

FAMILY CARE
IN DODGE COUNTY

A Program of Care Wisconsin

**Family Care
Member Handbook
Dodge County**

2010

For Assistance and More Information

Care Wisconsin Office in Dodge County

820 North Main Street, Suite C
P.O. Box 147
Juneau, WI 53039

Family Care: (920) 386-5010
Toll-Free: 1-877-496-4412
TTY: WI Relay 711
Fax: (920) 386-5059

Office Hours: 8 a.m. to 4:30 p.m., Monday-Friday
After Hours: Call the Family Care or toll-free number

Care Wisconsin Main Office

2802 International Lane
P.O. Box 14017
Madison, WI 53708-0017

General: (608) 240-0020
Toll-Free: 1-800-963-0035
TTY: WI Relay 711
Fax: (608) 245-3077

Office Hours: 8 a.m. to 4:30 p.m., Monday-Friday
After Hours: Call the general or toll-free number

Dodge County Aging and Disability Resource Center

127 East Oak Street, Room 203
Juneau, WI 53039

General: (920) 386-3580
Toll-Free: 1-800-924-6407
TTY: (920) 386-3883
Fax: (920) 386-4015
Office Hours: 8 a.m. to 4:30 p.m., Monday-Friday

To Report Witnessed or Suspected Abuse, Neglect, or Financial Exploitation Contact:

Call 911 in an emergency

From 8 a.m. to 4:30 p.m. weekdays:

Dodge County Aging and Disability Resource Center
(920) 386-3580 or toll-free 1-800-924-6407

After 4:30 p.m. weekdays and on weekends:

Dodge County Department of Health and Human Services at (920) 386-3500 or
the Dodge County Sheriff's Department at (920) 386-3726

Table of Contents

For Assistance and More Information	i
Welcome to Care Wisconsin	1
A sense of mission drives Care Wisconsin	2
How can Care Wisconsin’s Family Care program help me?	3
What does it mean to be a member?	3
Is enrollment in Family Care voluntary?	4
How are services selected and authorized?	4
How do I use the provider network?	4
What is Self-Directed Supports?	5
What if I need care while I am out of the area?	6
When can I become disenrolled from Family Care?	6
What if my needs change?	6
What services are provided in Family Care?	6
What services does Care Wisconsin’s Family Care program not provide?	8
Does Medicare pay for any services?	8
How are my other benefits coordinated?	9
What do I do in case of an emergency?	9
Does Care Wisconsin’s Family Care program pay for residential services?	9
Will I be required to contribute to the cost of my services?	10
<i>How do I make a payment?</i>	<i>10</i>
<i>What happens if I get a bill?</i>	<i>10</i>

Am I subject to Estate Recovery?	10
How do I contact Care Wisconsin?	11
How do I receive care after normal business hours?	12
What are my rights as a member of Care Wisconsin’s Family Care program?	12
What are my responsibilities?	14
What are advance directives?	15
What is abuse, neglect, and financial exploitation?	16
<i>How do I discuss or report abuse, neglect, and/or financial exploitation?</i>	<i>17</i>
What if you are not satisfied with your care or treatment?	17
<i>What is an appeal?</i>	<i>18</i>
<i>What is a grievance?</i>	<i>18</i>
<i>How do you file an appeal or grievance?</i>	<i>18</i>
<i>What are the timeframes for grievances and appeals?</i>	<i>19</i>
<i>How does Care Wisconsin resolve grievances and appeals?</i>	<i>20</i>
<i>Continuing your services during an appeal</i>	<i>20</i>
<i>Your records</i>	<i>21</i>
<i>For more information</i>	<i>21</i>
<i>What are the ombudsman programs?</i>	<i>21</i>
<i>What independent advocacy organizations may help you?</i>	<i>22</i>
You can tell us how we are doing	22
Care Wisconsin’s Notice of Privacy Practices	23

Welcome to Care Wisconsin

Welcome to Care Wisconsin, a care management organization that offers the Family Care program in Dodge County. This Member Handbook is an explanation of your rights, benefits and responsibilities as a member of Care Wisconsin.

