

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