



An Anthem Company

Member Handbook

New York
Medicaid

1-800-300-8181 (TTY 711)
www.empireblue.com/ny



An Anthem Company

New York State Medicaid Managed Care

Member Handbook

Revised August 2019

Service Authorization and Appeal Changes effective May 1, 2018

www.empireblue.com/ny

ENY-MHB-0058-19

Services provided by HealthPlus HP, LLC, a licensee of the Blue Cross Blue Shield Association,
an association of independent Blue Cross and Blue Shield plans.

If you do not speak English, call us at 1-800-300-8181 (TTY 711). We have access to interpreter services and can help answer your questions in your language. We can also help you find a health care provider who can communicate with you in your language.

Spanish: **Si usted no habla inglés**, llámenos al 1-800-300-8181 (TTY 711). Ofrecemos servicios de interpretación y podemos ayudarle a responder preguntas en su idioma. También podemos ayudarle a encontrar un proveedor de salud que pueda comunicarse con usted en su idioma.

French: **Si vous ne parlez pas anglais**, appelez-nous au 1-800-300-8181 (TTY 711). Nous avons accès à des services d'interprétariat pour vous aider à répondre aux questions dans votre langue. Nous pouvons également vous aider à trouver un prestataire de soins de santé qui peut communiquer avec vous dans votre langue.

Haitian Creole: "**Si ou pa pale lang Anglè**, rele nou nan 1-800-300-8181 (TTY 711). Nou ka jwenn sèvis entèprèt pou ou, epitou nou kapab ede reponn kesyon ou yo nan lang ou pale a. Nou kapab ede ou jwenn yon pwofesyonèl swen sante ki kapab kominike avèk ou nan lang ou pale a."

Italian: "**Se non parli inglese** chiamaci al 1-800-300-8181 (TTY 711). Disponiamo di servizi di interpretariato e siamo in grado di rispondere alle tue domande nella tua lingua. Possiamo anche aiutarti a trovare un fornitore di servizi sanitari che parli la tua lingua."

Russian: «**Если вы не разговариваете по-английски**, позвоните нам по номеру 1-800-300-8181 (TTY 711). У нас есть возможность воспользоваться услугами переводчика, и мы поможем вам получить ответы на вопросы на вашем родном языке. Кроме того, мы можем оказать вам помощь в поиске поставщика медицинских услуг, который может общаться с вами на вашем родном языке».

Chinese (PRC) 如果您不会讲英语，请拨打会员服务号码 1-800-300-8181 (TTY 711) 与我们联系。我们提供各种口译服务，可以用您的语言帮助回答您的问题。此外，我们还可以帮您寻找能够用您的语言与您交流的医疗护理提供方。

Chinese (Taiwan) 如果您無法使用英語交談，請以下列電話號碼與我們聯繫：

1-800-300-8181 (TTY 711)。我們會使用口譯服務以您的語言來協助回答您的問題。我們也可以協助您找到能夠使用您母語溝通的健康照護提供者。

HERE'S WHERE TO FIND INFORMATION YOU WANT

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WELCOME TO THE EMPIRE BLUECROSS BLUESHIELD HEALTHPLUS MEDICAID MANAGED CARE PROGRAM

We are glad that you enrolled in Empire BlueCross BlueShield HealthPlus. This handbook will be your guide to the full range of health care services available to you. We want to be sure you get off to a good start as a new member. In order to get to know you better, we will get in touch with you in the next two or three weeks. You can ask us any questions you have, or get help making appointments. If you need to speak with us before we call on you, however, just call us at 1-800-300-8181 (TTY 711).

HOW MANAGED CARE PLANS WORK

The Plan, Our Providers, and You

- You may have heard about the changes in health care. Many consumers get their health benefits through managed care, which provides a central home for your care. If you were getting behavioral health services using your Medicaid card, now those services may be available through Empire.
- Empire has a contract with the State Department of Health to meet the health care needs of people with Medicaid. In turn, we choose a group of health care providers to help us meet your needs. These doctors and specialists, hospitals, labs and other health care facilities make up our **provider network**. You will find a list in our provider directory. If you do not have a provider directory, call 1-800-300-8181 (TTY 711) to get a copy or visit our website at www.empireblue.com/ny.
- When you join Empire, one of our providers will take care of you. Most of the time that person will be your Primary Care Provider (PCP). If you need to have a test, see a specialist, or go into the hospital, your PCP will arrange it.
- Your PCP is available to you day and night. If you need to speak to him or her after hours or weekends, leave a message and how you can be reached. Your PCP will get back to you as soon as possible. Even though your PCP is your main source for health care, in some cases, you can self-refer to certain doctors for some services. See the “How to Choose your Primary Care Provider (PCP)” section of this handbook for details.
- You may be restricted to certain plan providers if you have been identified as a restricted recipient. Some examples of why you may be restricted include:
 - Getting care from several doctors for the same problem.
 - Getting medical care more often than needed.
 - Using prescription medicine in a way that may be dangerous to your health.
 - Allowing someone other than yourself to use your plan ID card.

Confidentiality

We respect your right to privacy. Empire recognizes the trust needed between you, your family, your doctors and other care providers. We'll never give out your medical or behavioral health history without your written approval. The only persons that will have your clinical information will be us, your Primary Care Provider and other providers who give you care and you authorized representative. Referrals to such providers will always be discussed with you in advance by your Primary Care Provider or your Health Home Care Manager, if you have one. Our staff has been trained in keeping strict member confidentiality.

HOW TO USE THIS HANDBOOK

This handbook will help you, when you join a managed care plan. It will tell you how your new health care system will work and how you can get the most from Empire BlueCross BlueShield HealthPlus. This handbook is your guide to health and wellness services. It tells you the steps to take to make the plan work for you.

The first several pages will tell you what you need to know **right** away. The rest of the handbook can wait until you need it. Use it for reference or check it out a bit at a time.

When you have a question, check this Handbook or call our Member Services unit. You can also call the managed care staff at your local Department of Social Services. You can also call the New York Medicaid Choice Help Line at 1-800-505-5678.

HELP FROM MEMBER SERVICES

- There is someone to help you at Member Services Monday through Friday from 8 a.m. to 8 p.m. and on Saturday from 9 a.m. to 5 p.m. Call 1-800-300-8181 (TTY 711).
- If you need help or health care advice outside of these times, call our 24/7 NurseLine at 1-800-300-8181 (TTY 711). Follow the phone options to speak with a nurse 24 hours a day, 7 days a week.
- You can call Member Services to get help **anytime you have a question**. You may call us to choose or change your Primary Care Provider (PCP for short), to ask about benefits and services, to get help with referrals, to replace a lost ID card, to report the birth of a new baby or ask about any change that might affect you or your family's benefits.
- If you are or become pregnant, your child will become part of Empire on the day he or she is born. This will happen unless your newborn child is in a group that cannot join managed care. You should call us and your LDSS right away if you become pregnant and let us help you to choose a doctor for your **newborn baby** before he or she is born.
- We offer **free sessions** to explain our health plan and how we can best help you. It's a great time for you to ask questions and meet other members. If you'd like to come to one of the sessions, call us to find a time and place that is best for you.

- **If you do not speak English**, we can help. We want you to know how to use your health care plan, no matter what language you speak. Just call us and we will find a way to talk to you in your own language. We have a group of people who can help. We will also help you find a PCP (Primary Care Provider) who can serve you in your language.
- **For people with disabilities:** If you use a wheelchair, or are blind, or have trouble hearing or understanding, call us if you need extra help. We can tell you if a particular provider's office is wheelchair accessible or is equipped with special communications devices. Also, we have services like:
 - TTY machine (Our TTY phone number is 711.)
 - Information in Large Print
 - Case Management
 - Help in making or getting to appointments
 - Names and addresses of providers who specialize in your disability
- **If you or your child are getting care in your home now**, your nurse or attendant may not know you have joined our plan. **Call us right away** to make sure your home care does not stop unexpectedly.

YOUR HEALTH PLAN ID CARD

After you enroll, we will send you a Welcome Letter. Your Empire ID card should arrive within 14 days after your enrollment date. Your card has your PCP's (primary care provider's) name and phone number on it. It will also have your Client Identification Number (CIN). If anything is wrong on your ID card, call us right away. Your ID card does not show that you have Medicaid or that Empire is a special type of health plan.

Carry your ID card at all times and show it each time you go for care. If you need care before the card comes, your welcome letter is proof that you are a member. You should keep your Medicaid benefit card. You will need the card to get services that we don't cover.

PART I FIRST THINGS YOU SHOULD KNOW

HOW TO CHOOSE YOUR PRIMARY CARE PROVIDER (PCP)

- You may have already picked your Primary Care Provider (PCP) to serve as your regular doctor. This person could be a doctor or a nurse practitioner. **If you have not chosen a PCP for you and your family, you should do so right away.** If you do not choose a doctor within 30 days, we will choose one for you.
- Each family member can have a different PCP, or you can choose one PCP to take care of the whole family. A pediatrician treats children. Family practice doctors treat the whole family. Internal medicine doctors treat adults. Member Services can help you choose a PCP. Member Services (1-800-300-8181 [TTY 711]) can check to see if you already have a PCP or help you choose a PCP.
- With this Handbook, you should have a provider directory. This is a list of all the doctors, clinics, hospitals, labs, and others who work with Empire. It lists the address, phone, and special training of the doctors. The provider directory will show which doctors and providers are taking new patients. You should call their offices to make sure that they are taking new patients at the time you choose a PCP. You can also get a list of providers on our website at www.empireblue.com/ny.

You may want to find a doctor that:

- You have seen before.
 - Understands your health problems.
 - Is taking new patients.
 - Can serve you in your language, or
 - Is easy to get to.
- Women can also choose one of our OB/GYN doctors to deal with women's health care. Women do not need a PCP referral to see a plan OB/GYN doctor. They can have routine checkups (twice a year), follow-up care if needed, and regular care during pregnancy.
 - We also contract with FQHCs (Federally Qualified Health Centers). All FQHCs give primary and specialty care. Some consumers want to get their care from FQHCs because the centers have a long history in the neighborhood. Maybe you want to try them because they are easy to get to. You should know that you have a choice. You can choose any one of the providers listed in our directory. Or you can sign up with a primary care physician at one of the FQHCs that we work with, listed below. Just call Member Services at 1-800-300-8181 (TTY 711) for help.