If you need this handbook in another language, Braille or large print, please call Care Wisconsin at (608) 240-0020 or toll-free 1-800-963-0035, Monday through Friday, 8 a.m. to 4:30 p.m. TTY users should call WI Relay 711. Interpreter and translation services are available free of charge.

Reciba asistencia gratuita para traducir esta, por favor llame
(608) 240-0020 or 1-800-963-0035.

Peb muaj kev pab pub dawb rau nej nrog txhais cov ntawv no, thov hu
(608) 240-0020 or 1-800-963-0035.

Пожалуйста, позвоните нам, если вам будет нужна бесплатная помощь в переводе
(608) 240-0020 or 1-800-963-0035.

ຕ້ອງການຊ່ວຍເຫຼືອແປສິ່ງນີ້, ຈະແປໃຫ້ຟຣີ, ກະລຸນາໂທ
(608) 240-0020 or 1-800-963-0035.

If you have questions, or want more information, and are not yet enrolled in Care Wisconsin, please call the Dodge County Aging and Disability Resource Center at (920) 386-3580. The Aging and Disability Resource Center (ADRC) provides information, assistance and eligibility screening for long-term care services to prospective Care Wisconsin members and the general public. The ADRC is a separate Dodge County agency and is not part of Care Wisconsin.

If you are a member and you would like help in reviewing this Member Handbook, please contact your care team.

A sense of mission drives Care Wisconsin

Care Wisconsin is a private, nonprofit organization founded in 1976 by volunteers dedicated to helping frail seniors stay independent at home. We're based in south central Wisconsin and have offices right here in Dodge County. With over 30 years of experience, we've demonstrated that we're dependable and here to stay.

We have strong roots as a human services agency. We launched the region's first adult day care center in a church hall in 1976. The area's first Alzheimer's disease information and referral services started at our agency, in addition to early training for family caregivers. We opened programs to support older adults with developmental disabilities, often living in the community for the first time. Over the years, our Medical Assistance Personal Care Program has served both seniors and adults with physical disabilities. And, nearly a decade ago, we started transportation services for people in our Partnership program, with our own friendly drivers and fleet of vans.

Our Mission guides the way we partner with the people we serve. We share a common mission with our clients, their families, our network of providers and our community partners, such as the counties. We are committed to living our values every day.

Our Mission

To promote independence and quality of life
by providing innovative solutions
to health and long-term care needs

Our Values

Respect—We value and trust each other, and treat each other with fairness and dignity.
We appreciate each person's views, needs and contributions.

Relationships—We believe in open communication, cooperation and shared responsibility.
We are compassionate and nurturing.

Integrity—We are true to our word. We are ethical, honest and responsible in all we do.

Excellence—We set high standards for ourselves. We strive to change
what exists into something better.

Social Responsibility—We participate in our community by enhancing quality of life.
We develop solutions that use resources wisely.

How can Care Wisconsin's Family Care program help me?

The State of Wisconsin, Dodge County and Care Wisconsin are working together to improve the long-term care system for you. We believe that if you need long-term care services, you should be able to get them when you need them and at the location of your choice, considering responsible use of resources. This new way of providing help to seniors and adults with disabilities is known as Family Care.

Care Wisconsin's Family Care program provides the help you need to live as independently as possible in your home or other cost-effective setting. We provide long-term care, home and community services that meet your unique needs.

When you become a member of Care Wisconsin's Family Care program, you and the professionals on your care team will work together to make good decisions about your health and lifestyle. The care team is made up of you and your significant others, a registered nurse care manager, a social worker care manager and other long-term care professionals who have your best interests at heart. Together you will work to make the best possible choices to meet your outcomes, considering goals and preferences.

