

Member Rights

1. **Be treated with dignity and privacy.** Each member has the right to be treated with respect, recognizing their dignity and need for privacy, by PerformCare staff and network providers.
2. **Receive information.** Each member has the right to get information that they can easily locate and understand about PerformCare, its services, and the providers who treat them when they need it.
3. **Choose their provider.** Each member has the right to pick any PerformCare network providers that they want to treat them. Members may change providers if they are unhappy.
4. **Receive emergency services.** Each member has the right to get emergency services when they need them from any provider without PerformCare's approval.
5. **Receive medical and treatment information.** Each member has the right to get information that members can easily understand from their providers and to be able to talk to providers about their treatment options, without any interference from PerformCare.
6. **Make decisions about their treatment.** Each member has the right to make decisions about their treatment. If a member cannot make treatment decisions by themselves, members have the right to have someone else help them make decisions or to make decisions for them. Members may refuse treatment or services unless they are required to get involuntary treatment under the Mental Health Procedures Act.
7. **Communicate with providers in confidence.** Each member has the right to talk with providers in confidence and to have their information and records kept confidential.
8. **Access their medical records.** Each member has the right to see and get a copy of their medical records and to ask for changes or corrections to their records.
9. **Receive a second opinion.** Each member has the right to ask for a second opinion.
10. **File grievances.** Each member has the right to file a grievance if they disagree with PerformCare's decision that a service is not medically necessary for them.
11. **Voice complaints.** Each member has the right to file a complaint if they are unhappy about the care or treatment they have received.
12. **Request a DHS fair hearing.** Each member has the right to ask for a Department of Human Services fair hearing.
13. **Be free from restraint or seclusion.** Each member has the right to be free from any form of restraint or seclusion used to force members to do something, to discipline them, to make it easier for the provider, or to punish them.
14. **Receive information on all available services.** Each member has the right to get information about services that PerformCare or a provider does not cover because of moral or religious objections and about how to get those services.
15. **Exercise their rights freely.** Each member is free to exercise member rights without it negatively affecting the way the Department of Human Services, PerformCare, or network providers treat them.

In addition, members of PerformCare also have the following rights and responsibilities:

1. Provide, to the extent that they can, information needed by their providers.
2. Tell their provider the medicines they are taking. Include over-the-counter medicines, vitamins, and natural remedies.
3. Be involved in decisions about their health care and treatment.
4. Work with their providers to create and carry out their treatment plans.
5. Tell their provider what they want and need.
6. Take their medications as prescribed and tell their provider if there is a problem.
7. Keep their appointments.
8. Learn about PerformCare coverage, including all covered and non-covered benefits and limits.
9. Use only network providers unless PerformCare approves an out-of-network provider.
10. Respect other patients, provider staff, and provider workers.
11. Report fraud and abuse to the Department of Human Services Fraud and Abuse Reporting Hotline.

Second opinion

A second opinion is advice or a recommendation from a second expert to make sure the advice or recommendation from the first expert is correct. All PerformCare members have a right to request a second opinion. PerformCare will provide for a second opinion from an appropriate behavioral health care professional within the network or, if not available, arrange for the member to get one outside the network at no cost to the member.