

**WAC 182-538-180 Rights and protections.** (1) People have medic-aid-specific rights when applying for, eligible for, or receiving medicaid-funded health care services.

(2) All applicable statutory and constitutional rights apply to all medicaid people including, but not limited to:

- (a) The participant rights under WAC 246-341-0600;
- (b) Applicable necessary supplemental accommodation services including, but not limited to:
  - (i) Arranging for or providing help to complete and submit forms to the agency;
  - (ii) Helping people give or get the information the agency needs to decide or continue eligibility;
  - (iii) Helping to request continuing benefits;
  - (iv) Explaining the reduction in or ending of benefits;
  - (v) Assisting with requests for administrative hearings; and
  - (vi) On request, reviewing the agency's decision to terminate, suspend, or reduce benefits.
- (c) Receiving the name, address, telephone number, and any languages offered other than English of providers in a managed care organization (MCO);
- (d) Receiving information about the structure and operation of the MCO and how health care services are delivered;
- (e) Receiving emergency care, urgent care, or crisis services;
- (f) Receiving poststabilization services after receiving emergency care, urgent care, or crisis services that result in admittance to a hospital;
- (g) Receiving age-appropriate and culturally appropriate services;
- (h) Being provided a qualified interpreter and translated material at no cost to the person;
- (i) Receiving requested information and help in the language or format of choice;
- (j) Having available treatment options and explanation of alternatives;
- (k) Refusing any proposed treatment;
- (l) Receiving care that does not discriminate against a person;
- (m) Being free of any sexual exploitation or harassment;
- (n) Making an advance directive that states the person's choices and preferences for health care services under 42 C.F.R. Sec. 489 Subpart I;
- (o) Choosing a contracted health care provider;
- (p) Requesting and receiving a copy of health care records;
- (q) Being informed the cost for copying, if any;
- (r) Being free from retaliation;
- (s) Requesting and receiving policies and procedures of the MCO as they relate to health care rights;
- (t) Receiving services in an accessible location;
- (u) Receiving medically necessary services in accordance with the early and periodic screening, diagnosis, and treatment (EPSDT) program under WAC 182-534-0100, if the person is age twenty or younger;
- (v) Being treated with dignity, privacy, and respect;
- (w) Receiving treatment options and alternatives in a manner that is appropriate to a person's condition;
- (x) Being free from seclusion and restraint;
- (y) Receiving a second opinion from a qualified health care professional within an MCO provider network at no cost or having one ar-

ranged outside the network at no cost, as provided in 42 C.F.R. Sec. 438.206(b) (3);

(z) Receiving medically necessary health care services outside of the MCO if those services cannot be provided adequately and timely within the MCO;

(aa) Filing a grievance with the MCO if the person is not satisfied with a service;

(bb) Receiving a notice of action so that a person may appeal any decision by the MCO that:

(i) Denies or limits authorization of a requested service;

(ii) Reduces, suspends, or terminates a previously authorized service; or

(iii) Denies payment for a service, in whole or in part.

(cc) Filing an appeal if the MCO fails to provide health care services in a timely manner as defined by the state or act within the time frames in 42 C.F.R. Sec. 438.408(b); and

(dd) Requesting an administrative hearing if an appeal is not resolved in a person's favor.

[Statutory Authority: RCW 41.05.021, 41.05.160, 2019 c 325, 2014 c 225, and 2018 c 201. WSR 19-24-063, § 182-538-180, filed 11/27/19, effective 1/1/20.]