Care Wisconsin offers a number of services that can be "individually tailored" to meet your outcomes. Assistance with caring for yourself and being involved in your community are examples of the services that are available based on your needs. Care Wisconsin also offers coordination of formal services and informal support to assist in meeting your outcomes.

And if your outcomes change, your services will change right along with them. For example, if you ever need to get care outside of your own home or where you currently live, we will be there to support you and give you the information and help you will need to remain as safe as possible.

What does it mean to be a member?

Care Wisconsin's Family Care program coordinates your personalized supports and services. We will work with you and your family to give the kind of long-term care services and supports you need in order to meet your outcomes. We want you to be able to live as independently as possible, and to receive the type and amount of long-term care services you need in a socially responsible manner. We will help you to make informed choices. Your "care team" will develop a Member Centered Plan (MCP). Your MCP summarizes your needs and outcomes and the services to address them.

Your care team includes:

- You and your significant others
- Registered Nurse Care Manager
- Social Worker Care Manager

Your care team will work with you to create a MCP that meets your outcomes and choose services that will help you to achieve your personal goals and outcomes. You will be asked to sign your MCP indicating that you agree with and are satisfied with the plan. You will be given a copy of your final signed plan. If you are not happy with your MCP, there are appeal procedures available to you. (See page 18.)

As a member of Care Wisconsin's Family Care program, you will receive all of your long-term care services, and they will be managed through the Family Care program. You may choose your long-term

care service providers in coordination with your team from the list of providers who have agreed to work with Care Wisconsin.

You can keep your current physicians, hospitals, clinics and pharmacies. Care Wisconsin's Family Care program is not responsible for these services, which are paid for by Medicare and/or Medicaid, not the Family Care program. (See page 8.) These would be covered by your Medicaid or Medicare Card. Examples of these are your general physician, medications, podiatrist, dentist, chiropractor, etc.

Is enrollment in Family Care voluntary?

Enrollment in Care Wisconsin's Family Care program is voluntary. You can choose to enroll in Family Care, if you are eligible, and to disenroll from Care Wisconsin at any time for any reason.

How are services selected and authorized?

Care Wisconsin's Family Care program is responsible for helping you achieve your personal goals or outcomes, and taking into consideration cost when planning your care and choosing providers to meet your needs. To do this, your care team will use a process called the Resource Allocation Decision (RAD) method. The RAD method will help you and the care team identify the most efficient and appropriate ways to meet your needs and help support your outcomes. You and your care team will develop a Member Centered Plan (MCP) that summarizes your needs and outcomes and the services to address them.

Many times you can achieve one or more of your outcomes without a lot of help from Care Wisconsin because family or other support people are helping you. The goal of Care Wisconsin is to support the people in your life who are already providing support to you. Maximizing this "informal support" can preserve your personal relationships and keep important people in your day-to-day life.

The care team will also help identify providers of services to help you. These "formal supports" must have a contract with Care Wisconsin. If you are unhappy with any provider, you have the right to request a new provider. You must first discuss this with your care team, which is responsible for authorizing all services you receive.

Cost effectiveness is an important element in the RAD method. Your outcomes must be reasonable, and your MCP should be both effective and efficient in achieving your outcomes. This means that we don't have to help you meet an outcome that is impractical or dangerous, and you don't have to accept a plan that does not help you reach your outcomes. However, Care Wisconsin can choose a less expensive way to provide a service, if it still helps meet your outcome. You may have to compromise on some of your outcomes if reaching them fully or right away is very difficult or expensive.

Care Wisconsin must approve long-term care services *before* you receive them. Please ask your care team if you need a service that is not already approved and in your MCP. **Care Wisconsin is not required to pay for services you receive without prior approval. If you receive services without prior approval, you may be responsible to pay for those services.**

How do I use the provider network?

Providers have been chosen to be part of Care Wisconsin's provider network because they will support you in getting the outcomes you want to achieve, and they are willing to work with us in a cost-effective

manner and meet our quality standards.

