

March 22, 2018

Re: RiverSpring at Home, Managed Long Term Care (MLTC) Program
Update to Member Handbook
Model Complaint and Appeal Language

Dear MLTC Member,

This mailing is letting you know about an important update to your member handbook. The update is available on our website at www.riverspringathome.org. Please read this update carefully. Federal regulations have changed the way you can ask for an appeal and State Fair Hearing. These changes take effect May 1, 2018.

The member handbook update tells you about:

- How long we will take to review your request for services that need prior approval.
- If your request is denied, how to ask for a Plan Appeal asking us to look at your case again.
- If your Plan Appeal is denied, your right to ask for a State Fair Hearing. In most cases, you will need to ask for a Plan Appeal first, **before** you can ask the State for a Fair Hearing.
- Your rights if we decide to change stop or reduce services that you are getting now, and how you can keep your care the same until your Plan Appeal or Fair Hearing is decided.

A quick reference guide about these changes is attached. Please call Member Services at 1-800-370-3600 or TTY 711, if you:

- have any questions about this information;
- cannot access the internet to view the handbook update; or
- want to have the handbook update mailed to you.

Please keep the updates with your member handbook.

Sincerely,

Your RiverSpring at Home Team

Important Change for Medicaid Managed Care Enrollees Appeals and Fair Hearing Rights

What is changing on May 1, 2018?

New federal Medicaid managed care rules take effect in New York State. These rules change the way Medicaid managed care plans make decisions about health care services and Plan Appeals.

These rules change how you can ask the State for a Fair Hearing about plan decisions. Starting May 1, 2018, if you think a plan decision is wrong, you must first ask for a Plan Appeal **before** asking for a Fair Hearing. If your care is changing, and you want to keep your services the same while your case is reviewed, you must first ask for a Plan Appeal **before** asking for a Fair Hearing.

How does this change affect me?

For some services, you have to ask the plan for approval before you get them. This change means that the plan will make some of these approval decisions faster than they did before. If you think your plan's decision about your health care is wrong, you can ask the plan to look at your case again. This is called a Plan Appeal. This change means **you must first ask for Plan Appeal before you ask for a Fair Hearing**. You will have 60 days to ask for a Plan Appeal.

What if the plan's decision is changing a service I am getting now?

If you want to keep your services the same, this change means **you must first ask for a Plan Appeal** within 10 days or by the date the decision takes effect, whichever is later. Your services will stay the same until there is a decision. If you lose your Plan Appeal, you may have to pay for the services you got while waiting for the decision.

Can someone ask for a Plan Appeal for me?

If you want someone, like your provider, to ask for the Plan Appeal for you, this change means you and that person must sign and date a statement saying this is what you want.

What happens after I ask for a Plan Appeal?

After you ask for a Plan Appeal, this change means the plan will send you your case file, with all the information they have about your request. The plan will then send you their decision about your appeal. This change means if you do not receive a response to your Plan Appeal or the decision is late, you can ask for a Fair Hearing without waiting for the plan's decision.

What if I think the Plan Appeal decision is still wrong?

If you think the plan's decision about your appeal is wrong, you can ask for Fair Hearing. You will have 120 days to ask for Fair Hearing. If the plan said the service is not medically necessary, you can still ask the State for an External Appeal. You will have four months to ask for an External Appeal. If you ask for both, the Fair Hearing decision will always be the final answer.

If the plan is changing care you are getting right now, and you want your services to stay the same, you must ask for a Fair Hearing within 10 calendar days from the appeal decision or by the date the appeal decision takes effect, whichever is later. Your services will stay the same until the fair hearing decision. If you lose your Fair Hearing you may have to pay for services you got while waiting for the decision.

How long can the plan take to decide?

If you request approval for a service, your plan has 14 days to make a decision. If your health is at risk, your plan must fast track your request and decide in 72 hours. The decision may take longer if the plan needs more information. If your plan covers prescription drugs, the plan must make decisions about your prescriptions in 24 hours.

If you ask for a Plan Appeal, the plan has 30 days to make a decision. If your health is at risk, your plan must fast track your appeal and decide in 72 hours. The decision may take longer if the plan needs more information.

Where can I get more information?

Call member services at 1-800-370-3600 or TTY 711. See your member handbook for full information about your appeal rights.