Empire Federally Qualified Health Centers

Amsterdam Avenue Family Health Center
690 Amsterdam Ave.
New York, NY 10025
1-212-865-4104

Lutheran Medical Center
150 55th St.
Brooklyn, NY 11220
1-718-630-7000

Beacon Christian Community
Health Center Inc.
2079 Forest Ave.
Staten Island, NY 10303
1-718-815-6560

Bedford Stuyvesant Family Health Center
1413 Fulton St.
Brooklyn, NY 11216
1-718-636-4500

Betances Health Center
280 Henry St. # A
New York, NY 10002
1-212-227-8843

Brooklyn Plaza Medical Center
650 Fulton St.
Brooklyn, NY 11217
1-718-596-9800

Brownsville Multi-services Family
Health Center
592 Rockaway Ave.
Brooklyn, NY 11212
1-718-345-5000

Brownsville Multi-services Family Health
Center at Genesis
592 Rockaway Ave.
Brooklyn, NY 11212
1-718-345-5000

Charles B. Wang Community Health Center
125 Walker St.
New York, NY 10013
1-212-379-6988

CHN - Betty Shabazz Health Center
999 Blake Ave.
Brooklyn, NY 11208
1-718-277-8303

CHN – Bronx Center
975 Westchester Ave.
Bronx, NY 10459
1-718-991-9250

CHN – CABS Center
94-98 Manhattan Ave.
Brooklyn, NY 11206
1-718-388-0390

Morris Heights Health Center
85 W. Burnside Ave.
Bronx, NY 10453
1-718-716-4400

Mt. Hope Family Practice
1731 Harrison Ave.
Bronx, NY 10453
1-718-583-9000

New Cassel/Westbury Health Center
682 Union Ave.
Westbury, NY 11590
1-516-571-9535

ODA Primary Care Health Center
14 Heyward St.
Brooklyn, NY 11211
1-718-852-0803

Park Slope Family Health Center
220 13th St.
New York, NY 11215
1-718-832-5980

Parkchester Family Practice
1597 Unionport Road
Bronx, NY 10462-5902
1-718-822-1818

Phillips Family Practice
16 E. 16th St.
New York, NY 10003
1-212-206-5200

Ramon S Velez Health Center
754 E. 151 St.
Bronx, NY 10455
1-718-402-2800

Refuah Health Center – Spring Valley
Location
728 N. Main St.
Spring Valley, NY 10977
1-845-354-9300

Refuah Health Center – Twin Location
5 Twin Ave.
Spring Valley, NY 10977
1-845-354-9300

CHN – Caribbean House Center
1167 Nostrand Ave.
Brooklyn, NY 11225
1-718-778-0198

CHN - Community League Center
1996 Amsterdam Ave.
New York, NY 10032
1-212-781-7979

CHN – Downtown Health Center
150 Essex St.
New York NY 10002
1-212-477-1120

CHN – Helen B Atkinson Center
81 W. 115th St.
New York, NY 10026
1-212-426-0088

CHN – Queens Center
97-04 Sutphin Blvd.
Jamaica, NY 11435
1-718-657-7088

Community Health Center of Richmond
235 Port Richmond Ave.
Staten Island, NY 10302
1-718-876-1732

Damian Family Care Center
13750 Jamaica Ave.
Jamaica, NY 11435
1-718-298-5100

Dr. Martin Luther King, Jr. Health Center
1265 Franklin Ave.
Bronx, NY 10456
1-718-503-7700

East 13th Street Family Practice
113 E. 13th St.
New York, NY 10003
1-212-253-1830

Refuah Health Center – South Fallsburg
Location
South Fallsburg Family Medical
36 Laurel Ave.
South Fallsburg, NY 12779
1-845-354-9300

Roosevelt/Freeport Family Health Center
380 Nassau Road
Roosevelt, NY 11575
1-516-571-8600

Ryan/Chelsea-Clinton Community
Health Center
645 10th Ave.
New York, NY 10036
1-212-265-4500

Ryan-Nena Community Health Center
279 E. Third St.
New York, NY 10009
1-212-477-8500

Settlement Health & Medical Service
212 E. 106 St.
New York, NY 10029
1-212-360-2600

Sidney Hillman Family Practice
16 E. 16th St.
(Between Fifth Ave. and W. Union Square)
New York, NY 10003
1-212-924-7744

Sunset Park Family Health Center
150 55th St.
Brooklyn, NY 11220
1-718-630-7095

Sunset Terrace Family Health Center
514 49th St.
Brooklyn, NY 11220
1-718-431-2600

Urban Health Plan – Bella Vista
Health Center
1065 Southern Blvd.
Bronx, NY 10459
1-718-589-2440
1-212-517-1891

EHCHS Inc. Boriken Neighborhood
Health Center
2253 Third Ave., Third Floor
New York, NY 10035
1-212-289-6650

Elmont Health Center
161 Hempstead Turnpike
Elmont, NY 11003
1-516-571-8200

Hempstead Health Center
135 Main St.
Hempstead, NY 11550-2414
1-516-572-1300

Institute for Family Health – Sidney Hillman
Family Practice
16 E. 16th St.
New York, NY 10003
1-212-633-0800, ext. 1337
1-212-206-5200 (medical)

Joseph P. Addabbo Family Health Center
67-10 Rockaway Beach Blvd.
Arverne, NY 11692
1-718-945-7150

Urban Health Plan – El Nuevo San Juan
Health Center
1065 Southern Blvd.
Bronx, NY 10459
1-718-589-2440

Urban Health Plan – Plaza Del Castillo
Health Center
1515 Southern Blvd.
Bronx, NY 10460
1-718-589-1600

Urban Horizons Family Practice
50 E. 168th St.
Bronx, NY 10452
1-718-293-3961

Walton Family Health Center
1894 Walton Ave.
Bronx, NY 10453
1-718-583-3060

William F. Ryan Community Health Center
110 W. 97th St.
New York, NY 10025
1-212-316-7906

- In almost all cases, your doctors will be Empire providers. There are four instances when you can still **see another provider that you had before you joined Empire**. In these cases, your provider must agree to work with us. You can continue to see your doctor if:
 - You are more than 3 months pregnant when you join Empire and you are getting prenatal care. In that case, you can keep your provider until after your delivery through post-partum care.
- At the time you join Empire, you have a life threatening disease or condition that gets worse with time. In that case, you can ask to keep your provider for up to 60 days.
- At the time you join Empire, you are being treated for a behavioral health condition. In that case, you can ask to keep your provider through treatment for up to 2 years.
- At the time you join Empire, regular Medicaid paid for your home care and you need to keep getting that care for at least 120 days. In that case, you can keep your same home care agency, nurse or attendant, and the same amount of home care, for at least 90 days.

Empire must tell you about any changes to your home care before the changes take effect.

- If you have a long-lasting illness, like HIV/AIDS or other long term health problems, you may be able to **choose a specialist to act as your PCP**. Please call Member Services and they will help you make this change.
- If you need to, you can **change your PCP** in the first 30 days after your first appointment with your PCP. After that, you can change once every six months without cause, or more often if you have a good reason. You can also change your OB/GYN or a specialist to whom your PCP has referred you.
- If your **provider leaves Empire**, we will tell you within 15 days from when we know about this. If you wish, you may be able to see that provider **if** you are more than three months pregnant or if you are receiving ongoing treatment for a condition. If you are pregnant, you may continue to see your doctor for up to 60 days after delivery. If you are seeing a doctor regularly for an ongoing condition, you may continue your present course of treatment for up to 90 days. Your doctor must agree to work with the Plan during this time. If any of these conditions apply to you, check with your PCP or call Member Services at 1-800-300-8181 (TTY 711).

HOW TO GET REGULAR HEALTH CARE

- Regular health care means exams, regular check-ups, shots or other treatments to keep you well, give you advice when you need it, and refer you to the hospital or specialists when needed. It means you and your PCP working together to keep you well or to see that you get the care you need.

Day or night, your PCP is only a phone call away. Be sure to call him or her whenever you have a medical question or concern. If you call after hours or on weekends, leave a message and where or how you can be reached. Your PCP will call you back as quickly as possible. Remember, your PCP knows you and knows how the health plan works.

- Your care must be **medically necessary**. The services you get must be needed:
 1. To prevent, or diagnose and correct what could cause more suffering, or
 2. To deal with a danger to your life, or
 3. To deal with a problem that could cause illness, or
 4. To deal with something that could limit your normal activities.
- Your PCP will take care of most of your health care needs, but you must have an appointment to see your PCP. If you can't keep an appointment, call to let your PCP know.
- As soon as you choose a PCP, call to make a first appointment. If you can, prepare for your first appointment. Your PCP will need to know as much about your medical history as you can tell him or her. Make a list of your medical background, any problems you have now, any medications you are taking, and the questions you want to ask your PCP. In most cases, your first visit should be within three months of your joining the plan.
- **If you need care before your first appointment**, call your PCP's office to explain your concern. He or she will give you an earlier appointment. You should still keep the first appointment to discuss your medical history and ask questions.

- Use the following list as an **appointment guide for our limits on how long you may have to wait after your request for an appointment:**
 - Adult baseline and routine physicals: within 12 weeks
 - Urgent care: within 24 hours
 - Non-urgent sick visits: within 3 days
 - Routine, preventive care: within 4 weeks
 - First pre-natal visit: within 3 weeks during 1st trimester (2 weeks during 2nd, 1 week during 3rd)
 - First newborn visit: within 2 weeks of hospital discharge
 - First family planning visit: within 2 weeks
 - Follow-up visit after mental health/substance abuse ER or inpatient visit: 5 days
 - Non-urgent mental health or substance abuse visit: 2 weeks.
- If you need medications, your PCP or specialist will use Empire’s preferred drug list (also called a formulary) to prescribe you medicines. A preferred drug list is a listing of medicines that you and your provider can choose from that are safe, effective, and cost-saving. If you want to know what medicines are on Empire’s preferred drug list, call Empire Member Services for a paper copy, or go online at www.empireblue.com/ny. There are some medicines on the preferred drug list as well as any medicine not on the list that will require preauthorization before Empire will cover it. If Empire denies the preauthorization for the medicine, then you will be given the right to file an appeal.

HOW TO GET SPECIALTY CARE AND REFERRALS

- If you need care that your PCP cannot give, he or she will REFER you to a specialist who can. If your PCP refers you to another doctor, we will pay for your care. Most of these specialists are Empire providers. Talk with your PCP to be sure you know how referrals work.
- If you think a specialist does not meet your needs, talk to your PCP. Your PCP can help you if you need to see a different specialist.
- There are some treatments and services that your PCP must ask Empire to approve *before* you can get them. Your PCP will be able to tell you what they are. If you are having trouble getting a referral you think you need, contact Member Services at 1-800-300-8181 (TTY 711).
- If we do not have a specialist in our provider network who can give you the care you need, we will get you the care you need from a specialist outside our plan. This is called an **out-of-network referral**. Your PCP or plan provider must ask Empire for approval *before* you can get an out-of-network referral. If your PCP or plan provider refers you to a provider who is not in our network, you are not responsible for any of the costs except any co-payments as described in this handbook.

- Your PCP can obtain a preauthorization for services with out-of-network providers by calling 1-800-450-8753. Time frames for review can be found in the “Service Authorizations” section of this handbook.
- Sometimes we may not approve an out-of-network referral because we have a provider in Empire that can treat you. If you think our plan provider does not have the right training or experience to treat you, you can ask us to check if your out-of-network referral is medically needed. You will need to ask for a **Plan Appeal**. See the “Plan Appeals” section of this handbook to find out how.
- Sometimes, we may not approve an out-of-network referral for a specific treatment because you asked for care that is not very different from what you can get from Empire’s provider. You can ask us to check if your out-of-network referral for the treatment you want is medically needed. You will need to ask for a Plan Appeal. See the “Plan Appeals” section of this handbook to find out how. See Page 37 for more information about external appeals.
- If you need to see a specialist for ongoing care, your PCP may be able to refer you for a specified number of visits or length of time (a **standing referral**). If you have a standing referral, you will not need a new referral for each time you need care.
- *If you have a long-term disease or a disabling illness that gets worse over time, your PCP may be able to arrange for:*
 - Your specialist to act as your PCP; or
 - A referral to a specialty care center that deals with the treatment of your illness.

You can also call Member Services for help in getting access to a specialty care center.

GET THESE SERVICES FROM OUR PLAN *WITHOUT* A REFERRAL

Women’s Health Care

You do not need a referral from your PCP to see one of our providers if:

- You are pregnant,
- You need OB/GYN services,
- You need family planning services,
- You want to see a mid-wife,
- You need to have a breast or pelvic exam.

Family Planning

- You can get the following family planning services: advice about birth control, birth control prescriptions, male and female condoms, pregnancy tests, sterilization, or an abortion. During your visits for these things, you can also get tests for sexually transmitted infections, a breast cancer exam or a pelvic exam.
- *You do not need a referral from your PCP to get these services. In fact, you can choose where to get these services. You can use your Empire ID card to see one of our family planning providers. Check the plan’s Provider Directory or call Member Services for help in finding a provider.*

- Or, you can *use your Medicaid card* if you want to go to a doctor or clinic outside our plan. Ask your PCP or Member Services for a list of places to go to get these services. You can also call the New York State Growing Up Healthy Hotline (1-800-522-5006) for the names of family planning providers near you.

HIV and STI Screening

Everyone should know their HIV status. HIV and sexually transmitted infection screenings are part of your regular health care.