For providers that come to your home or provide personal care, home health, private duty nursing or supportive home care, Care Wisconsin will purchase services from whomever you choose as long as that person meets Care Wisconsin's requirements and accepts Care Wisconsin's rates.

Care Wisconsin encourages you to receive help from people who are familiar to you. In most cases, whomever you choose to help you will need to be employed by the agency Care Wisconsin has contracted with to provide these services. However, one other option for paying your chosen caregivers is Self-Directed Supports. (See page 5.) Your care team will help you and your care providers through this decision-making process. Whichever employment option you choose, your care providers will need to receive special training to meet your needs.

For other services, you can choose among the providers in Care Wisconsin's provider network. You should work with your Team if you need to change providers. You can request a provider who is not in the provider network by talking to your care team, and Care Wisconsin will consider your request. Instances where your request to use a provider who is not in the provider network would be honored include when network providers:

- Do not have capacity or expertise to meet your need;
- Cannot meet your need on a timely basis;
- Cannot meet your cultural or language needs; or
- Are located in geographic locations or buildings that make transportation or physical access an undue hardship to you.

What is Self-Directed Supports?

Self-Directed Supports (SDS) is a way for Care Wisconsin members to arrange, purchase and direct their long-term care services. In SDS, you have greater flexibility and control over service delivery. You also must assume more responsibility for managing those services. Generally, you will work with your care team to determine a budget for certain services based on your MCP. Then you manage the purchase of services within that budget, either directly or with the assistance of another person you choose.

Your care team will review the SDS option with you routinely. You can contact your care team for more information and request a copy of the SDS Guidebook at any time, which provides detailed information about benefits and limitations.

What if I need care while I am out of the area?

If you are going to be out of Dodge County for a temporary absence, you must notify your care team. If you want your services to continue while you are temporarily out of Dodge County, Care Wisconsin will consult with the county economic support unit to make sure you will still be considered a Dodge County resident during your absence. If you are determined to be a non-resident, you may lose eligibility for the program.

If economic support determines that you will remain a resident, Care Wisconsin will work with you to develop a cost-effective plan for achieving your outcomes and assuring your health and safety during the absence. If Care Wisconsin believes it cannot develop a cost-effective plan that meets your outcomes and assures your health and safety, Care Wisconsin can make a request to the Wisconsin Department of Health Services to disenroll you from the program. You would be notified of the results of the department's review of Care Wisconsin's disenrollment request. If you are disenrolled for a temporary absence, you have the option of re-enrolling when/if you return to the service area.

Care Wisconsin does not pay for care if you move permanently out of the service area. You can work with your care team to coordinate the transition of services to other providers in your new location.

When can I become disenrolled from Family Care?

You can ask to disenroll from Family Care at any time for any reason. You may also be disenrolled if you lose eligibility for Family Care.

If a member's behavior or threats pose a risk to Care Wisconsin staff, providers or other members, Care Wisconsin can ask the permission of the State of Wisconsin to disenroll the member. Care Wisconsin can also ask the State for a disenrollment if a member refuses to participate in care planning or to allow the care team to contact the member to assure health and safety. Care Wisconsin may only disenroll members against their wishes with permission from the State of Wisconsin.

What if my needs change?

Your needs will be reassessed by you and your care team every six months, or whenever you have a change in condition. Your MCP will be updated to reflect any changes. At any time, you can request that services be added, changed or discontinued. Whenever it is necessary, contact your care team to discuss your needs.

What services are provided in Family Care?

Care Wisconsin's Family Care program provides long-term care services. You and your care team will make decisions about the services that will meet your level of care needs and support your outcomes. All services must be approved by your care team before you start receiving them.

The services on the following list make up the "Family Care Benefit Package" for members who meet the nursing home level of care. The services that have an asterisk (*) make up the benefit package for members who meet the non-nursing home level of care. Services in the benefit package are designed to meet member needs as identified in their outcomes.

