

**A CONSUMER'S GUIDE TO
GRIEVANCE AND APPEALS
for RIte CARE and RHODY HEALTH
PARTNERS MEMBERS
July 2010**

Your rights and protections are explained in either the RIte Care or the Rhody Health Partners Patient's Rights and Protections booklet including, how to handle a dispute or disagreement with a RIte Care or Rhody Health Partners Health Plan. As either a RIte Care or a Rhody Health Partners member, you have three ways to file a complaint. The basic steps you should follow are:

1. **Informal complaints** — You can first try to solve your problems or concerns with either a RIte Care or a Rhody Health Partners Health Plan informally, by contacting the Health Plan's customer/member services department. If you are not satisfied with the way your Health Plan handles your informal complaint, you can file a formal grievance with your Health Plan or request a Department of Human Services (DHS) fair hearing.
2. **Formal Appeals**— Your Health Plan must handle your formal appeal within the following time frames:
 - **Medical Emergency** — (If your provider determines there is a medical emergency) Your Health Plan must decide cases involving a medical emergency within (2) business days *after* the Health Plan has received all the information needed to consider the appeal.
 - **Other Medical Care** — Your Health Plan must decide your claim for other medical care within fifteen (15) days *after* the Health Plan has received all necessary information. If you are not satisfied with the Health Plan's decision, there is a second level of appeal. The Health Plan must decide this also in fifteen (15) days *after* the Health Plan has received all necessary information. If you disagree with this decision, you have thirty (30) days to request a Fair Hearing with DHS.
 - **Non-Medical Care** — Your Health Plan must decide all other grievances within thirty (30) days *after* receiving all necessary information.

Your Health Plan's Member Handbook explains the steps you must follow to file a grievance or appeal with your Health Plan. You can have an attorney or someone else help you with your grievance or appeal.

3. **Department of Human Services (DHS) Appeals** — As with any other Department of Human Services (DHS) program, you can request a fair hearing from DHS at any time by going through your caseworker. Hearing forms are available at every DHS Office. Please see attached DHS 121-A for more information. If DHS denies your claim after a fair hearing, you then have thirty (30) days to file an appeal in Superior Court.

Consult with your Health Plan or primary care provider on how to get necessary treatment while a complaint, grievance or appeal is being considered.

To find out more about your rights, please look at the RIte Care and the Rhody Health Partners Member's Rights and Protections, the Grievance and Appeals Process for the RIte Care and the Rhody Health Partners programs, or Section 01110 of the DHS Manual. You may be able to get free legal help with your appeal by calling Rhode Island Legal Services at (401) 274-2652 and, outside the Providence calling area, toll-free at 1-800-662-5034. You may also contact the Rhode Island Department of Health at (401) 222-2566 to register a complaint against your Health Plan if you exhausted the Health Plan's complaint and grievance procedures.