

# CHIP Addendum: Rights and Responsibilities

## What are my rights and responsibilities?

### Member rights

1. You have the right to receive information about the health plan, its services, its practitioners and providers and member rights and responsibilities.
2. Your health plan must tell you if they use a “limited provider network.” This is a group of doctors and other providers who only refer patients to other doctors who are in the same group. “Limited provider network” means you cannot see all the doctors who are in your health plan. If your health plan uses “limited networks,” you should check to see that your child’s primary care provider and any specialist doctor you might like to see are part of the same “limited network.”
3. You have a right to know how your doctors are paid. Some get a fixed payment no matter how often you visit. Others get paid based on the services they give to your child. You have a right to know about what those payments are and how they work.
4. You have a right to know how the health plan decides whether a service is covered or medically necessary. You have the right to know about the people in the health plan who decide those things.
5. You have a right to know the names of the hospitals and other providers in your health plan and their addresses.
6. You have a right to pick from a list of health care providers that is large enough so that your child can get the right kind of care when your child needs it.
7. If a doctor says your child has special health care needs or a disability, you may be able to use a specialist as your child’s primary care provider. Ask your health plan about this.
8. Children who are diagnosed with special health care needs or a disability have the right to special care.
9. If your child has special medical problems, and the doctor your child is seeing leaves your health plan, your child may be able to continue seeing that doctor for three months, and the health plan must continue paying for those services. Ask your plan about how this works.
10. Your daughter has the right to see a participating obstetrician/gynecologist (OB/GYN) without a referral from her primary care provider and without first checking with your health plan. Ask your plan how this works. Some plans may make you pick an OB/GYN before seeing that doctor without a referral.
11. Your child has the right to emergency services if you reasonably believe your child’s life is in danger, or that your child would be seriously hurt without getting treated right away. Coverage of emergencies is available without first checking with your health plan. You may have to pay a copayment depending on your income. Copayments do not apply to CHIP Perinatal Members.
12. You have the right and responsibility to take part in all the choices about your child’s health care.
13. You have the right to speak for your child in all treatment choices.
14. You have the right to get a second opinion from another doctor in your health plan about what kind of treatment your child needs.
15. You have the right to respect, dignity, privacy and confidentiality, and nondiscrimination. That includes the right to:
  - Be treated fairly and with respect.
  - Know that your medical records and discussions with your providers will be kept private and confidential.
16. You have the right to talk to your child’s doctors and other providers in private, and to have your child’s medical records kept private. You have the right to look over and copy your child’s medical records and to ask for changes to those records.
17. You have the right to voice complaints and appeal adverse decisions about the organization or the care it provides. You have the right to a fair and quick process with your health plan and the plan’s doctors, hospitals and others who provide services to your child. If your health plan says it will not pay for a covered service or benefit that your child’s doctor thinks is medically necessary, you have a right to have another group, outside the health plan, tell you if they think your doctor or the health plan was right.
18. You have a right to have a truthful discussion with the doctors, hospitals, and others who care for your child and can advise you about your child’s health status, medical care, and treatment options, regardless of cost or benefit coverage. Your health plan cannot prevent them from giving you this information, even if the care or treatment is not a covered service. You have a right to know that you are only responsible for paying allowable copayments for covered services. Doctors, hospitals, and others cannot require you to pay any other amounts for covered services.
19. You have the right to make recommendations regarding the organization’s member rights and responsibilities policy.

**Member responsibilities**

You and your health plan both have an interest in seeing your child's health improve. You can help by assuming these responsibilities.

1. You must try to follow healthy habits. Encourage your child to stay away from tobacco and to eat a healthy diet.
2. You must become involved in the doctor's decisions about your child's treatment, including working to understand your child's health problems and treatment options. Development of treatment goals is mutually agreed-upon to the degree possible by you and your child's health care team. You must work together with your health plan's doctors and providers to pick treatments for your child that you have all agreed upon.
3. If you have a disagreement with your health plan, you must try first to resolve it using the health plan's complaint process.
4. You must learn about what your health plan does and does not cover. Read your Member Handbook to understand how the rules work.
5. If you make an appointment for your child, you must try to get to the doctor's office on time. If you cannot keep the appointment, be sure to call and cancel it.
6. If your child has CHIP, you are responsible for paying your doctor and other providers copayments that you owe them. If your child is getting CHIP Perinatal services, you will not have any copayments for that child.
7. You must report misuse of CHIP or CHIP Perinatal services by health care providers, other members, or health plans.
8. You must talk to your provider about your medications that are prescribed.
9. You must share information about your health with your primary care provider and learn about service and treatment options. That includes the responsibility to:
  - Tell your primary care provider about your health.
  - Talk to your providers about your health care needs and ask questions about the different ways your health care problems can be treated.
  - Help your providers get your medical records.

If you think you have been treated unfairly or discriminated against, call the U.S. Department of Health and Human Services toll-free at 1-800-368-1019. You also can view information concerning the HHS Office of Civil Rights online at [www.hhs.gov/ocr](http://www.hhs.gov/ocr).