Care Wisconsin may also provide an alternative support or service that is not in the service list below. Alternative supports and services must meet certain conditions. Your care team will decide with you whether alternatives are needed to meet your outcomes.

- Adaptive Aids (general and vehicle)
- Adult Day Care
- * Alcohol and Other Drug Abuse Day Treatment Services (in all settings)
- * Alcohol and Other Drug Abuse Services (except those provided by a physician or on an inpatient basis)
- * Care and Case Management
- Children's Foster Homes/Treatment Foster Homes
- Communication Aids and Interpreter Services
- * Community Support Program Services
- Consumer Education and Training
- Counseling and Therapeutic Resources
- Daily Living Skills Training
- Day Center Services and Treatment
- Day Services for Children
- * Durable Medical Equipment and Medical Supplies (except for hearing aids, prosthetics and family planning supplies)
- Financial Management Services
- * Home Health
- Home Modifications
- Housing Counseling
- Meals (delivered to your home)
- * Mental Health Day Treatment Services (in all settings)
- * Mental Health Services (except those provided by a physician or on an inpatient basis)
- * Nursing Facility (including intermediate care facility for people with mental retardation (ICF/MR) and institute for mental disease (IMD). IMD is **not** covered for residents between the ages of 21 years and 64 years of age, except for age 21 if the person was a resident just before turning 21 and continues to be a resident after turning 21.)
- * Nursing Services (including respiratory care, intermittent and private duty nursing) (does not include nursing for inpatient hospital stays)
- * Occupational Therapy (in all settings, except for inpatient hospital)
- * Personal Care Services
- Personal Emergency Response System (PERS)
- * Physical Therapy (in all settings, except for inpatient hospital)
- Prevocational Services
- Relocation Services
- Residential Services (including Adult Family Home, Community-Based Residential Facility, Residential Care Apartment Complex)
- Respite Care
- Self-Directed Supports (Support Broker)
- Skilled Nursing Services
- Specialized Transportation Services
- Specialized Medical Equipment and Supplies
- * Speech and Language Pathology Services (except inpatient)

- Supported Employment
- Supportive Home Care
- * Transportation Services (all Medicaid-covered transportation, except ambulance and common carrier). Your Medicaid or Medicare “card” may cover some of these services, but we will help you coordinate them.
- Vocational Futures Planning

What services does Care Wisconsin’s Family Care program not provide?

The following services are not in the Family Care long-term care benefits package. Although Family Care does not provide them, your care team will work closely with you to get these services when you need them, and let you know of any costs to you to use the services. If you have Medicaid (Title 19), Medicare or other private insurance, these insurances may cover the services listed below.

- Alcohol and Other Drug Abuse Services (provided by a physician or in an inpatient setting)
- Audiologist
- Chiropractic
- Crisis Intervention
- Dentistry
- Eyeglasses
- Family Planning Services
- Hearing Aids
- Hospice
- Hospital, Inpatient and Outpatient (including emergency room care)
- IMD is **not** covered for residents between the ages of 21 years and 64 years of age, except for age 21 if the person was a resident just before turning 21 and continues to be a resident after turning 21.
- Independent Nurse Practitioner Services
- Lab and X-ray
- Medication
- Mental Health Services (provided by a physician or in an inpatient setting)
- Optometry
- Physician and Clinic Services
- Podiatry
- Prenatal Care Coordination
- Prosthetics
- Psychiatry
- Room and Board (in Adult Family Home, Community-Based Residential Facility and Residential Care Apartment Complex)
- School-Based Services

Does Medicare pay for any services?