- You can get an HIV or STI test any time you have an office or clinic visit.
- You can get an HIV or STI test any time you have family planning services. You do not need a referral from your PCP (Primary Care Provider). Just make an appointment with any family planning provider. If you want an HIV or STI test, but *not as part of a family planning service*, your PCP can provide or arrange it for you.
- Or, if you'd rather not see one of our providers, you can use your Medicaid card to see a family planning provider outside Empire. For help in finding either a plan provider or a Medicaid provider for family planning services, call Member Services.
- Everyone should talk to their doctor about having an HIV test. To get free HIV testing or testing where your name isn't given, call 1-800-541-AIDS (English) or 1-800-233-SIDA (Spanish).

Some tests are “rapid tests” and the results are ready while you wait. The provider who gives you the test will explain the results and arrange for follow up care if needed. You will also learn how to protect your partner. If your test is negative, we can help you learn to stay that way.

Eye Care

The covered benefits include the needed services of an ophthalmologist, optometrist and an ophthalmic dispenser, and include an eye exam and pair of eyeglasses, if needed. Generally, you can get these once every two years, or more often if medically needed. Enrollees diagnosed with diabetes may self-refer for a dilated eye (retinal) examination once in any 12-month period. You just choose one of our participating providers.

New eyeglasses, with Medicaid approved frames, are usually provided once every two years. New lenses may be ordered more often, if, for example, your vision changes more than one-half diopter. If you break your glasses, they can be repaired. Lost eyeglasses, or broken eyeglasses that can't be fixed, will be replaced with the same prescription and style of frames. If you need to see an eye specialist for care of an eye disease or defect, your PCP will refer you.

Behavioral Health – (Mental Health and Substance Use)

We want to help you get the mental health and drug or alcohol abuse services that you may need. If at any time you think you need help with mental health or substance use, you can see behavioral health providers in our network to see what services you may need. This includes services like clinic and detox services. You do not need a referral from your PCP.

Smoking Cessation

You can get medication, supplies and counseling if you want help to quit smoking. You do not need a referral from your PCP to get these services.

Maternal Depression Screening

If you are pregnant and think you need help with depression, you can get a screening to see what services you may need. You do not need a referral from your PCP. You can get a screening for depression during pregnancy and for up to a year after your delivery.

Emergencies

You are always covered for emergencies.

An emergency means a medical or behavioral condition:

- That comes on all of a sudden, and
- Has pain or other symptoms.

An emergency would make a person with an average knowledge of health fear that someone will suffer serious harm to body parts or functions or serious disfigurement without care right away.

Examples of an emergency are:

- A heart attack or severe chest pain
- Bleeding that won't stop or a bad burn
- Broken bones
- Trouble breathing, convulsions, or loss of consciousness
- When you feel you might hurt yourself or others
- If you are pregnant and have signs like pain, bleeding, fever, or vomiting
- Drug overdose

Examples of **non-emergencies** are: colds, sore throat, upset stomach, minor cuts and bruises, or sprained muscles.

Non-emergencies may also be family issues, a break up, or wanting to use alcohol or other drugs. These may feel like an emergency, but they are not a reason to go to the emergency room.

If you have an emergency, here's what to do:

If you believe you have an **emergency**, call 911 or go to the emergency room. You do not need your plans or your PCP's approval before getting emergency care, and you are not required to use our hospitals or doctors.

- **If you're not sure, call your PCP or Empire.**
Tell the person you speak with what is happening. Your PCP or Member Services representative will:
 - Tell you what to do at home,
 - Tell you to come to the PCP's office, or
 - Tell you to go to the nearest emergency room.
- If you are **out of the area** when you have an emergency, go to the nearest emergency room.

Remember

You do not need prior approval for emergency services. Use the emergency room **only** if you have an **Emergency**.

The Emergency Room should NOT be used for problems like the flu, sore throats, or ear infections.

If you have questions, call your PCP or Empire Member Services at 1-800-300-8181 (TTY 711).

Urgent Care

You may have an injury or an illness that is not an emergency but still needs prompt care.

- This could be a child with an ear ache who wakes up in the middle of the night and won't stop crying
- This could be the flu or if you need stitches
- It could be a sprained ankle, or a bad splinter you can't remove

You can get an appointment for an urgent care visit for the same or next day. Whether you are at home or away, call your PCP any time, day or night. If you cannot reach your PCP, call us at 1-800-300-8181 (TTY 711). Tell the person who answers what is happening. They will tell you what to do.

Care Outside of the United States

If you travel outside of the United States, you can get urgent and emergency care only in the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands and American Samoa. If you need medical care while in any other country (including Canada and Mexico), you will have to pay for it.

WE WANT TO KEEP YOU HEALTHY

Besides the regular checkups and the shots you and your family need, here are some other ways to keep you in good health:

- Classes for you and your family
- Stop-smoking classes
- Prenatal care and nutrition
- Grief/Loss support
- Breastfeeding and baby care
- Stress management
- Weight control
- Cholesterol control
- Diabetes counseling and self-management training
- Asthma counseling and self-management training
- Sexually Transmitted Infection (STI) Testing & Protecting Yourself from STIs
- Domestic Violence Services

Call Member Services at 1-800-300-8181 (TTY 711) or visit our website at www.empireblue.com/ny to find out more and get a list of upcoming classes.

DISEASE MANAGEMENT

A Disease Management (DM) program can help you get more out of life. As part of your Empire benefits, we're here to help you learn more about your health, keeping you and your needs in mind at every step.

Our team includes registered nurses called DM case managers. They'll help you learn how to better manage your condition, or health issue. You can choose to join a DM program for free.

What programs do we offer?

You can join a Disease Management program to get health care and support services if you have any of these conditions:

HIV/AIDS	Hypertension
Asthma	Major Depressive Disorder – Adult
Substance Use Disorder	Major Depressive Disorder – Child and Adolescent
Bipolar Disorder	Schizophrenia
Chronic Obstructive Pulmonary Disease (COPD)	Coronary Artery Disease (CAD)
Congestive Heart Failure (CHF)	Diabetes

How it works

When you join one of our DM programs, a DM case manager will:

- Help you create health goals and make a plan to reach them.
- Coach you and support you through one-on-one phone calls.
- Track your progress.
- Give you information about local support and caregivers.
- Answer questions about your condition and/or treatment plan (ways to help health issues)
- Send you materials to learn about your condition and overall health and wellness
- Coordinate your care with your health care providers, like helping you with:
 - Making appointments
 - Getting to health care provider visits
 - Referring you to specialists in our health plan, if needed
 - Getting any medical equipment you may need
- Offer educational materials and tools for weight management and tobacco cessation (how to stop using tobacco like quitting smoking)

Our DM team and your primary care provider (PCP) are here to help you with your health care needs.

How to join

We'll send you a letter welcoming you to a DM program, if you qualify. Or, call us toll free at 1-888-830-4300 (TTY 711) Monday through Friday from 8:30 a.m. to 5:30 p.m. local time.

When you call, we'll:

- Set you up with a DM case manager to get started.
- Ask you some questions about your or your child's health.
- Start working together to create your or your child's plan.

You can also email us at dmsself-referral@empireblue.com.

Please be aware that emails sent over the internet are usually safe, but there is some risk third parties may access (or get) these emails without you knowing. By sending your information in an email, you acknowledge (or know, understand) third parties may access these emails without you knowing.

You can choose to opt-out (we'll take you out of the program) of the program at any time. Please call us toll free at 1-888-830-4300 (TTY 711) from 8:30 a.m. to 5:30 p.m. local time Monday through Friday to opt-out. You may also call this number to leave a private message for your DM case manager 24 hours a day.

Useful phone numbers

In an emergency, call 911.

Disease Management

Toll free: 1-888-830-4300 (TTY 711)

Monday through Friday

8:30 a.m. to 5:30 p.m. local time

Leave a private message for your case manager 24 hours a day.

After-hours:

Call the 24/7 NurseLine

24 hours a day, seven days a week

1-800-300-8181 (TTY 711)

Disease Management rights and responsibilities

When you join a Disease Management program, you have certain rights and responsibilities. You have the right to:

- Get details about us, such as:
 - Programs and services we offer.
 - Our staff and their qualifications (skills or education).
 - Any contractual relationships (deals we have with other companies).
- Opt-out of DM services.
- Know which DM case manager is handling your DM services and how to ask for a change.
- Get support from us to make health care choices with your health care providers.

- Ask about all DM-related treatment options (choices of ways to get better) mentioned in clinical guidelines (even if a treatment is not part of your health plan), and talk about options with treating health care providers.
- Have personal data and medical information kept private.
- Know who has access to your information and how we make sure your information stays secure, private and confidential.
- Receive polite, respectful treatment from our staff.
- Get information that is clear and easy to understand.
- File complaints to Empire by calling 1-888-830-4300 (TTY 711) toll free from 8:30 a.m. to 5:30 p.m. local time Monday through Friday and:
 - Get help on how to use the complaint process.
 - Know how much time Empire has to respond to and resolve issues of quality and complaints.
 - Give us feedback about the Disease Management program

You also have a responsibility to:

- Follow the care plan that you and your DM case manager agree on.
- Give us information needed to carry out our services.
- Tell us and your health care providers if you choose to opt-out (leave the program).

Disease Management does not market products or services from outside companies to our members. DM does not own or profit from outside companies on the goods and services we offer.

SECURE member portal – included for future use if/when the functionality is available

You can log in to your secure account, or register, at www.empireblue.com/ny to ask us to join a DM program. You'll need your member ID number to register (located on your member ID card).

Using your secure account, you can send a secure message to Disease Management and ask to join the program.

PART II YOUR BENEFITS AND PLAN PROCEDURES

The rest of this handbook is for your information when you need it. It lists the covered and the non-covered services. If you have a complaint, the handbook tells you what to do. The handbook has other information you may find useful. Keep this handbook handy for when you need it.

BENEFITS

Medicaid managed care provides a number of services you get in addition to those you get with regular Medicaid. Empire will provide or arrange for most services that you will need. You can get a few services, however, without going through your PCP. These include emergency care; family planning/HIV testing and counseling; and specific self-referral services, including those you can get from within Empire and some that you can choose to go to any Medicaid provider of the service. Please call our Member Services department at 1-800-300-8181 (TTY 711) if you have any questions or need help with any of the services below.

SERVICES COVERED BY EMPIRE

You must get these services from the providers who are in Empire. All services must be medically or clinically necessary and provided or referred by your PCP (Primary Care Provider). Please call our Member Services department at 1-800-300-8181 (TTY 711) if you have any questions or need help with any of the services below.

Regular Medical Care

- Office visits with your PCP
- Referrals to specialists
- Eye / hearing exams

Preventive Care

- Well-baby care
- Well-child care
- Regular check-ups
- Shots for children from birth through childhood
- Access to Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services for enrollees from birth until age 21 years
- Smoking cessation counseling
- Access to free needles and syringes
- Smoking cessation counseling
- HIV education and risk reduction

Maternity Care

- Pregnancy care
- Doctors/mid-wife and hospital services
- Newborn nursery care

- Screening for depression during pregnancy and up to a year after delivery

Home Health Care

- Must be medically needed and arranged by Empire
- One medically necessary post-partum home health visit, additional visits as medically necessary for high-risk women
- At least 2 visits to high-risk infants (newborns)
- Other home health care visits as needed and ordered by your PCP/specialist

Personal Care/Home Attendant/Consumer Directed Personal Assistance Services (CDPAS)

- Must be medically needed and arranged by Empire
- Personal Care/Home Attendant – Help with bathing, dressing and feeding and help with preparing meals and housekeeping.
- CDPAS – Help with bathing, dressing and feeding, help preparing meals and housekeeping, plus home health aide and nursing tasks. This is provided by an aide chosen and directed by you.
- If you want more information, contact 1-800-300-8181 (TTY 711).

Personal Emergency Response System (PERS)

- This is an item you wear in case you have an emergency.
- To qualify and get this service, you must be receiving personal care/home attendant or CDPAS services.