You can call the Independent Consumer Advocacy Network (ICAN) to get free, independent advice about your coverage, complaints, and appeals' options. They can help you manage the appeal process. Contact ICAN to learn more about their services:

Phone: 1-844-614-8800 (**TTY Relay Service:** 711)

Web: www.icannys.org | **Email:** ican@cssny.org

Notice of Nondiscrimination and Accessibility Requirements

ElderServe Health, Inc., dba RiverSpring Health Plans, complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. RiverSpring Health Plans does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

RiverSpring Health Plans:

- Provides free aids and services to people with disabilities to communicate effectively with us, such as:
 - Qualified sign language interpreters
 - Written information in other formations (large print, audio, accessible electronic formats, other formats)
- Provides free language services to people whose primary language is not English, such as:
 - Qualified interpreters
 - Information written in other languages

If you need these services, contact our Member Services Department at 1-800-370-3600 (TTY 711).

If you believe that RiverSpring Health Plans has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with:

Sabrina Itwaru, Vice-President of Quality
80 West 225th Street, 2nd Floor; Bronx, New York 10463
1-800-370-3600 (TTY 711)
Fax: 1-888-341-5009
Sabrina.Itwaru@ElderServeHealth.org

You can file a grievance in person or by mail, fax, or email.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights via its Office for Civil Rights Complaint Portal at <http://www.hhs.gov/civil-rights/for-individuals/section-1557/translated-resources>; or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue SW., Room 509F, HHH Building, Washington, DC 20201, 1-800-368-1019 (TTY/TDD 800-537-7697). Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>

RiverSpring Health Plans complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex.

ATTENTION: Language assistance services, free of charge, are available to you. Call 1-800-370-3600 TTY/TDD 711.	English
ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-800-370-3600 TTY/TDD 711.	Spanish
注意：如果您使用繁體中文，您可以免費獲得語言援助服務。請致電 1-800-370-3600 TTY/TDD 711.	Chinese
ملحوظة: إذا كنت تتحدث اذكر اللغة، فإن خدمات المساعدة اللغوية تتوافر لك بالمجان. اتصل برقم TTY/TDD 711 (رقم هاتف الصم والبكم. 1-800-370-3600	Arabic
주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다 1-800-370-3600 TTY/TDD 711 번으로 전화해 주십시오.	Korean
ВНИМАНИЕ: Если вы говорите на русском языке, то вам доступны бесплатные услуги перевода. Звоните 1-800-370-3600 (телетайп: TTY/TDD 711).	Russian
ATTENZIONE: In caso la lingua parlata sia l'italiano, sono disponibili servizi di assistenza linguistica gratuiti. Chiamare il numero 1-800-370-3600 TTY/TDD 711.	Italian
ATTENTION : Si vous parlez français, des services d'aide linguistique vous sont proposés gratuitement. Appelez le 1-800-370-3600 TTY/TDD 711.	French
ATANSYON: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou. Rele 1-800-370-3600 TTY/TDD 711.	French Creole
אויפמערקזאם: אויב איר רעדט אידיש, זענען פארהאן פאר אייך שפראך הילף סערוויסעס פריי פון אפצאל. רופ 1-800-370-3600 /TTY/TDD 711.	Yiddish
UWAGA: Jeżeli mówisz po polsku, możesz skorzystać z bezpłatnej pomocy językowej. Zadzwoń pod numer 1-800-370-3600 TTY/TDD 711.	Polish
PAUNAWA: Kung nagsasalita ka ng Tagalog, maaari kang gumamit ng mga serbisyo ng tulong sa wika nang walang bayad. Tumawag sa 1-800-370-3600 /TTY/TDD 711.	Tagalog
লক্ষ্য করুনঃ যদি আপনি বাংলা, কথা বলতে পারেন, তাহলে নীঃখরচায় ভাষা সহায়তা পরষিবো উপলব্ধ আছে। ফোন করুন ১ 1-800-370-3600 TTY/TDD 711.	Bengali
KUJDES: Nëse flitni shqip, për ju ka në dispozicion shërbime të asistencës gjuhësore, pa pagesë. Telefononi në 1-800-370-3600 TTY/TDD 711.	Albanian
ΠΡΟΣΟΧΗ: Αν μιλάτε ελληνικά, στη διάθεσή σας βρίσκονται υπηρεσίες γλωσσικής υποστήριξης, οι οποίες παρέχονται δωρεάν. Καλέστε 1-800-370-3600 TTY/TDD 711.	Greek
خبردار: اگر آپ اردو بولتے ہیں، تو آپ کو زبان کی مدد کی خدمات مفت میں دستیاب ہیں۔ کال کریں .1-800-370-3600 TTY 711	Urdu