

Passport Health Plan by Molina Healthcare shall have written policies and procedures that are in compliance with Title VI of the Civil Rights Act of 1964 as implemented by regulations at 45 C.F.R. part 80; the Age Discrimination Act of 1975 as implemented by regulations at 45 C.F.R. part 91; the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972; Titles II and III of the Americans with Disabilities Act; Section 1557 of the ACA and 42 C.F.R. 438.100, and designed to protect the rights of Enrollees and enumerate the responsibilities of each Enrollee. A written description of the rights and responsibilities of Enrollees shall be included in the Enrollee information materials provided to new Enrollees. Passport shall provide a copy of these policies and procedures to all of Passport's Network Providers to whom Enrollees may be referred. In addition, Passport shall provide these policies and procedures to any Out-of-Network Provider upon request from the Provider.

Passport's written policies and procedures that are designed to protect the rights of Enrollees, in accordance with federal and state law, shall include, without limitation, the right to:

- A. Respect, dignity, privacy, confidentiality, accessibility and nondiscrimination;
- B. A reasonable opportunity to choose a PCP and to change to another Provider in a reasonable manner;
- C. Consent for or refusal of treatment and active participation in decision choices;
- D. Ask questions and receive complete information relating to the Enrollee's medical condition and treatment options, including Specialty Care;
- E. Voice Grievances and receive access to the Grievance process, receive assistance in filing an Appeal, and request a State Fair Hearing from Passport and/or the Department;
- F. Timely access to care that does not have any communication or physical access barriers;
- G. Prepare Advance Medical Directives pursuant to KRS 311.621 to KRS 311.643;

H. Assistance with Medical Records in accordance with applicable federal and state laws;

I. Timely referral and access to medically indicated Specialty Care;

J. Be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation;

K. Receive information in accordance with 42 C.F.R. 438.10;

L. Be furnished health care services in accordance with 42 C.F.R. Part 438; and

M. Any American Indian enrolled with Passport eligible to receive services from a participating I/T/U provider or an I/T/U PCP shall be allowed to receive services from that provider if part of Passport's Network.

Passport shall also have policies addressing the responsibility of each Enrollee to:

A. Become informed about Enrollee rights;

B. Abide by Passport's and Department's policies and procedures;

C. Become informed about service and treatment options;

D. Actively participate in personal health and care decisions, practice healthy lifestyles;

E. Report suspected Fraud and Abuse; and

F. Keep appointments or call to cancel.