Adult Day Health Care Services

- Must be recommended by your Primary Care Provider (PCP)
- Provides health education, nutrition, nursing and social services, help with daily living, rehabilitative therapy, pharmacy services, plus referrals for dental and other specialty care

AIDS Adult Day Health Care Services

- Must be recommended by your Primary Care Provider (PCP)
- Provides general medical and nursing care, substance use supportive services, mental health supportive services, nutritional services, plus socialization, recreational and wellness/health promotion activities

Therapy for Tuberculosis

- This is help taking your medication for TB and follow up care

Hospice Care

- Hospice helps patients and their families with their special needs that come during the final stages of illness and after death.
- Must be medically needed and arranged by Empire
- Provides support services and some medical services to patients who are ill and expect to live for one year or less
- You can get these services in your home or in a hospital or nursing home

Children under age twenty-one (21) who are getting hospice services can also get medically needed curative services and palliative care. If you have any questions about this benefit, you can call Member Services Department at 1-800-300-8181 (TTY 711).

Dental Care

Empire believes that providing you with good dental care is important to your overall health care. We offer dental care through a contract with LIBERTY Dental, an expert in providing high quality dental services; or we offer dental care through contracts with individual dentists who are experts in providing high quality dental services. Covered services include regular and routine dental services such as preventive dental check-ups, cleaning, x-rays, fillings and other services to check for any changes or abnormalities that may require treatment and/or follow-up care for you. *You do not need a referral from your PCP to see a dentist!*

How to Get Dental Services:

Once you enroll in Empire, you will receive a letter from our Member Services department letting you know that it is time to choose your primary care dentist (PCD). You must choose a PCD within 30 days from the date of this letter, or we will choose one for you.

If you need to find a dentist or change your dentist, please call LIBERTY Dental at 1-833-276-0847 or please call 1-800-300-8181 (TTY 711). Customer Service Representatives are there to help you. Many speak your language or have a contract with Language Line Services.

Show your member ID card to access dental benefits. You will not receive a separate dental ID card. When you visit your dentist, you should show your plan ID card.

You can also go to a dental clinic that is run by an academic dental center without a referral. Plans should either list academic dental centers within a (30) thirty mile radius or include toll free 1-800-300-8181 (TTY 711) for members to call.

Orthodontic Care

Empire will cover braces for children up to age 21 who have a severe problem with their teeth, such as: can't chew food due to severely crooked teeth, cleft palette or cleft lip.

Vision Care

- Services of an ophthalmologist, ophthalmic dispenser and optometrist, and coverage for contact lenses, polycarbonate lenses, artificial eyes, and or replacement of lost or destroyed glasses, including repairs, when medically necessary. Artificial eyes are covered as ordered by a plan provider.
- Eye exams, generally every two years, unless medically needed more often
- Glasses (new pair of Medicaid approved frames every two years, or more often if medically needed)
- Low vision exam and vision aids ordered by your doctor
- Specialist referrals for eye diseases or defects

Pharmacy

- Prescription drugs
- Over-the-counter medicines
- Insulin and diabetic supplies
- Smoking cessation agents, including OTC products
- Hearing aid batteries
- Emergency Contraception (6 per calendar year)
- Some medical and surgical supplies

A pharmacy co-payment may be required for some people, for some medications and pharmacy items. There are no co-pays for the following members or services:

- Consumers younger than 21 years old
- Consumers who are pregnant. Pregnant women are exempt during pregnancy and for the two months after the month in which the pregnancy ends.
- Consumers in an OMH or OPWDD Home and Community Based Services (HCBS) Waiver Program
- Consumers in a DOH HCBS Waiver Program for Persons with Traumatic Brain Injury (TBI)
- Family Planning drugs and supplies like birth control pills and male or female condoms
- Drugs to treat mental illness (psychotropic) and tuberculosis

Prescription Item	Co-payment Amount	Co-payment Details
Brand name prescription drugs	\$3.00/\$1.00	1 co-pay charge for each new prescription and each refill
Generic prescription drugs	\$1.00	
Over the counter drugs, such as for smoking cessation and diabetes	\$0.50	

- There is a co-payment for each new prescription *and* each refill
- If you have a co-pay, you are responsible for a maximum of \$200 per calendar year
- If you transferred plans during the calendar year, keep your receipts as proof of your co-payments or you may request proof of paid co-payments from your pharmacy. You will need to give a copy to your new plan.
- Certain medications may require that your doctor get prior authorization from us before writing your prescription. Your doctor can work with Empire to make sure you get the medications that you need. Learn more about prior authorization later in this handbook.
- You have a choice in where you fill your prescriptions. You can go to any pharmacy that participates with our plan or you can fill your prescriptions by using a mail order pharmacy. For more information on your options, please contact Member Services at 1-800-300-8181 (TTY 711) or find a pharmacy that participates with our plan on our member website at www.empireblue.com/ny.

Hospital Care

- Inpatient care
- Outpatient care

- Lab, x-ray, other tests

Emergency Care

- Emergency care services are procedures, treatments or services needed to evaluate or stabilize an emergency
- After you have received emergency care, you may need other care to make sure you remain in stable condition. Depending on the need, you may be treated in the Emergency Room, in an inpatient hospital room, or in another setting. This is called **Post Stabilization Services**.
- For more about emergency services, see the “Emergencies” section of this handbook

Specialty Care

Includes the services of other practitioners, including

- Occupational and speech therapists – Limited to twenty (20) visits per therapy per calendar year, except for children under age 21, or if you have been determined to be developmentally disabled by the Office for People with Developmental Disabilities or if you have a traumatic brain injury.
- Physical therapists – Limited to forty (40) visits per therapy per calendar year, except for children under age 21, or if you have been determined to be developmentally disabled by the Office for People with Developmental Disabilities or if you have a traumatic brain injury.
- Audiologists
- Midwives
- Cardiac rehabilitation
- Podiatrists as medically necessary

Residential Health Care Facility Care (Nursing Home)

- Includes short term, or rehab, stays and long term care;
- Must be ordered by a physician and authorized by Empire;
- Covered nursing home services include medical supervision, 24-hour nursing care, assistance with daily living, physical therapy, occupational therapy, and speech-language pathology.

If you are in need of long term placement in a nursing home, your Local Department of Social Services must determine if you meet certain Medicaid income requirements. Empire and the nursing home can help you apply.

You must get this care from a nursing home that is in Empire’s provider network. If you choose a nursing home outside of our network, you may have to transfer to another plan. Call New York Medicaid Choice at 1-800-505-5678 for help with questions about nursing home providers and plan networks.

Call 1-800-300-8181 (TTY 711) for help finding a nursing home in our network.

Children’s Home and Community Based Services

New York State covers Children’s Home and Community Based Services (HCBS) under the Children’s Waiver. Starting **October 1, 2019**, Empire will cover Children’s HCBS for members participating in the Children’s Waiver and provide care management for these services.

Children's HCBS offers personal, flexible services to meet the needs of each child/youth. HCBS is provided where children/youth and families are most comfortable and supports them as they work towards goals and achievements.

Who can get Children's HCBS?

Children's HCBS is for children and youth who:

- Need extra care and support to remain at home/in the community.
- Have complex health, developmental and/or behavioral health needs.
- Want to avoid going to the hospital or a long-term care facility.
- Are eligible for HCBS and participate in the Children's Waiver.

Members under age 21 will be able to get these services from their health plan:

- Community habilitation
- Day habilitation
- Caregiver/family support and services
- Community self-advocacy training and support
- Prevocational services — must be age 14 and older
- Supported employment — must be age 14 and older
- Respite services (planned respite and crisis respite)
- Palliative care
- Environmental modifications
- Vehicle modifications
- Adaptive and assistive equipment
- Youth peer support services and training
- Crisis intervention

Children/youth participating in the Children's Waiver must receive care management. Care management provides a person who can help you find and get the services that are right for you.

- If you are getting care management from a Health Home Care Management Agency (CMA), you can stay with your CMA. Empire will work with your CMA to help you get the services you need.
- If you are getting care management from the Children and Youth Evaluation Service (C-YES), starting October 1, 2019, Empire will work with C-YES and provide your care management.

To learn more about these services, call Member Services at 1-800-300-8181 (TTY 711).

Infertility Services

If you are unable to get pregnant, Empire covers services that may help.

Starting **October 1, 2019**, Empire will cover some drugs for infertility. This benefit will be limited to coverage for three cycles of treatment per lifetime.

Empire will also cover services related to prescribing and monitoring the use of such drugs. The infertility benefit includes:

- Office visits.
- X-ray of the uterus and fallopian tubes.
- Pelvic ultrasound.
- Blood testing.

Eligibility

You may be eligible for infertility services if you meet the following criteria:

- You are 21-34 years old, and are unable to get pregnant after 12 months of regular, unprotected sex.
- You are 35-44 years old, and are unable to get pregnant after six months of regular, unprotected sex.

To learn more about these services, call Member Services at 1-800-300-8181 (TTY 711).

BEHAVIORAL HEALTH CARE

Behavioral health care includes mental health and substance use (alcohol and drugs) treatment and rehabilitation services. All of our members have access to services to help with emotional health, or to help with alcohol or other substance use issues. These services include:

Mental Health Care

- Intensive psychiatric rehab treatment
- Day treatment
- Clinic continuing day treatment
- Inpatient and outpatient mental health treatment
- Partial hospital care
- Rehab services if you are in a community home or in family-based treatment
- Continuing day treatment
- Personalized Recovery Oriented Services
- Assertive Community Treatment Services
- Individual and group counseling
- Crisis intervention services

Substance Use Disorder Services

- Inpatient and outpatient substance use disorder (alcohol and drug) treatment
- Inpatient detoxification services
- Opioid, including Methadone Maintenance treatment
- Residential Substance Use Disorder Treatment
- Outpatient alcohol and drug treatment services Detox services

Emergency Transportation

If you need emergency transportation, call 911.

Other Covered Services

- Durable Medical Equipment (DME) / Hearing Aids / Prosthetics / Orthotics
- Court Ordered Services
- Case Management
- Help getting social support services
- FQHC
- Family Planning
- Services of a Podiatrist as medically needed

Starting July 1, 2019, members under age 21 will be able to get these services:

- Office of Alcoholism and Substance Abuse Services (OASAS) Outpatient – Clinic (hospital based)
- OASAS Outpatient – Rehabilitation Programs (hospital based)
- OASAS Opioid Treatment Program Services (hospital based)
- OASAS Chemical Dependence Inpatient Rehabilitative Services
- Injections for Behavioral Health Related Conditions
- Children and Family Treatment and Support Services (CFTSS), including:
 - Other Licensed Practitioner (OLP)
 - Psychosocial Rehabilitation (PSR)
 - Community Psychiatric Treatment and Supports (CPST)
 - Family Peer Support Services
- Office of Mental Health (OMH) Outpatient Services
- Assertive Community Treatment (ACT)
- Continuing Day Treatment
- Personalized Recovery Oriented Services (PROS)
- Partial Hospitalization
- Psychiatric Services
- Psychological Services
- Comprehensive Psychiatric Emergency Program (CPEP) including Extended Observation Bed
- Inpatient Psychiatric Services

Empire will cover these services for all eligible children and youth under age 21, including those:

- With Supplemental Security Income (SSI)
- Who have federal Social Security Income (SSI)
- Who have been determined certified disabled by a New York State Medical Disability Review

CHILDREN'S FAMILY TREATMENT AND SUPPORT SERVICES

Use your Empire benefit card to get Children and Family Treatment and Support Services. These services include:

- **Other Licensed Practitioner (OLP).** This benefit lets you get individual, group, or family therapy where you are most comfortable.
- **Psychosocial Rehabilitation (PSR).** This benefit helps you relearn skills to help you in your community. This service was called “Skill Building”.
- **Community Psychiatric Supports and Treatment (CPST).** This benefit helps you stay in your home and communicate better with family, friends and others. This service was called “Intensive In Home Services,” “Crisis Avoidance Management & Training,” or “Intensive In Home Supports and Services.”

If you are under 21 years old and have federal Social Security Insurance disability status or have been determined Social Security Insurance-Related by New York State, use your State Medicaid Card for these Children’s Family Treatment and Support Services.

