

Your Rights and Responsibilities

Your member rights

You have the right to:

- Be treated with respect, dignity and a right to privacy at all times.
 - Get care no matter what your age, race, religion, color, creed, gender, national origin, ancestry, political beliefs, sexual or affection preference or orientation, health status, marital status or disability.
 - Have access to care that has no communication or access barriers, including the assistance of a translator if needed.
 - Get medical care in a timely way and have access to a PCP or doctor who will help you. A PCP is the doctor you will see most of the time who will coordinate your care. He or she will be there for you, 24 hours a day, 365 days a year, if you need urgent care. This includes the right to:
 1. Choose your own doctor from the Horizon NJ Health list of doctors.
 2. Get a current list of Horizon NJ Health in-network doctors who can treat you.
 3. Have a doctor make the decision to say whether your services as a member should be limited or not given at all.
 4. Have no “gag rules” in Horizon NJ Health. This means doctors are free to discuss all medical treatment options with you even if the services are not covered by Horizon NJ Health.
 5. Know how Horizon NJ Health pays its doctors. This will help you know if there are financial reasons tied to making medical decisions.
 6. Not have doctors give you a bill for extra money. Your health insurance pays an amount of money to the doctor. The doctor cannot charge you more than your plan allows, even if that amount is not what the doctor chooses to charge.
7. Be part of the discussion with your doctor in making decisions about your health care.
 8. Information and open talk about your medical condition and ways of treating that condition.
 9. Choose from different ways of treating your condition that are presented in a clear and understandable way, regardless of the cost or what your benefits cover.
 10. Have your medical condition explained to a family member or guardian if you are not able to understand it, and have it written down in your medical records.
 11. Refuse medical treatment with an understanding of the results if you choose to not have medical treatment.
 12. Refuse care from a specific doctor.
 13. Get care that supports a meaningful quality of life free of harmful procedures, including unnecessary physical restraints or isolation, excessive medicine, physical or mental abuse and neglect.

Your Rights and Responsibilities (continued)

You have the right to:

- Have a choice of specialists. These are doctors who treat special illnesses or problems. This includes the right to:
 1. Get help finding a specialist if you need one.
 2. Have a doctor visit for a second opinion or to get another point of view in certain cases.
 3. See a specialist who has experience treating your disability or health condition.
 4. Get care from a doctor who does not work with Horizon NJ Health when a Horizon NJ Health doctor is not available.

You have the right to:

- Call **911** for what may be a life-threatening situation without letting Horizon NJ Health know before you do it. If you go to the ER, this includes the right to:
 1. Have Horizon NJ Health pay for a medical screening exam in the ER to see whether an emergency medical condition exists.

You have the right to:

- Certain coverage benefits after the birth of a child. This includes the right to:
 1. Stays in the hospital after you have had a baby that are no less than 48 hours for a normal vaginal delivery and no less than 96 hours after a cesarean section birth.
 2. Get up to 120 days of continued coverage, if it is medically necessary, from a doctor who is no longer in the Horizon NJ Health network, including:
 - Up to six months after surgery
 - Six weeks after childbirth

- One year of psychological or oncologic (cancer) treatment

No coverage may be continued if the doctor is let go from his or her job because they are a danger to their patients, has committed fraud or has been disciplined by the State Board of Medical Examiners.

You have the right to:

- Give instructions about your health care and name someone else to make health care decisions for you. This includes the right to:
 1. Make an advance directive about medical care. An advance directive is also known as a living will. It includes instructions that say what actions should be taken for a person's health if they are no longer able to make decisions. Federal law requires doctors to ask about a member's advance directive.

You have the right to:

- Ask questions to get answers and information about your health plan and anything you do not understand. You can also make suggestions. This includes the right to:
 1. Get timely notice of changes to your benefits or the status of your doctor.
 2. Get information about Horizon NJ Health's services, doctors and providers.
 3. Offer suggestions for changes in policies, procedures and services. This can include your own rights and responsibilities.
 4. Look at your medical records at no charge.

Your Rights and Responsibilities (continued)

5. Be informed in writing if Horizon NJ Health decides to end your membership.
6. Tell Horizon NJ Health when you no longer want to be a member.

You have the right to:

- Appeal a decision based on medical necessity to deny or limit coverage your doctor recommends, first within Horizon NJ Health and then through an independent organization that can make a decision. An appeal is a request you make to Horizon NJ Health on decisions made about your care. This includes the right to:

1. File a grievance about the organization or the care provided using your first language.
2. Know that you or your doctor cannot be punished for filing a grievance or appeal against Horizon NJ Health. Also, you cannot be disenrolled as a member for filing a grievance or appeal against Horizon NJ Health.
3. Contact the Department of Human Services if you are not satisfied with Horizon NJ Health's decision about a grievance or appeal.
4. Use the Medicaid Fair Hearing process if you are eligible.