Care Wisconsin expects that members who have Medicare Parts A and/or B will use this benefit. When a member has Medicare, there is a federal rule that requires that Medicare must be billed first. Private insurance and Medicaid would be billed next, and Family Care is part of the Medicaid program. Care Wisconsin expects members who have Medicare Parts A and/or B to give service

providers that information so they can bill Medicare first for services that Medicare covers. Care Wisconsin may refuse to pay for services covered by Medicare.

If you do not currently have Medicare because of financial concerns, your social worker care manager may be able to locate a program that will assist you in paying for Medicare premiums.

How are my other benefits coordinated?

When you enroll in Care Wisconsin, you will be asked whether you have insurance coverage other than Medicare and/or Medicaid. Examples of other insurance are medication coverage, workers' compensation and pension plan health coverage, and private health insurance. It is important that you give us this information because we are legally responsible for coordinating payment of claims with other insurance you may have. It is also important you tell us if you receive a payment from an insurance company, since you may be responsible for reimbursing Care Wisconsin, and how you handle these payments may affect your eligibility for Care Wisconsin's Family Care program.

What do I do in case of an emergency?

If you think your symptoms require emergency care, call 911. Follow-up services are sometimes needed after a medical emergency. Please let your care team know of any needed follow-up services after receiving emergency care.

If a new service authorization is needed during normal business hours, please contact your care team. On evenings, weekends or holidays, please contact the on-call care team for new service authorizations at (920) 386-5010 or toll-free 1-877-496-4412. See the section "How do I receive care after normal business hours?"

Does Care Wisconsin's Family Care program pay for residential services?

A primary goal of Care Wisconsin's Family Care program is to support your choices for where and with whom you want to live, and to do that in the most cost-effective way possible. If you are living in your own home, and you and your care team agree it is not feasible for you to remain there, you will make decisions together about other residential services. Options may include moving to a residential setting such as an adult family home, a community-based residential facility, or a residential care apartment complex. Or, you may need nursing home care.

You and your care team are responsible for finding the most cost-effective residential options within Care Wisconsin's provider network. All residential services must be authorized by the care team. Also, Medicaid funds may not be used for the room and board portion of the residential facility's cost. Your care team will help you find a setting where you can afford the room and board costs, or help you find other funding for the room and board, if possible.

For these reasons, it is very important that you don't select a residential provider on your own with the expectation that Care Wisconsin will pay for it. You must work with your care team on these decisions.

Will I be required to contribute to the cost of my services?

Some individuals enrolled in Care Wisconsin's Family Care program may have a monthly cost share. Your cost share is based on your income and your eligibility for Medicaid. Your economic support worker at the county human services department determines your cost share. If you have a cost share, each month you will receive a bill from Care Wisconsin. **You must pay your cost share to Care Wisconsin each month to remain eligible for Medicaid and for Care Wisconsin's Family Care program. If you do not pay your cost share, you will lose Medicaid and be disenrolled from Family Care.**

The Aging and Disability Resource Center will tell you if you will have a cost share and how much it will be. The amount of your cost share will be looked at once a year, or any time your income changes. You are required to report all income and asset changes to your care team and your economic support worker within 10 days of the change. Please note that your cost share and your room and board expenses at a facility are two different things. It is possible that you may have both a monthly cost share and monthly room and board expenses.

How do I make a payment?

Payments can be made by check, money order or cash to:

Care Wisconsin
P.O. Box 8693
Madison, WI 53708-8693

Automatic withdrawal from your bank account may also be available. Ask your care team for details.

What happens if I get a bill?

Members do not have to pay for services that are authorized by Care Wisconsin. If you receive a bill, contact your care team.

Am I subject to Estate Recovery?

As a Family Care member, you are a recipient of Medicaid. The Wisconsin Medicaid Estate Recovery Program seeks repayment for the cost of certain long-term care services paid for by Medicaid on behalf of recipients. Recovery is made from the estates of Medicaid recipients and from liens placed on their homes. Recovery is made when a recipient and the recipient's dependents no longer need those assets. The money recovered is returned to the Medicaid Program and used to pay for care for other Medicaid recipients.