HARM REDUCTION SERVICES

If you are in need of help related to substance use disorder, Harm Reduction Services can offer a complete patient-oriented approach to your health and well-being. Empire covers services that may help reduce substance use and other related harms. These services include:

- A plan of care developed by a person experienced in working with substance users.
- Individual supportive counseling that assists in achieving your goals.
- Group supportive counseling in a safe space to talk with others about issues that affect your health and well-being
- Counseling to help you with taking your prescribed medication and continuing treatment.
- Support groups to help you better understand substance abuse and identify techniques and skills that will work for you.

To learn more about these services, call Member Services at 1-800-300-8181 (TTY 711).

BENEFITS YOU CAN GET FROM EMPIRE OR WITH YOUR MEDICAID CARD

For some services, you can choose where to get the care. You can get these services by using your Empire membership card. You can also go to providers who will take your Medicaid Benefit card. You do not need a referral from your PCP to get these services. Call us if you have questions at 1-800-300-8181 (TTY 711).

Family Planning

You can go to any doctor or clinic that takes Medicaid and offers family planning services. You can visit one of our family planning providers as well. Either way, you do not need a referral from your PCP.

You can get birth control drugs, birth control devices (IUDs and diaphragms) that are available with a prescription, plus emergency contraception, sterilization, pregnancy testing, prenatal care,

and abortion services. You can also see a family planning provider for HIV and sexually transmitted infection (STI) testing and treatment and counseling related to your test results. Screenings for cancer and other related conditions are also included in family planning visits.

HIV and STI Screening

You can get this service any time from your PCP or doctors in our plan. When you get this service as part of a family planning visit, you can go to any doctor or clinic that takes Medicaid and offers family planning services. You do not need a referral when you get this service as part of a family planning visit.

Everyone should talk to their doctor about having an HIV test. To access free HIV testing or testing where your name isn't given, call 1-800-541-AIDS (English) or 1-800-233-SIDA (Spanish).

TB Diagnosis and Treatment

You can choose to go either to your PCP or to the county public health agency for diagnosis and/or treatment. You do not need a referral to go to the county public health agency.

BENEFITS USING YOUR MEDICAID CARD ONLY

There are some services Empire does not provide. You can get these services from a provider who takes Medicaid by using your Medicaid Benefit card.

Transportation

If you live in New York City or Putnam, Emergency and/or non-emergency medical transportation will be covered by regular Medicaid. To get non-emergency transportation, you or your provider must call Medical Answering Services (MAS) at 1-800-850-5340. If possible, you or your provider should call MAS at least 3 days before your medical appointment and provide your Medicaid identification number (ex. AB12345C), appointment date and time, address where you are going, and doctor you are seeing. Non-emergency medical transportation includes: personal vehicle, bus, taxi, ambulette and public transportation.

If you have an emergency and need an ambulance, you must call 911.

Developmental Disabilities

- Long-term therapies
- Day treatment
- Housing services
- Medicaid Service Coordination (MSC) program
- Services received under the Home and Community Based Services Waiver
- Medical Model (Care-at-Home) Waiver Services

SERVICES NOT COVERED

*These services are **not available** from Empire or Medicaid.* If you get any of these services, you may have to pay the bill.

- Cosmetic surgery if not medically needed
- Personal and comfort items
- Services from a provider that is not part of Empire, unless it is a provider you are allowed to see as described elsewhere in this handbook or Empire or your PCP send you to that provider.
- Services for which you need a referral (approval) in advance and you did not get it.

You may have to pay for any service that your PCP does not approve. Or, if before you get a service, you agree to be a "private pay" or "self-pay" patient, you will have to pay for the service. This includes:

- Non-covered services (listed above),
- Unauthorized services,
- Services provided by providers not part of our network.

IF YOU GET A BILL

If you get a bill for a treatment or service you do not think you should pay for, do not ignore it. Call Empire at 1-800-300-8181 (TTY 711) right away. Empire can help you understand why you may have gotten a bill. If you are not responsible for payment, we'll contact the provider and help fix the problem for you.

You have the right to ask for fair hearing if you think you are being asked to pay for something Medicaid or Empire should cover. See the Fair Hearing section later in this handbook.

If you have any questions, call Member Services at 1-800-300-8181 (TTY 711).

SERVICE AUTHORIZATION

Prior Authorization

There are some treatments and services that you need to get approval for before you receive them or in order to be able to continue receiving them. This is called **prior authorization**. You or someone you trust can ask for this. The following treatments and services must be approved before you get them:

- Some ambulatory surgery
- Chemotherapy
- Dialysis
- Durable medical equipment
- Growth hormone evaluation and therapy
- Digital hearing aids
- Home care
- Hyperbaric oxygen therapy
- Inpatient services
- Lithotripsy
- Non-emergent fixed wing transportation
- Obstetrical services (except family planning services)

- Oxygen equipment — respiratory therapy
- Prosthetics and orthotics
- Some drugs
- Transplant evaluation

Asking for approval of a treatment or service is called a **service authorization request**. To get approval for these treatments or services, you need to ask your doctor to call the Empire Medical Management department at 1-800-450-8753. If necessary, your doctor can call for an approval after hours and on weekends by calling this number.

You will also need to get prior authorization if you are getting one of these services now, but need to continue or get more of the care. This is called a **concurrent review**.

What happens after we get your service authorization request:

The health plan has a review team to be sure you get the services we promise. We check that the service you are asking for is covered under your health plan. Doctors and nurses are on the review team. Their job is to be sure the treatment or service you asked for is medically needed and right for you. They do this by checking your treatment plan against medically acceptable standards.

We may decide to deny a service authorization request or to approve it for an amount that is less than requested. These decisions will be made by a qualified health care professional. If we decide that the requested service is not medically necessary, the decision will be made by a clinical peer reviewer, who may be a doctor or may be a health care professional who typically provides the care you requested. You can request the specific medical standards, called **clinical review criteria**, we use to make decisions about medical necessity.

After we get your request, we will review it under a **standard** or **fast track** process. You or your doctor can ask for a fast track review if it is believed that a delay will cause serious harm to your health. If your request for a fast track review is denied, we will tell you and your case will be handled under the standard review process.

We will fast track your review if:

- A delay will seriously risk your health, life, or ability to function;
- Your provider says the review must be faster;
- You are asking for more a service you are getting right now.

In all cases, we will review your request as fast as your medical condition requires us to do so but no later than mentioned below.

We will tell you and your provider both by phone and in writing if your request is approved or denied. We will also tell you the reason for the decision. We will explain what options for appeals or fair hearings you will have if you don't agree with our decision. (See also the Plan Appeals and Fair Hearing sections later in this handbook.)

Timeframes for prior authorization requests:

- **Standard review:** We will make a decision about your request within 3 work days of when we have all the information we need, but you will hear from us no later than 14 days after we receive your request. We will tell you by the 14th day if we need more information.
- **Fast track review:** We will make a decision and you will hear from us within 72 hours. We will tell you within 72 hours if we need more information.

Timeframes for concurrent review requests:

- **Standard review:** We will make a decision within 1 work day of when we have all the information we need, but you will hear from us no later than 14 days after we received your request. We will tell you by the 14th day if we need more information.
- **Fast track review:** We will make a decision within 1 work day of when we have all the information we need. You will hear from us no later than 72 hours after we received your request. We will tell you within 1 work day if we need more information.

Special timeframes for other requests:

- If you are in the hospital or have just left the hospital and you are asking for home health care, we will make a decision within 72 hours of your request.
- If you are getting inpatient substance use disorder treatment, and you ask for more services at least 24 hours before you are to be discharged, we will make a decision within 24 hours of your request.
- If you are asking for mental health or substance use disorder services that may be related to a court appearance, we will make a decision within 72 hours of your request.
- If you are asking for an outpatient prescription drug, we will make a decision within 24 hours of your request.
- A step therapy protocol means we require you to try another drug first, before we will approve the drug you are requesting. If you are asking for approval to override a step therapy protocol, we will make a decision with 24 hours for outpatient prescription drugs. For other drugs, we will make a decision within 14 days of your request.

If we need more information to make either a standard or fast track decision about your service request, we will:

- Write and tell you what information is needed. If your request is in a fast track review, we will call you right away and send a written notice later.
- Tell you why the delay is in your best interest.
- Make a decision no later than 14 days from the day we asked for more information.

You, your provider, or someone you trust may also ask us to take more time to make a decision. This may be because you have more information to give the plan to help decide your case. This can be done by calling 1-800-300-8181 (TTY 711) or writing to:

Health Care Management Services
Empire BlueCross BlueShield HealthPlus
9 Pine St., 14th Floor
New York, NY 10005

You or your representative can file a complaint with the plan if you don't agree with our decision to take more time to review your request. You or someone you trust can also file a complaint

about the review time with the New York State Department of Health by calling 1-800-206-8125.

We will notify you by the date our time for review has expired. But if for some reason you do not hear from us by that date, it is the same as if we denied your service authorization request. If we do not respond to a request to override a step therapy protocol on time, your request will be approved.

If you think our decision to deny your service authorization request is wrong, you have the right to file a Plan Appeal with us. See the Plan Appeal section later in this handbook.

OTHER DECISIONS ABOUT YOUR CARE

Sometimes we will do a concurrent review on the care you are receiving to see if you still need the care. We may also review other treatments and services you have already received. This is called **retrospective review**. We will tell you if we make these decisions.

Timeframes for other decisions about your care:

- In most cases, if we make a decision to reduce, suspend or stop a service we have already approved and you are now getting, we must tell you at least 10 days before we change the service.
- We must tell you at least 10 days before we make any decision about long term services and supports, such as home health care, personal care, CDPAS, adult day health care, and nursing home care.
- If we are checking care that has been given in the past, we will make a decision about paying for it within 30 days of receiving all information we need for the retrospective review. If we deny payment for a service, we will send a notice to you and your provider the day the payment is denied. These notices are not bills. **You will not have to pay for any care you received that was covered by the plan or by Medicaid even if we later deny payment to the provider.**

HOW OUR PROVIDERS ARE PAID

You have the right to ask us whether we have any special financial arrangement with our physicians that might affect your use of health care services. You can call Member Services at 1-800-300-8181 (TTY 711) if you have specific concerns. We also want you to know that most of our providers are paid in one or more of the following ways.

- If our PCPs work in a clinic or health center, they probably get a **salary**. The number of patients they see does not affect this.
- Our PCPs who work from their own offices may get a set fee each month for each patient for whom they are the patient's PCP. The fee stays the same whether the patient needs one visit or many – or even none at all. This is called **capitation**.
- Sometimes providers get a set fee for each person on their patient list, but some money (maybe 10%) can be held back for an **incentive** fund. At the end of the year, this fund is used to reward PCPs who have met the standards for extra pay that were set by the Plan.

- Providers may also be paid by **fee-for-service**. This means they get a Plan-agreed-upon fee for each service they provide.

YOU CAN HELP WITH PLAN POLICIES

We value your ideas. You can help us develop policies that best serve our members. If you have ideas, tell us about them. Maybe you'd like to work with one of our member advisory boards or committees. Call Member Services at 1-800-300-8181 (TTY 711) to find out how you can help.

INFORMATION FROM MEMBER SERVICES

Here is information you can get by calling Member Services at 1-800-300-8181 (TTY 711):

- A list of names, addresses, and titles of Empire's Board of Directors, Officers, Controlling Parties, Owners and Partners
- A copy of the most recent financial statements/balance sheets, summaries of income and expenses
- A copy of the most recent individual direct pay subscriber contract
- Information from the Department of Financial Services about consumer complaints about Empire
- How we keep your medical records and member information private
- In writing, we will tell you how we check on the quality of care to our members
- We will tell you which hospitals our health providers work with
- If you ask us in writing, we will tell you the guidelines we use to review conditions or diseases that are covered by Empire
- If you ask in writing, we will tell you the qualifications needed and how health care providers can apply to be part of Empire
- If you ask, we will tell you: 1) whether our contracts or subcontracts include physician incentive plans that affect the use of referral services, and, if so, 2) information on the type of incentive arrangements used; and 3) whether stop loss protection is provided for physicians and physicians groups.
- Information about how our company is organized and how it works

KEEP US INFORMED

Call Member Services at 1-800-300-8181 (TTY 711) whenever these changes happen in your life:

- You change your name, address or telephone number
- You have a change in Medicaid eligibility
- You are pregnant
- You give birth
- There is a change in insurance for you or your children

If you no longer get Medicaid, check with your local Department of Social Services. You *may* be able to enroll in another program.