Your member responsibilities

As a member of Horizon NJ Health, you have responsibilities. You are responsible for:

- Treating doctors and all health care providers with respect and kindness.
- Talking openly and honestly with your PCP or specialist when telling them about your health.

- Getting regular care from a doctor to protect your health. This includes making appointments for routine checkups and shots.
- Following Horizon NJ Health's rules for medical care.
- Giving information that is needed to a doctor and Horizon NJ Health so care can be provided to you.
- Asking your doctor questions so you can understand your health problems and the care you're getting.
- Developing treatment goals with your doctor that you both agree on.
- Following your doctor's advice that was agreed on and considering the results if you do not.
- Keeping appointments and calling in advance if you need to cancel.
- Reading all Horizon NJ Health member materials and following the rules of membership.
- Following the right steps when filing grievances about care.
- Learning about health issues through education when it is offered.
- Paying any copays (the amount of money your health plan says you need to pay when getting care) when you have to do so.
- Letting the Health Benefits Coordinator and Horizon NJ Health know about any doctors you are seeing when you enroll in Horizon NJ Health.

Your Rights and Responsibilities (continued)

Treatment of minors

Horizon NJ Health will provide care for members younger than 18 years old following all laws. Treatment will be at the request of the minor's parent(s) or other person(s) who have legal responsibility for the minor's medical care. You have the right to make informed decisions and allow treatment of your dependents who are minors, or under 18 years old.

In certain cases, New Jersey law allows minors to make health care decisions for themselves. Horizon NJ Health will allow treatment of minors when decisions are not made with their parent(s) or guardian(s) in the following cases:

- Minors who go to an ER for treatment because of an emergency medical condition
- Minors who want family planning services, maternity care or sexually transmitted diseases (STD) services
- Minors living on their own who have their own NJ FamilyCare or Health Benefits ID (HBID) card as head of their household

Your personal health information

Federal rules protect your personal health information (PHI). This is information about you and may describe your medical history, insurance information, tests and test results and other information that helps you get the right care.

Horizon NJ Health uses your PHI to:

- Pay provider claims
- Give you information about care management programs and services that fit your needs
- Share with a personal representative, like a family member, at your request

- Share with law enforcement when required by law
- Share with researchers when requested, following legal requirements

Horizon NJ Health has procedures in place so your PHI stays private. This includes using secure technological systems, offices and records management procedures and training staff.

In addition, you have a right to:

- Privacy of your medical information and records
- Request access to review and copy your PHI
- Request something be added to your PHI
- Request certain use of the PHI and that the sharing of some information be restricted
- Request to get confidential communications of your PHI if the sharing to others could harm you
- Get information on certain things that are shared about you

If you want to make requests about your legal rights or need information, call Horizon NJ Health at **1-800-682-9090** (TTY **711**). Ask to speak to the Health Insurance Portability and Accountability Act (HIPAA) privacy coordinator.

If you would like to file a grievance about how your PHI was used, you may do so following the Grievance process described on page 59.

Advance directives

It's a good idea to make an advance directive. An advance directive is a legal form that lets your family and doctors know how you want to be treated if you become too sick to tell them. It is sometimes called a living will.

Your Rights and Responsibilities (continued)

There are three kinds of advance directives in New Jersey:

- A **proxy directive** means you can choose an adult to make health care decisions for you if your doctor says you cannot understand your diagnosis or care options.
- An **instruction directive** states what care you do or don't want if you're unable to make your own choices.
- A **combined directive** names a person and gives instructions for care.

Now, while you are healthy, is the time to think about an advance directive. Your doctor can help you make one. Talk to him or her about your care options and what to include.

You can also get more information from your County Welfare Agency. An easy-to-use advance directive form is available on the State of New Jersey's website at state.nj.us/health/advancedirective. Once you create an advance directive, share it with your doctor and your loved ones, and keep a copy in a safe place.

Reporting abuse, neglect or exploitation

You have the right to get care without exploitation, fraud and abuse. Professionals, including care providers, are required to report suspected abuse, neglect or exploitation of any:

- Child or adult who lives in a community setting
- Elderly adult living in a nursing home or other long-term care facility

If you believe you are being abused, neglected or exploited, report it right away to the appropriate source listed below:

Adult Protective Services

The New Jersey Adult Protective Services (APS) program has offices in each of the 21 counties. Reports can be made to the County APS offices or to The Public Awareness, Information, Assistance & Outreach Unit 24-Hour Toll-Free Hotline at **1-800-792-8820** (TTY **711**).

Child Protective Services

The New Jersey Division of Child Protection and Permanency (DCPP) handles all reports of child abuse and neglect, including those occurring in institutional settings such as child care centers, schools, foster homes and residential treatment centers. These must be reported to the State Central Registry (SCR) 24-Hour Toll-Free Hotline at **1-877-NJ ABUSE (1-877-652-2873)** (TTY **1-800-835-5510**).