Estate recovery seeks repayment for some, but not all, Family Care services. These services generally include long-term care services paid for by Medicaid that you received while enrolled in Family Care on and after March 1, 2009.

For more information about estate recovery and the services that are subject to recovery, contact your care team. You can also contact your local Aging and Disability Resource Center (see the contact information at the front of this handbook) or Medicaid Member Services at 1-800-362-3002. Information is also available at the following ForwardHealth Web site:
<http://dhs.wisconsin.gov/medicaid/recpubs/erp/phc13032.htm>.

How do I contact Care Wisconsin?

Business hours for all office locations are 8 a.m. to 4:30 p.m., Monday through Friday.
The local office for Care Wisconsin's Family Care program in Dodge County is at:

Address: 820 North Main Street, Suite C
P.O. Box 147
Juneau, WI 53039

Phone Numbers

Family Care: (920) 386-5010
Toll-Free: 1-877-496-4412
TTY: WI Relay 711
After Hours: Call the Family Care or toll-free number

Care Wisconsin has a comprehensive Quality Assurance and Improvement Program that protects, maintains and improves the quality of care provided to its members. You may request information from Care Wisconsin regarding its Quality Assurance and Improvement Program.

You can also call or write to us at any time with helpful comments, questions or observations at:

Care Wisconsin
Family Care Program
Member Rights Specialist
P.O. Box 14017
Madison, WI 53708-0017

Toll-Free: 1-800-963-0035
TTY: WI Relay 711
After Hours: Call the toll-free number

Your comments are always welcome, whether it is about something you like or dislike about our program.

How do I receive care after normal business hours?

In an emergency, you should always receive care immediately. You do not need to contact your care team or get prior authorization in an emergency. Dial 911 for immediate help by phone or go directly to the nearest emergency room, hospital or urgent care center.

If you have an urgent need or need a service authorization that cannot wait until the next business day, use either the Family Care or toll-free telephone number at the front of this handbook to access the on-call care team staff on evenings, weekends or holidays.

If you need to give information only to your care team and do not need a new service authorization, you can leave a message on your care team's direct telephone number. Your care team will get your message the next business day. Examples are if you go to the doctor and you want to let your team know or if something wonderful happened in your life and you want to share the news.

What are my rights as a member of Care Wisconsin's Family Care program?

1. To participate in planning and evaluating your services, including:
 - Planning and evaluating your own treatment and services;
 - Choosing any other individuals you want to participate in planning your services; and
 - Having MCP decisions arrived at using objective criteria.
2. To choose to enroll in Care Wisconsin, if eligible, and to disenroll from Care Wisconsin at any time for any reason.
3. To be free from unlawful discrimination in applying for or receiving the Family Care benefit.
4. To receive prompt eligibility, entitlement and cost-sharing decisions and assistance.
5. To receive information regarding all services and supports potentially available to a member through the Family Care benefit.
6. To choose services and providers, including:
 - For "critical personal services," to choose any qualified provider who will accept a rate Care Wisconsin is willing to pay and meet other Care Wisconsin standards. "Critical personal services" are services that involve intimate personal needs personal care, home health, private duty nursing or supportive home care or a provider coming into the home frequently;
 - For other services, to choose from the providers within Care Wisconsin's network, and to request consideration for providers to be added to the network;
 - To have a family member, relative or friend paid to provide a service approved by the care team if the family member, relative or friend accepts the rate Care Wisconsin is willing to pay and meets Care Wisconsin's requirements and standards.
 - To choose providers outside Care Wisconsin's network if the network does not have providers with the specialized knowledge needed to treat your condition or meet your specific needs.
7. To receive services identified in your MCP when you need them, including:
 - An objective, individualized assessment to determine your needs and help you identify your own long-term care needs and outcomes;