DISENROLLMENT AND TRANSFERS

1. If YOU want to leave the Plan

You can try us out for 90 days. You may leave Empire and join another health plan at any time during that time. If you do not leave in the first 90 days, however, you must stay in Empire for nine more months, *unless* you have a good reason (good cause).

Some examples of good cause include:

- Our health plan does not meet New York State requirements and members are harmed because of it.
- You move out of our service area.
- You, the plan, and the LDSS all agree that disenrollment is best for you.
- You are or become exempt or excluded from managed care.
- We do not offer a Medicaid managed care service that you can get from another health plan in your area.
- You need a service that is related to a benefit we have chosen not to cover and getting the service separately would put your health at risk.
- We have not been able to provide services to you as we are required to under our contract with the State.

To change plans:

- Call the Managed Care staff at your local Department of Social Services.
- Call New York Medicaid Choice at 1-800-505-5678. The New York Medicaid Choice counselors can help you change health plans.

You may be able to transfer to another plan over the phone. If you have to be in managed care, you will have to choose another health plan.

It may take between two and six weeks to process, depending on when your request is received. You will get a notice that the change will take place by a certain date. Empire will provide the care you need until then.

You can ask for faster action if you believe the timing of the regular process will cause added damage to your health. You can also ask for faster action if you have complained because you did not agree to the enrollment. Just call your local Department of Social Services or New York Medicaid Choice.

2. You Could Become Ineligible for Medicaid Managed Care

- You or your child may have to leave Empire if you or the child:
 - Move out of the County or service area,
 - Change to another managed care plan,
 - Join an HMO or other insurance plan through work,
 - Go to prison,
 - Otherwise lose eligibility.

- Your child may have to leave Empire or change plans if he or she:
 - Joins a Physically Handicapped Children’s Program, or
 - Is placed in foster care by an agency that has a contract to provide that service for the local Department of Social Services including all children in foster care in New York City, or
 - Is placed in foster care by the local Department of Social Services in an area that is not served by your child’s current plan.
- **If you have to leave Empire or become ineligible for Medicaid, all of your services may stop unexpectedly, including any care you receive at home.** Call New York Medicaid Choice at 1-800-505-5678 right away if this happens

3. We Can Ask You to Leave Empire

You can also lose your Empire membership, if you often:

- Refuse to work with your PCP in regard to your care,
- Don’t keep appointments,
- Go to the emergency room for non-emergency care,
- Don’t follow Empire’s rules,
- Do not fill out forms honestly or do not give true information (commit fraud),
- Cause abuse or harm to plan members, providers or staff, or
- Act in ways that make it hard for us to do our best for you and other members even after we have tried to fix the problems.

PLAN APPEALS

There are some treatments and services that you need to get approval for before you receive them or in order to be able to continue receiving them. This is called **prior authorization**. Asking for approval of a treatment or service is called a **service authorization request**. This process is described earlier in this handbook. The notice of our decision to deny a service authorization request or to approve it for an amount that is less than requested is called an **Initial Adverse Determination**.

If you are not satisfied with our decision about your care, there are steps you can take.

Your provider can ask for reconsideration:

If we made a decision that your service authorization request was not medically necessary or was experimental or investigational; and we did not talk to your doctor about it, your doctor may ask to speak with the plan’s Medical Director. The Medical Director will talk to your doctor within one work day.

You can file a Plan Appeal:

If you think our decision about your service authorization request is wrong, you can ask us to look at your case again. This is called a **Plan Appeal**.

- You have **60 calendar days** from the date of the Initial Adverse Determination notice to ask for a Plan Appeal.
- You can call Member Services at 1-800-300-8181 (TTY 711) if you need help asking for a Plan Appeal, or following the steps of the appeal process. We can help if you have any special needs like a hearing or vision impairment, or if you need translation services.
- You can ask for a Plan Appeal, or you can have someone else, like a family member, friend, doctor or lawyer, ask for you. You and that person will need to sign and date a statement saying you want that person to represent you.
- We will not treat you any differently or act badly toward you because you ask for a Plan Appeal.

Aid to Continue while appealing a decision about your care:

If we decided to reduce, suspend or stop services you are getting now, you may be able to continue the services while you wait for your Plan Appeal to be decided. **You must ask for your Plan Appeal:**

- **Within ten days from being told that your care is changing; or**
- **By the date the change in services is scheduled to occur, whichever is later.**

If your Plan Appeal is results in another denial, you may have to pay for the cost of any continued benefits that you received.

You can call or write us to ask for a Plan Appeal. When you ask for a Plan Appeal, or soon after, you will need to give us:

- Your name and address
- Enrollee number
- Service you asked for and reason(s) for appealing
- Any information that you want us to review, such as medical records, doctors' letters or other information that explains why you need the service.
- Any specific information we said we needed in the Initial Adverse Determination notice.
- To help you prepare for your Plan Appeal, you can ask to see the guidelines, medical records and other documents we used to make the Initial Adverse Determination. If your Plan Appeal is fast tracked, there may be a short time to give us information you want us to review. You can ask to see these documents or ask for a free copy by calling 1-800-300-8181 (TTY 711).

Give us your information and materials by phone, fax, mail or in person:

Phone.....1-800-300-8181 (TTY 711)

Fax.....1-866-495-8716

Mail.....P.O. Box 62429, Virginia Beach, VA 23466-2429

In Person.....9 Pine St. New York, NY 10005

If you ask for a Plan Appeal by phone, unless it is fast tracked, you must also send your Plan Appeal to us in writing.

If you are asking for out of network service or provider:

- If we said that the service you asked for is not very different from a service available from a participating provider, you can ask us to check if this service is medically necessary for you. You will need to ask your doctor to send this information with your Plan Appeal:
 - 1) A statement in writing from your doctor that the out of network service is very different from the service the plan can provide from a participating provider. Your doctor must be a board certified or board eligible specialist who treats people who need the service you are asking for.
 - 2) Two medical or scientific documents that prove the service you are asking for is more helpful to you and will not cause you more harm than the service the plan can provide from a participating provider.

If your doctor does not send this information, we will still review your Plan Appeal. However, you may not be eligible for an External Appeal. See the External Appeal section later in this handbook.

- If you think our participating provider does not have the correct training or experience to provide a service, you can ask us to check if it is medically necessary for you to be referred to an out of network provider. You will need to ask your doctor to send this information with your appeal:
 - 1) A statement in writing that says our participating provider does not have the correct training and experience to meet your needs, and
 - 2) That recommends an out of network provider with the correct training and experience who is able to provide the service.

Your doctor must be a board certified or board eligible specialist who treats people who need the service you are asking for. If your doctor does not send this information, we will still review your Plan Appeal. However, you may not be eligible for an External Appeal. See the External Appeal section later in this handbook.

What happens after we get your Plan Appeal:

- Within 15 days, we will send you a letter to let you know we are working on your Plan Appeal.
- We will send you a free copy of the medical records and any other information we will use to make the appeal decision. If your Plan Appeal is fast tracked, there may be a short time to review this information.
- You can also provide information to be used in making the decision in person or in writing. Call us at 1-800-300-8181 (TTY 711) if you are not sure what information to give us.
- Plan Appeals of clinical matters will be decided by qualified health care professionals who did not make the first decision, at least one of whom will be a clinical peer reviewer.
- Non-clinical decisions will be handled by persons who work at a higher level than the people who worked on your first decision.
- You will be given the reasons for our decision and our clinical rationale, if it applies. The notice of the Plan Appeal decision to deny your request or to approve it for an amount that is less than requested is called an **Final Adverse Determination**.
- **If you think our Final Adverse Determination is wrong:**

- You can ask for a Fair Hearing. See the Fair Hearing section of this handbook.
- For some decisions, you may be able to ask for an External Appeal. See the External Appeal section of this handbook.
- You may file a complaint with the New York State Department of Health at 1-800-206-8125.

Timeframes for Plan Appeals:

- **Standard Plan Appeals:** If we have all the information we need we will tell you our decision within 30 calendar days from when you asked for your Plan Appeal.
- **Fast track Plan Appeals:** If we have all the information we need, fast track Plan Appeal decisions will be made in 2 working days from your Plan Appeal but not more than 72 hours from when you asked for your Plan Appeal.
 - We will tell you within in 72 hours if we need more information.
 - If your request was denied when you asked for more inpatient substance use disorder treatment at least 24 hours before you were to leave the hospital, we will make a decision about your appeal within 24 hours.
 - We will tell you our decision by phone and send a written notice later.

Your Plan Appeal will be reviewed under the fast track process if:

- If you or your doctor asks to have your Plan Appeal reviewed under the fast track process. Your doctor would have to explain how a delay will cause harm to your health. If your request for fast track is denied we will tell you and your Plan Appeal will be reviewed under the standard process; **or**
- If your request was denied when you asked to continue receiving care that you are now getting or need to extend a service that has been provided; **or**
- If your request was denied when you asked for home health care after you were in the hospital; **or**
- If your request was denied when you asked for more inpatient substance use disorder treatment at least 24 hours before you were to leave the hospital.

If we need more information to make either a standard or fast track decision about your Plan Appeal, we will:

- Write you and tell you what information is needed. If your request is in a fast track review, we will call you right away and send a written notice later.
- Tell you why the delay is in your best interest.
- Make a decision no later than 14 days from the day we asked for more information.

You or your representative may also ask us to take more time to make a decision. This may be because you have more information to give the plan to help decide your case. This can be done by calling 1-800-300-8181 (TTY 711) or writing.

You or your representative can file a complaint with the plan if you don't agree with our decision to take more time to review your Plan Appeal. You or someone you trust can also file a complaint about the review time with the New York State Department of Health by calling 1-800-206-8125.

If you do not receive a response to your Plan Appeal or we do not decide in time, including extensions, you can ask for a Fair Hearing. See the Fair Hearing section of this handbook.

If we do not decide your Plan Appeal on time, and we said the service you are asking for is:
1) not medically necessary; 2) experimental or investigational; 3) not different from care you can get in the plan's network; or 4) available from a participating provider who has correct training and experience to meet your needs, the original denial will be reversed. This means your service authorization request will be approved.

External Appeals

You have other appeal rights if we said the service you are asking for was:

- 1) Not medically necessary;
- 2) Experimental or investigational;
- 3) Not different from care you can get in the plan's network; or
- 4) Available from a participating provider who has correct training and experience to meet your needs.

For these types of decisions, you can ask New York State for an independent **External Appeal**. This is called an External Appeal because it is decided by reviewers who do not work for the health plan or the state. These reviewers are qualified people approved by New York State. The service must be in the plan's benefit package or be an experimental treatment, clinical trial, or treatment for a rare disease. You do not have to pay for an External Appeal.

Before you ask for an External Appeal:

- You must file a Plan Appeal and get the plan's Final Adverse Determination; or
- If you have not gotten the service, and you ask for a fast track Plan Appeal, you may ask for an expedited External Appeal at the same time. Your doctor will have to say an expedited External Appeal is necessary; or
- You and the plan may agree to skip the plan's appeals process and go directly to External Appeal; or
- You can prove the plan did not follow the rules correctly when processing your Plan Appeal.

You have **4 months** after you receive the plan's Final Adverse Determination to ask for an External Appeal. If you and the plan agreed to skip the plan's appeals process, then you must ask for the External Appeal within 4 months of when you made that agreement.

To ask for an External Appeal, fill out an application and send it to the Department of Financial Services. You can call Member Services at 1-800-300-8181 (TTY 711) if you need help filing an appeal. You and your doctors will have to give information about your medical problem. The External Appeal application says what information will be needed.

