

n05511

Practitioners Communication, Advice to Members

Values

Accountability • Integrity • Service Excellence • Innovation • Collaboration

Abstract Purpose:

Network Health Plan/Network Health Insurance Corporation/Network Health Administrative Services (NHP/NHIC/NHAS) will not prohibit a health care professional from advising or advocating on behalf of a patient so long as he is acting within the lawful scope of his/her practice

Policy Detail:

NHP/NHIC/NHAS will not prohibit a health care professional from communicating, advising or advocating on behalf of a patient so long as he is acting within the lawful scope of his/her practice.

Procedure Detail:

- I. NHP/NHIC/NHAS will not prohibit or otherwise restrict a health care professional, so long as he/she is acting within the lawful scope of their practice, from communicating, advising or advocating on behalf of an individual who is a patient and enrolled under NHP/NHIC/NHAS Commercial HMO/POS Plans and/or Medicare Advantage PPO Plans about any of the following:
 - A. Provider/Patient Relationship. None of the provisions of this policy shall be deemed or construed to allow NHP/NHIC/NHAS or any other payer to exercise control or direction over the manner or method by which Professional Provider(s) perform services. Professional Provider(s) shall have the same duties liabilities and responsibilities to members as would exist in the absence of an agreement or this policy.
 - B. Communication with members. NHP/NHIC/NHAS and other payers encourage Professional Provider(s) to freely communicate with members regarding treatment options to them, regardless of benefit coverage limitations.
 - C. Appropriate Decisions on Utilization of Services. Professional provider(s) shall make decisions regarding services rendered to members based on appropriateness of care. Any refusal to provide or limitations of care or services by professional provider(s) shall not be based on coverage decisions by or compensation arrangements with payer.
- II. Furthermore, health care professionals are encouraged by NHP/NHIC/NHAS to provide information regarding treatment options in a culturally-competent manner including the option of no-treatment. Individuals with disabilities must be given effective communications when it comes to making treatment option decisions.

- III. Enforcement of this policy occurs through either the execution of compliant contract agreements with providers, which contains this specific language or enforcement of NHP/NHIC/NHAS' policies as supported by the definition and Article of Program.

Regulatory Citations:

QI 3 Element B

42 CFR 422.206 (a), (b) & (c)

Origination Date: 10/31/2013	Approval Date: 12/19/2022	Next Review Date: 12/19/2023
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