



Policy 6.8

POLICY TITLE:	ENROLLEE RIGHTS	POLICY #6.8	REVIEW DATES	
Topic Area:	CUSTOMER SERVICES			
Applies to:	Lakeshore Regional Entity, Member CMHSPs and Network Providers	ISSUED BY: Chief Executive Officer APPROVED BY: Board of Directors		
Developed and Maintained by:	LRE Chief Executive Officer			
Supersedes:	N/A	Effective Date:	Revised Date:	

I. POLICY

Lakeshore Regional Entity (LRE) will ensure that Member CMHSPs (and their subcontracted providers) have written policies and procedures regarding enrollee rights as specified in 42 CFR 438.100 and they comply with applicable Federal and State laws pertaining to enrollee rights, including:

- Title VI of the Civil Rights Act of 1964 as implemented by regulations 45 CFR part 80;
- The Age Discrimination Act of 1975 as implemented by regulations 45 CFR part 91;
- The Rehabilitation Act of 1973;
- Title IX of the Education Amendments of 1972 (regarding education programs and activities);
- Titles II and III of the Americans with Disabilities Act; and
- Section 1557 of the Patient Protection and Affordable Care Act.

LRE and its Member CMHSPs (and their subcontracted providers) will ensure that staff observe and protect those rights when providing services to customers.

LRE and Member CMHSP (and their contracted providers) will make every practical effort to advise recipients of their rights and responsibilities at the initiation of services and during the course of services/treatment and will assist in the understanding of these rights and responsibilities with recipients as necessary.

II. APPLICABILITY AND RESPONSIBILITY

This policy applies to Lakeshore Regional Entity and Member CMHSPs (and their contracted providers).

III. MONITORING AND REVIEW

This policy will be reviewed annually by the Lakeshore Regional Entity Executive Operations Team.

IV. DEFINITIONS

Enrollee Rights: Each customer served by the LRE AND provider network and its affiliated CMHSPs has rights protections specifically provided by the Michigan Mental Health Code, Federal Code of Regulations, Public Health Act 368, and the Michigan Department of Health and Human Services. These areas for protections for customers are referred to as "Enrollee Rights."

Rights: Mandated and guaranteed state and federal entitlements offered to individuals receiving Medicaid-funded services through LRE and/or member CMHSPs (and their subcontracted providers) particularly in the areas of information/communication, and due process

Responsibilities: LRE's expectations from customers served by the CMHSP's (and their subcontracted providers) to enhance participation in services.

V. REFERENCES AND SUPPORTING DOCUMENTS

- A. Medicaid Managed Care Regulations: 42 CFR 438.100 and 438.10
- B. MDHHS PIHP Contract: Attachment P.6.3.1
- C. Michigan Mental Health Code: 330.1706
- D. Public Act 368 of 1978: Public Health Code

VI. RELATED POLICIES AND PROCEDURES

N/A