Here are some ways to get an application:

- Call the Department of Financial Services, 1-800-400-8882.
- Go to the Department of Financial Services' website at www.dfs.ny.gov.
- Contact the health plan at 1-800-300-8181 (TTY 711).

Your External Appeal will be decided in 30 days. More time (up to five work days) may be needed if the External Appeal reviewer asks for more information. You and the plan will be told the final decision within two days after the decision is made.

You can get a faster decision if:

- Your doctor says that a delay will cause serious harm to your health: or
- You are in the hospital after an emergency room visit and the hospital care is denied by the plan.

This is called an **expedited External Appeal**. The External Appeal reviewer will decide an expedited appeal in 72 hours or less.

If you asked for inpatient substance use disorder treatment at least 24 hours before you were to leave the hospital, we will continue to pay for your stay if:

- You ask for a fast track Plan Appeal within 24 hours, AND
- You ask for a fast track External Appeal at the same time.

We will continue to pay for your stay until there is a decision made on your appeals. We will make a decision about your fast track Plan Appeal in 24 hours. The fast track External Appeal will be decided in 72 hours.

The External Appeal reviewer will tell you and the plan the decision right away by phone or fax. Later, a letter will be sent that tells you the decision.

If you ask for a Plan Appeal, and you receive a Final Adverse Determination that denies, reduces, suspends or stops your service, you can ask for a Fair Hearing. You may ask for a Fair Hearing or ask for an External Appeal, or both. If you ask for both a Fair Hearing and an External Appeal, the decision of the fair hearing officer will be the one that counts.

Fair Hearings

You may ask for a Fair Hearing from New York State if:

- You are not happy with a decision your local Department of Social Services or the State Department of Health made about your staying or leaving Empire.
- You are not happy with a decision we made to restrict your services. You feel the decision limits your Medicaid benefits. You have 60 calendar days from the date of the Notice of Intent to Restrict to ask for a Fair Hearing. If you ask for a Fair Hearing within 10 days of the Notice of Intent to Restrict, or by the effective date of the restriction, whichever is later, you can continue to get your services until the Fair Hearing decision. However, if you lose your Fair Hearing, you may have to pay the cost for the services you received while waiting for the decision.
- You are not happy with a decision that your doctor would not order services you wanted. You feel the doctor's decision stops or limits your Medicaid benefits. You must file a complaint with Empire. If Empire agrees with your doctor, you may ask for a Plan Appeal. If you receive a Final Adverse Determination, you will have 120 calendar days from the date of the Final Adverse Determination to ask for a state Fair Hearing.

- You are not happy with a decision that we made about your care. You feel the decision limits your Medicaid benefits. You are not happy we decided to:
 - Reduce, suspend or stop care you were getting; or
 - Deny care you wanted; or
 - Deny payment for care you received; or
 - Did not let you dispute a co-pay amount, other amount you owe or payment you made for your health care.

You must first ask for a Plan Appeal and receive a Final Adverse Determination. You will have 120 calendar days from the date of the Final Adverse Determination to ask for a Fair Hearing.

If you asked for a Plan Appeal, and receive a Final Adverse Determination that reduces, suspends, or stops care you getting now, you can continue to get the services your doctor ordered while you wait for your Fair Hearing to be decided. You must ask for a fair hearing within 10 days from the date of the Final Adverse Determination or by the time the action takes effect, whichever is later. However, if you choose to ask for services to be continued, and you lose your Fair Hearing, you may have to pay the cost for the services you received while waiting for a decision.

- You asked for a Plan Appeal, and the time for us to decide your Plan Appeal has expired, including any extensions. If you do not receive a response to your Plan Appeal or we do not decide in time, you can ask for a Fair Hearing.

The decision you receive from the fair hearing officer will be final.

You can use one of the following ways to request a Fair Hearing:

- By phone – call toll-free 1-800-342-3334
- By fax – 518-473-6735
- By internet – www.otda.state.ny.us/oah/forms.asp
- By mail – NYS Office of Temporary and Disability Assistance
Office of Administrative Hearings
Managed Care Hearing Unit
P.O. Box 22023
Albany, New York 12201-2023

When you ask for a Fair Hearing about a decision Empire made, we must send you a copy of the **evidence packet**. This is information we used to make our decision about your care. The plan will give this information to the hearing officer to explain our action. If there is not time enough to mail it to you, we will bring a copy of the evidence packet to the hearing for you. If you do not get your evidence packet by the week before your hearing, you can call 1-800-MCO-PLAN to ask for it.

Remember, you may complain anytime to the New York State Department of Health by calling 1-800-206-8125.

COMPLAINTS PROCESS

Complaints:

We hope our health plan serves you well. If you have a problem, talk with your PCP, or call or write Member Services. Most problems can be solved right away. If you have a problem or dispute with your care or services, you can file a complaint with the plan. Problems that are not solved right away over the phone and any complaint that comes in the mail will be handled according to our complaint procedure described below.

You can call Member Services at 1-800-300-8181 (TTY 711) if you need help filing a complaint, or following the steps of the complaint process. We can help if you have any special needs like a hearing or vision impairment, or if you need translation services.

We will not make things hard for you or take any action against you for filing a complaint.

You also have the right to contact the New York State Department of Health about your complaint at 1-800-206-8125 or write to: Complaint Unit, Bureau of Consumer Services, OHIP DHPCO 1CP-1609, New York State Department of Health, Albany, New York 12237

You may also contact your local Department of Social Services with your complaint at any time. You may call the New York State Department of Financial Services at (1-800-342-3736) if your complaint involves a billing problem.

How to File a Complaint with Our Plan:

You can file a complaint, or you can have someone else, like a family member, friend, doctor or lawyer, file the complaint for you. You and that person will need to sign and date a statement saying you want that person to represent you.

To file by phone, call Member Services at 1-800-300-8181 (TTY 711) Monday through Friday, 8 a.m. to 8 p.m. and on Saturday from 9 a.m. to 5 p.m. Eastern time. If you call us after hours, leave a message. We will call you back the next work day. If we need more information to make a decision, we will tell you.

You can write us with your complaint or call 1-800-300-8181 (TTY 711) and request a complaint form. It should be mailed to:

Medical Appeals
Empire BlueCross BlueShield HealthPlus
P.O. Box 62429
Virginia Beach, VA 23466-2429

What happens next:

If we don't solve the problem right away over the phone or after we get your written complaint, we will send you a letter within 15 work days. The letter will tell you:

- Who is working on your complaint
- How to contact this person
- If we need more information

You can also provide information to be used reviewing your complaint in person or in writing. Call Member Services at 1-800-300-8181 (TTY 711) if you are not sure what information to give us.

Your complaint will be reviewed by one or more qualified people. If your complaint involves clinical matters your case will be reviewed by one or more qualified health care professionals.

After we review your complaint:

- We will let you know our decision in 45 days of when we have all the information we need to answer your complaint, but you will hear from us in no more than 60 days from the day we get your complaint. We will write you and will tell you the reasons for our decision.
- When a delay would risk your health, we will let you know our decision in 48 hours of when we have all the information we need to answer your complaint but you will hear from us in no more than 7 days from the day we get your complaint. We will call you with our decision or try to reach you to tell you. You will get a letter to follow up our communication in 3 work days.
- You will be told how to appeal our decision if you are not satisfied and we will include any forms you may need
- If we are unable to make a decision about your Complaint because we don't have enough information, we will send a letter and let you know

Complaint Appeals:

If you disagree with a decision we made about your complaint, you can file a **complaint appeal** with the plan.

How to make a complaint appeal:

- If you are not satisfied with what we decide, you have at least 60 work days after hearing from us to file a complaint appeal;
- You can do this yourself or ask someone you trust to file the complaint appeal for you;
- The complaint appeal must be made in writing. If you make a complaint appeal by phone it must be followed up in writing. After your call, we will send you a form which is a summary of your phone appeal. If you agree with our summary, you must sign and return the form to us. You can make any needed changes before sending the form back to us.

What happens after we get your complaint appeal

After we get your complaint appeal, we will send you a letter within 15 work days. The letter will tell you:

- Who is working on your complaint appeal
- How to contact this person
- If we need more information

Your complaint appeal will be reviewed by one or more qualified people at a higher level than those who made the first decision about your complaint. If your complaint appeal involves clinical matters, your case will be reviewed by one or more qualified health professionals, with at least one clinical peer reviewer, that were not involved in making the first decision about your complaint.

If we have all the information we need, you will know our decision in 30 work days. If a delay would risk your health, you will get our decision in 2 work days of when we have all the information we need to decide the appeal. You will be given the reasons for our decision and our clinical rationale, if it applies. If you are still not satisfied, you or someone on your behalf can file a complaint at any time with the New York State Department of Health at 1-800-206-8125.

MEMBER RIGHTS AND RESPONSIBILITIES

Your Rights

As a member of Empire, you have a right to:

- Be cared for with respect, without regard for health status, sex, race, color, religion, national origin, age, marital status or sexual orientation.
- Be told where, when and how to get the services you need from Empire.
- Be told by your PCP what is wrong, what can be done for you, and what will likely be the result in language you understand.
- Get a second opinion about your care.
- Give your OK to any treatment or plan for your care after that plan has been fully explained to you.
- Refuse care and be told what you may risk if you do.
- Get a copy of your medical record, and talk about it with your PCP, and to ask, if needed, that your medical record be amended or corrected.
- Be sure that your medical record is private and will not be shared with anyone except as required by law, contract, or with your approval.
- Use the Empire complaint system to settle any complaints, or you can complain to the New York State Department of Health or the local Department of Social Services any time you feel you were not fairly treated.
- Use the State Fair Hearing system.
- Appoint someone (relative, friend, lawyer, etc.) to speak for you if you are unable to speak for yourself about your care and treatment.
- Receive considerate and respectful care in a clean and safe environment free of unnecessary restraints.
- Get information about Empire, our services, policies, procedures and doctors.
- Be told about your rights and responsibilities and make suggestions about them.
- Hear about all available treatment options no matter what your benefits cover or how much it costs.
- Work with your doctor to improve your health.
- Be told if any changes are made to these items.

Your Responsibilities

As a member of Empire, you agree to:

- Work with your PCP to guard and improve your health.
- Find out how your health care system works.
- Listen to your PCP's advice and ask questions when you are in doubt.

- Call or go back to your PCP if you do not get better, or ask for a second opinion.
- Treat health care staff with the respect you expect yourself.
- Tell us if you have problems with any health care staff. Call Member Services.
- Keep your appointments. If you must cancel, call as soon as you can.
- Use the emergency room only for real emergencies.
- Call your PCP when you need medical care, even if it is after-hours.
- Give your doctor the correct information about your health.
- Ask questions so you can understand your health conditions and/or treatment options.
- Talk with your doctor about treatment and follow the instructions for care.

Evaluation of New Technology

Empire keeps up with changes in technology to see if they should be part of the benefits in our plans. Our medical director and the doctors in our plans review new medical advances or changes to technology in:

- Behavioral health.
- Devices.
- Medical treatment.
- Prescription drugs.

They also look at scientific findings to see if these new medical advances and treatments:

- Are considered safe and effective by the government.
- Give equal or better outcomes than the treatment or therapy that exists now.

ADVANCE DIRECTIVES

There may come a time when you can't decide about your own health care. By planning in advance, you can arrange now for your wishes to be carried out. First, let family, friends and your doctor know what kinds of treatment you do or don't want. Second, you can appoint an adult you trust to make decisions for you. Be sure to talk with your PCP, your family or others close to you so they will know what you want. Third, it is best if you put your thoughts in writing. The documents listed below can help. You do not have to use a lawyer, but you may wish to speak with one about this. You can change your mind and these documents at any time. We can help you understand or get these documents. They do not change your right to quality health care benefits. The only purpose is to let others know what you want if you can't speak for yourself.

Health Care Proxy

With this document, you name another adult that you trust (usually a friend or family member) to decide about medical care for you if you are not able to do so. If you do this, you should talk with the person so they know what you want.

