and instructions for care that they have agreed on with his or her network practitioner
- Understand his or her health problems and participate in developing mutually agreed upon treatment goals to the degree possible