
	Title: Participant Bill of Rights
Effective Date: 09/23/2020	Reference: 460.112; 460.116 (a),(b), (c) (1)(2)10/15/2021
Approved By: Kim Mullins	Department: Intake, Pace Ops, Compliance

Participant Bill of Rights §460.112


As a Rocky Mountain PACE participant, you have specific rights to which you are entitled:

- **You have the right to be treated with respect, and to:**
 - Get all of your health care in a safe, clean environment in an accessible way.
 - Be free from harm. This includes physical or mental abuse or neglect, physical punishment, or being placed by yourself against your will, as well as any physical or chemical restraint used on you for discipline or convenience of staff.
 - Be treated with dignity and respect, and have privacy and confidentiality during your care.
 - Be encouraged and assisted to use your rights in Rocky Mountain PACE.
 - Get help, if you need it, to use the Medicare and Medicaid complaint and appeal processes, and your civil and other legal rights.
 - Be encouraged and helped in talking to Rocky Mountain PACE staff about changes in policy and services you think should be made.
 - Use a telephone while at the Rocky Mountain PACE center, make and receive confidential local calls and/or have such calls made, if necessary.
 - Not have to do work or services for Rocky Mountain PACE


- **You have the right to protection against discrimination.**
As a Rocky Mountain PACE participant, you cannot be discriminated against because of:

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- Ethnicity/National Origin
- Color
- Religion
- Age
- Sex
- Mental or physical ability
- Sexual orientation
- Source of payment for your health care (for example, Medicare or Medicaid). If you think you have been discriminated against for any of these reasons, contact a staff member at Rocky Mountain PACE to help you resolve your problem. If you have any questions, you can call the Office for Civil Rights at 1.866.627.7748/TTY 303.894.7832.
- **You have the right to information and assistance, which includes the right to:**
 - Have someone help you if you have a language or communication barrier so you can understand all information given to you.
 - Have someone interpret all information given to you into your preferred language, in a culturally competent manner.
 - Get marketing materials and Rocky Mountain PACE rights in English and any other frequently used language in your community. You also can get these materials in Braille, if necessary.
 - Get a written copy of your rights from Rocky Mountain PACE. Rocky Mountain PACE will post these rights in a public place in the Rocky Mountain PACE center where it is easy to see them.
 - Be fully informed, in writing, of the services offered by Rocky Mountain PACE. This includes telling you which services are provided by contractors instead of the Rocky Mountain PACE staff. You will be given


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- this information before you join Rocky Mountain PACE, at the time you join, and when there is a change in services.
- Look at, or get help to look at, the results of the most recent audit of Rocky Mountain PACE. Federal and state agencies review all PACE programs. You also have a right to review how Rocky Mountain PACE plans to correct any problems that are found at an inspection.
 - Look at, or get help to look at and have explained, the enrollment agreement described in §460.154(a)
 - **You have the right to a choice of providers.**
 - You have the right to choose your own primary care provider and specialists within Rocky Mountain PACE’s network and get quality health care.
 - Women have the right to get services from a qualified women’s health care specialist for routine or preventive women’s health care services.
 - **You have the right to receive emergency services.**
 - You have the right to receive emergency services when and where you need them without Rocky Mountain PACE’s approval. Emergency care is appropriate when services are needed immediately because of an injury or sudden illness, and the time required to reach the PACE organization or one of its contract providers would cause risk of permanent damage to your health. You can get emergency care anywhere in the United States. **If you believe your situation is an emergency, call 911.**
 - **You have the right to participate in treatment decisions.**
 - You have the right to fully participate in all decisions related to your health care. If you cannot fully participate in your treatment decisions or you want to have someone you trust help you, you have the right to

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choose that person to act on your behalf. Be assured that decisions regarding your care will be made in an ethical manner. Further, you have the right to:


- Have all treatment options explained to you in a culturally competent manner and to make health care decisions, including the right to refuse treatment, and be informed of the consequences of the decisions.
- Receive information on advance directives and have Rocky Mountain PACE help you create an advance directive. An advance directive is a written document that says how you want medical decisions to be made in case you cannot speak for yourself.
- Participate in making and carrying out your plan of care, which will be designed to promote your functional ability to the highest level and encourage your independence. You can ask for your plan of care to be reviewed at any time.
- Be given advance notice, in writing, of any plan to move you to another treatment setting, and the reason you are being moved.
- **You have the right to have your health information kept private and be assured that all information contained in your health record will be held in confidence. Rocky Mountain PACE requires your written consent for the release of information to persons not otherwise authorized under law to receive it. Further, you have the right to:**
 - Talk with health care providers in private and have your personal health care information kept private as protected under state and federal laws.
 - Review and receive copies of your medical records and request amendments to those records.
 - You have the right to provide written consent that limits the degree of information and the persons to whom information may be given.

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- **You have the right to file a grievance (complaint).**
 - You have the right to complain about the services you receive or that you need and don't receive, the quality of care, or any other concerns or problems you have with Rocky Mountain PACE. You have the right to a fair and timely process for resolving concerns with Rocky Mountain PACE. You also have the right to:
 - A full explanation of the grievance and appeals process.
 - To be encouraged and assisted to voice complaints to PACE staff and outside representatives of your choice, free of any restraint, interference, coercion, discrimination, or reprisal by the PACE staff.
 - To appeal any treatment decisions of the PACE organization, its employees or contractors, through the PACE organization's appeals process.
 - Be encouraged and helped to freely explain your grievances to Rocky Mountain PACE staff and outside representatives of your choice. You must not be harmed in any way for telling someone your concerns. This includes being punished, threatened or discriminated against.

- **You have the right to leave the program.**
 - If for any reason you do not feel that Rocky Mountain PACE is what you want, you have the right to leave the program at any time. If you leave, Rocky Mountain PACE staff will assist you in making the transition back to the Medicare program and/or Medicaid program if you qualify. This disenrollment will be effective the 1st day of the month following the date the PACE organization receives for voluntary disenrollment.

Responsibilities of You and Your Caregiver:

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Rocky Mountain PACE depends on the involvement of you-the participant- and your family. Your Interdisciplinary Team will work closely with you to be sure that your health care needs are met to the greatest degree possible. In order to do that, participants and caregivers have the following responsibilities:

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- Be involved with the planning of your care.
- Cooperate with the care plan developed especially for you.
- Use only the services authorized by Rocky Mountain PACE unless emergent.
 - Discuss any concerns you have about your medications with your providers or the Interdisciplinary Team.
- Use the hospitals chosen by Rocky Mountain PACE for all hospital care.
- If you are away from home and an emergency arises, notify Rocky Mountain PACE within 24 hours or as soon as you possibly can.
- If you wish to disenroll from Rocky Mountain PACE, provide a written or verbal notice of your wish to leave the program.
- Pay any monthly fees on time.
- Notify Rocky Mountain PACE if you are injured by someone else's actions, such as being involved in an automobile accident.
- Let Rocky Mountain PACE know as soon as possible when you are not satisfied with care or services.
- To notify Rocky Mountain PACE of any prescription drug coverage that you have or may get in the future.