CPR and DNR

You have the right to decide if you want any special or emergency treatment to restart your heart or lungs if your breathing or circulation stops. If you do not want special treatment, including cardiopulmonary resuscitation (CPR), you should make your wishes known in writing. Your PCP will provide a DNR (Do Not Resuscitate) order for your medical records. You can also get a DNR form to carry with you and/or a bracelet to wear that will let any emergency medical provider know about your wishes.

Organ Donor Card

This wallet sized card says that you are willing to donate parts of your body to help others when you die. Also, check the back of your driver's license to let others know if and how you want to donate your organs.

IMPORTANT PHONE NUMBERS

Service	Phone Number
Your PCP	
Empire Member Services	1-800-300-8181
Member Services TTY/TDD	711
24/7 NurseLine	1-800-300-8181
Quality Management (Complaints and Appeals)	1-800-300-8181
Your nearest Emergency Room	
New York State Department of Health (Complaints)	1 800-206-8125
Human Resources Administration (HRA)	1-718-557-1399
Putnam County Department of Social Services (LDSS)	1-845-225-7040
New York City Department of Social Services (LDSS)	1-877-472-8411
New York Medicaid Choice	1-800-505-5678
Locate a Pharmacy	1-800-300-8181
Other Health Providers	



An Anthem Company

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION WITH REGARD TO YOUR HEALTH BENEFITS. PLEASE REVIEW IT CAREFULLY.

HIPAA Notice of Privacy Practices

The original effective date of this notice was April 14, 2003. The most recent revision date is shown at the end of this notice.

Please read this notice carefully. This tells you who can see your protected health information (PHI). It tells you when we have to ask for your OK before we share it. It tells you when we can share it without your OK. It also tells you what rights you have to see and change your information.

Information about your health and money is private. The law says we must keep this kind of information, called PHI, safe for our members. That means if you're a member right now or if you used to be, your information is safe.

We get information about you from state agencies for Medicaid, the Essential Plan, and the Children's Health Insurance Program after you become eligible and sign up for our health plan. We also get it from your doctors, clinics, labs and hospitals so we can OK and pay for your health care.

Federal law says we must tell you what the law says we have to do to protect PHI that's told to us, in writing or saved on a computer. We also have to tell you how we keep it safe. To protect PHI:

- On paper (called physical), we:
 - Lock our offices and files
 - Destroy paper with health information so others can't get it
- Saved on a computer (called technical), we:
 - Use passwords so only the right people can get in
 - Use special programs to watch our systems
- Used or shared by people who work for us, doctors or the state, we:
 - Make rules for keeping information safe (called policies and procedures)
 - Teach people who work for us to follow the rules

When is it OK for us to use and share your PHI?

We can share your PHI with your family or a person you choose who helps with or pays for your health care if you tell us it's OK. Sometimes, we can use and share it **without** your OK:

- **For your medical care**
 - To help doctors, hospitals and others get you the care you need
- **For payment, health care operations and treatment**
 - To share information with the doctors, clinics and others who bill us for your care
 - When we say we'll pay for health care or services before you get them

- To find ways to make our programs better, as well as giving your PHI to health information exchanges for payment, health care operations and treatment. If you don't want this, please visit www.empireblue.com/ny for more information.
- **For health care business reasons**
 - To help with audits, fraud and abuse prevention programs, planning, and everyday work
 - To find ways to make our programs better
- **For public health reasons**
 - To help public health officials keep people from getting sick or hurt
- **With others who help with or pay for your care**
 - With your family or a person you choose who helps with or pays for your health care, if you tell us it's OK
 - With someone who helps with or pays for your health care, if you can't speak for yourself and it's best for you

We must get your OK in writing before we use or share your PHI for all but your care, payment, everyday business, research or other things listed below. We have to get your written OK before we share psychotherapy notes from your doctor about you.

You may tell us in writing that you want to take back your written OK. We can't take back what we used or shared when we had your OK. But we will stop using or sharing your PHI in the future.

Other ways we can — or the law says we have to — use your PHI:

- To help the police and other people who make sure others follow laws
- To report abuse and neglect
- To help the court when we're asked
- To answer legal documents
- To give information to health oversight agencies for things like audits or exams
- To help coroners, medical examiners or funeral directors find out your name and cause of death
- To help when you've asked to give your body parts to science
- For research
- To keep you or others from getting sick or badly hurt
- To help people who work for the government with certain jobs
- To give information to workers' compensation if you get sick or hurt at work

What are your rights?

- You can ask to look at your PHI and get a copy of it. We don't have your whole medical record, though. **If you want a copy of your whole medical record, ask your doctor or health clinic.**
- You can ask us to change the medical record we have for you if you think something is wrong or missing.
- Sometimes, you can ask us not to share your PHI. But we don't have to agree to your request.
- You can ask us to send PHI to a different address than the one we have for you or in some other way. We can do this if sending it to the address we have for you may put you in danger.
- You can ask us to tell you all the times over the past six years we've shared your PHI with someone else. This won't list the times we've shared it because of health care, payment, everyday health care business or some other reasons we didn't list here.
- You can ask for a paper copy of this notice at any time, even if you asked for this one by

email.

- If you pay the whole bill for a service, you can ask your doctor not to share the information about that service with us.

What do we have to do?

- The law says we must keep your PHI private except as we've said in this notice.
- We must tell you what the law says we have to do about privacy.
- We must do what we say we'll do in this notice.
- We must send your PHI to some other address or in a way other than regular mail if you ask for reasons that make sense, like if you're in danger.
- We must tell you if we have to share your PHI after you've asked us not to.
- If state laws say we have to do more than what we've said here, we'll follow those laws.
- We have to let you know if we think your PHI has been breached.

Contacting you

We, along with our affiliates and/or vendors, may call or text you using an automatic telephone dialing system and/or an artificial voice. We only do this in line with the Telephone Consumer Protection Act (TCPA). The calls may be to let you know about treatment options or other health-related benefits and services. If you do not want to be reached by phone, just let the caller know, and we won't contact you in this way anymore. Or you may call 1-844-203-3796 to add your phone number to our Do Not Call list.

What if you have questions?

If you have questions about our privacy rules or want to use your rights, please call Member Services at 1-800-300-8181 (TTY 711).

What if you have a complaint?

We're here to help. If you feel your PHI hasn't been kept safe, you may call Member Services or contact the Department of Health and Human Services. Nothing bad will happen to you if you complain.

Write to or call the Department of Health and Human Services:

Office for Civil Rights
U.S. Department of Health and Human Services
Jacob Javits Federal Building
26 Federal Plaza, Suite 3312
New York, NY 10278
Phone: 1-800-368-1019
TDD: 1-800-537-7697
Fax: 212-264-3039

We reserve the right to change this Health Insurance Portability and Accountability Act (HIPAA) notice and the ways we keep your PHI safe. If that happens, we'll tell you about the changes in a newsletter. We'll also post them on the Web at www.empireblue.com/ny.

Race, ethnicity and language

We receive race, ethnicity and language information about you from the state Medicaid agency, the Essential Plan and the Children's Health Insurance Program. We protect this information as described in this notice.

We use this information to:

- Make sure you get the care you need
- Create programs to improve health outcomes
- Develop and send health education information
- Let doctors know about your language needs
- Provide translator services

We do **not** use this information to:

- Issue health insurance
- Decide how much to charge for services
- Determine benefits
- Disclose to unapproved users

Your personal information

We may ask for, use and share personal information (PI) as we talked about in this notice. Your PI is not public and tells us who you are. It's often taken for insurance reasons.

- We may use your PI to make decisions about your:
 - Health
 - Habits
 - Hobbies
- We may get PI about you from other people or groups like:
 - Doctors
 - Hospitals
 - Other insurance companies
- We may share PI with people or groups outside of our company without your OK in some cases.
- We'll let you know before we do anything where we have to give you a chance to say no.
- We'll tell you how to let us know if you don't want us to use or share your PI.
- You have the right to see and change your PI.
- We make sure your PI is kept safe.

www.empireblue.com/ny

Empire BlueCross BlueShield HealthPlus is the trade name of HealthPlus HP, LLC, an independent licensee of the Blue Cross and Blue Shield Association.

Revised November 20, 2017

NOTICE OF NON-DISCRIMINATION

Empire BlueCross BlueShield HealthPlus complies with Federal civil rights laws. **Empire** does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

Empire provides the following:

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

If you need these services, call **Empire** at 1-800-300-8181. For TTY/TDD services, call 711.

If you believe that **Empire** has not given you these services or treated you differently because of race, color, national origin, age, disability, or sex, you can file a grievance with **Empire** by:

Mail: 9 Pine St., 14th Floor New York, NY 10005
Phone: 1-800-300-8181 (TTY 711)
Fax: 1-866-495-8716
In person: 9 Pine St., 14th Floor New York, NY 10005

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights by:

Web: Office for Civil Rights Complaint Portal at
<https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>
Mail: U.S. Department of Health and Human Services
200 Independence Avenue SW., Room 509F, HHH Building
Washington, DC 20201
Complaint forms are available at
<http://www.hhs.gov/ocr/office/file/index.html>
Phone: 1-800-368-1019 (TTY/TDD 800-537-7697)

ATTENTION: Language assistance services, free of charge, are available to you. Call 1-800-300-8181 (TTY 711).	English
ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-800-300-8181 (TTY 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 1-800-300-8181 (TTY 711)。	Chinese
ملحوظة: إذا كنت تتحدث اذكر اللغة، فإن خدمات المساعدة اللغوية تتوافر لك بالمجان. اتصل برقم (TTY 711) (رقم هاتف الصم والبكم. 1-800-300-8181)	Arabic
주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다 1-800-300-8181 (TTY 711) 번으로 전화해 주십시오.	Korean
ВНИМАНИЕ: Если вы говорите на русском языке, то вам доступны бесплатные услуги перевода. Звоните 1-800-300-8181 (телетайп: TTY 711).	Russian
ATTENZIONE: In caso la lingua parlata sia l'italiano, sono disponibili servizi di assistenza linguistica gratuiti. Chiamare il numero 1-800-300-8181 (TTY 711).	Italian
ATTENTION : Si vous parlez français, des services d'aide linguistique vous sont proposés gratuitement. Appelez le 1-800-300-8181 (TTY 711).	French
ATANSYON: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou. Rele 1-800-300-8181 (TTY 711).	French Creole
אויפמערקזאם: אויב איר רעדט אידיש, זענען פארהאן פאר אייך שפראך הילף סערוויסעס פריי פון אפצאל. רופט (TTY 711) 1-800-300-8181.	Yiddish
UWAGA: Jeżeli mówisz po polsku, możesz skorzystać z bezpłatnej pomocy językowej. Zadzwoń pod numer 1-800-300-8181 (TTY 711).	Polish
PAUNAWA: Kung nagsasalita ka ng Tagalog, maaari kang gumamit ng mga serbisyo ng tulong sa wika nang walang bayad. Tumawag sa 1-800-300-8181 (TTY 711).	Tagalog
লক্ষ্য করুন: যদি আপনি বাংলা, কথা বলতে পারেন, তাহলে নিঃখরচায় ভাষা সহায়তা পরিষেবা উপলব্ধ আছে। ফোন করুন ১- 1-800-300-8181 (TTY 711)।	Bengali
KUJDES: Nëse flitni shqip, për ju ka në dispozicion shërbime të asistencës gjuhësore, pa pagesë. Telefononi në 1-800-300-8181 (TTY 711).	Albanian
ΠΡΟΣΟΧΗ: Αν μιλάτε ελληνικά, στη διάθεσή σας βρίσκονται υπηρεσίες γλωσσικής υποστήριξης, οι οποίες παρέχονται δωρεάν. Καλέστε 1-800-300-8181 (TTY 711).	Greek
خبردار: اگر آپ اردو بولتے ہیں، تو آپ کو زبان کی مدد کی خدمات مفت میں دستیاب ہیں۔ کال کریں 1-800-300-8181 (TTY 711)۔	Urdu

