

Office of Long-Term Living
Complaints, Grievances, and Fair Hearings Webinar
Questions and Answers

May 17, 2018

Note: Duplicate questions removed

Q1. How is an expedited fair hearing requested?

- A. A participant must exhaust the complaint or grievance process prior to filing a request for an expedited fair hearing. Refer to your MCO participant handbook, Section 8 - Complaints and Grievances.

Q2. Do all hearing requests go to OLTL and not to BHA? How are they submitted? email, by mail by fax?

- A. Fair Hearing requests should be submitted to OLTL at the following address:
Department of Human Services
OLTL - Community HealthChoices Program
Complaint, Grievance and Fair Hearings
P.O. Box 2675
Harrisburg, Pennsylvania 17105-2675

Refer to your MCO participant handbook, Section 8 - Complaints and Grievances.

Q3. How do Participants receive this handbook?

- A. Each MCO has posted a copy of their participant handbook online.

AmeriHealth Caritas (Keystone First) CHC Participant Handbook

<https://www.amerihealthcaritaschc.com/assets/pdf/participants/participant-handbook.pdf>

PA Health & Wellness CHC Participant Handbook

https://www.pahealthwellness.com/content/dam/centene/Pennsylvania/pdfs/CHC%20Participant%20Handbook%20Template_PHW_PRINT_20180212.pdf

UPMC CHC Participant Handbook

https://p.widencdn.net/yfta5v/chc_participant-handbook_web

Q4. Is the participant handbook on OLTL website?

- A. No

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Q5. Are the MCO participant handbooks available online? If not, how can we access this information?

A. Each MCO has posted a copy of their participant handbook online.

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<https://www.amerihealthcaritaschc.com/assets/pdf/participants/participant-handbook.pdf>

PA Health & Wellness CHC Participant Handbook

https://www.pahealthwellness.com/content/dam/centene/Pennsylvania/pdfs/CHC%20Participant%20Handbook%20Template_PHW_PRINT_20180212.pdf

UPMC CHC Participant Handbook

https://p.widencdn.net/yfta5v/chc_participant-handbook_web

Q6. Will consumers & advocates have access to the results of the quarterly BQAPA Data Analysis?

A. The results of the BQAPA quarterly data analysis will be available for review.

Q7. How many people have requested fair hearings to this point in the SouthWest? Do you feel the process has been successful? How have the consumers felt about the hearings outcomes? Are they satisfied? How about grievance? My worry is that consumer will not see these processes as legitimate and think why use them because the cards are stacked against them.

A. Fair Hearing requests will be processed timely and accurately.

The MCOs have been responsive to Complaints and Grievances received and are working with the participants and other parties involved to resolve. The resolutions achieved to date have eliminated the need for Fair Hearings in the SW.

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Q8. Are providers allowed to file a complaint or grievance on behalf of the participant?

A. A provider can file a Complaint for a participant if the participant gives the provider written consent to do so.

A provider can file a Grievance for the participant if the participant gives the provider written consent to do so. If a provider files a Grievance for the participant, the participant cannot file a separate Grievance.

Refer to your MCO participant handbook, Section 8 - Complaints and Grievances.

The following information was provided during the January 18, 2018 Third Thursday Webinar on Complaints, Grievances and Fair Hearings presented by DHS Office of General Counsel.

<http://www.healthchoices.pa.gov/info/resources/publications/community/third-thursday-webinars/index.htm>

Who can file a Complaint or Grievance?

A Complaint or Grievance can be filed by:

- Participant.
- Participant's representative.
- Provider.

If filed by a representative or a provider, the participant must provide written consent for the representative or provider to be involved or act on the participant's behalf.

Q9. Was the participant handbook mailed to participants?

A. No. Each MCO has posted a copy of their participant handbook online. Participants can also call their MCO and request a copy.

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AmeriHealth Caritas (Keystone First) CHC

Participant: 1-855-235-5115

TTY: 1-855-235-5112

<https://www.amerhealthcaritaschc.com/assets/pdf/participants/participant-handbook.pdf>

PA Health & Wellness CHC

Participant: 1-844-626-6813

TTY: 1-844-349-8916

https://www.pahealthwellness.com/content/dam/centene/Pennsylvania/pdfs/CHC%20Participant%20Handbook%20Template_PHW_PRINT_20180212.pdf

UPMC CHC

Participant: 1-844-833-0523

TTY: 1-866-407-8762

https://p.widencdn.net/yfta5v/chc_participant-handbook_web

Q10. Please provide examples of how NF provider billing department use this process.

- A. The Pennsylvania Department of Aging runs the State Ombudsman program. Ombudsmen handle complaints and other issues by and for persons who are in long-term facilities, such as nursing homes, assisted living facilities, and personal care homes.

Ombudsmen also provide information about residents' rights under federal and state law. You may contact the Ombudsman program by calling the Pennsylvania Department of Aging at 717-783-1550 or on the website at: www.aging.pa.gov/agingervices/Pages/Ombudsman.aspx

Refer to your MCO participant handbook, Section 5 - Long-Term Services and Supports.

Q11. What do the forms that give the complaints grievance information look like are the done in a cognitively accessible format? Are they readable/ accessible? The current forms are difficult for many consumers to understand.

- A. The Complaint/Grievance Request Form will be included in the denial notice you receive from your MCO. The denial notice from your MCO includes contact information if you need help with your Complaint or Grievance. Participants can request the form or other materials in any alternate format at any time and the MCO will fulfill the request.

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Q12. What if the participant is not competent?

A. A participant representative can act on behalf of a participant. Refer to your MCO participant handbook, Section 6 - Advance Directives. An advance directive is a written statement of a person's wishes regarding medical treatment. It ensures the individual's wishes are carried out if the individual is unable to decide or speak for themselves.

Q13. Meaning than can the Provider file the complaint or grievance on behalf of the participant in the NF?

A. A provider of a participant in a nursing facility may not file a Complaint or Grievance for the participant.

The Pennsylvania Department of Aging runs the State Ombudsman program. Ombudsmen handle complaints and other issues by and for persons who are in long-term facilities, such as nursing homes, assisted living facilities, and personal care homes.

Ombudsmen also provide information about residents' rights under federal and state law. You may contact the Ombudsman program by calling the Pennsylvania Department of Aging at 717-783-1550 or on the website at www.aging.pa.gov/agingservices/Pages/Ombudsman.aspx.

Refer to your MCO participant handbook, Section 5 - Long-Term Services and Supports.