- An MCP tailored to meet your unique needs and outcomes as determined by the assessment; and
 - Services and supports from qualified providers that are prompt, adequate and appropriate for meeting your needs and outcomes, and that, as much as possible, preserve your health, safety and well being, and keep you free from abuse, neglect, and financial exploitation.
8. To accuracy and privacy of any information Care Wisconsin may have about you. You also have the right to access this information upon request. Care Wisconsin follows the Health Insurance Portability and Accountability Act (HIPAA) to ensure your health information remains confidential. For more information, see the Notice of Privacy Practices in this handbook under the section titled “How does Care Wisconsin protect my personal information and my rights regarding that information?”
9. To personal autonomy and other civil and legal rights, including being able to:
- Make your own choices and decisions to the extent that you are able, and to be supported in decision-making in a manner that maximizes your ability and autonomy;
 - Manage and control your own services to the extent you are willing and able;
 - Have assistance in identifying, eliminating or monitoring and managing situations where a conflict of interest may exist;
 - Receive treatments/services in the least restrictive conditions consistent with your MCP;
 - Live in the setting you choose unless there are essential health or long-term support needs that cannot reasonably be met in such a setting, or the preferred setting includes a package of services that exceeds your identified needs;
 - Develop an advance directive, such as a durable power of attorney for health care or a living will; and
 - Fully exercise your rights as a Care Wisconsin member and any other civil and legal rights to which you are entitled.
10. To dignity, respect, fair and equitable treatment, and to be free from discrimination.
11. To request and obtain information on the results of member surveys by contacting the Quality Department of Care Wisconsin at toll-free 1-800-963-0035.
12. To receive services from culturally competent providers and information about the specific capacities of providers, such as languages spoken by staff, or adherence to a particular set of religious customs.
13. To request a private room in residential services and to have the procedures explained regarding the authorization of private rooms, and the procedure if a private room is not immediately available.
14. To assistance and support in understanding your rights and resolving complaints, grievances and appeals, including assistance from:
- Your care team and other service providers;
 - The Care Wisconsin Member Rights Specialist at toll-free 1-800-963-0035; or
 - An external advocate not associated with Care Wisconsin or its providers, such as a Disability Benefits Specialist at 1-800-928-8778 or Elderly Benefits Specialist at 1-800-488-2596.

15. To use all available rights and grievance and appeal processes beyond those specified in the Family Care benefit, such as your rights as a resident of a nursing home or a community-based residential facility.
16. To receive information about Care Wisconsin. This includes information about the Care Wisconsin's structure, operation and financial condition.

What are my responsibilities?

The services of Care Wisconsin depend upon the involvement of you and/or your caregivers. Along with the rights you have when you enroll in Care Wisconsin, you also have some responsibilities which include the following:

1. To provide Care Wisconsin and your care team with correct information regarding your health care needs, finances and preferences.
2. To sign a "release of information" form so that we can obtain information you might not have readily available.
3. To use the providers or agencies which are part of Care Wisconsin, unless you and your care team decide otherwise.
4. To comply with emergency care service procedures.
5. To report in a timely manner any changes in your personal health, including hospital stays, that might affect your need for services or functional eligibility.
6. To report in a timely manner any changes in your financial status that might affect your eligibility.
7. To notify us if you move to a new address or change your telephone number.
8. To notify us of any planned temporary stay or move out of the service area.
9. To work cooperatively and respectfully with staff and caregivers who are helping you achieve your outcomes and to accept services without regard to the provider's race, color, religion, age, gender, sexual orientation or national origin.
10. To use your Medicare and Medicaid benefits, when appropriate.
11. To become familiar with the information in this handbook including your rights and the rules you must follow when enrolled in Care Wisconsin.
12. To talk with your care team if you have any questions, and to give your care team information they need to help you achieve the results you want from your care and supports.
13. To work with your care team to develop and follow an initial and ongoing MCP that will meet your needs in a cost-efficient manner.

14. To take care of any durable medical equipment, such as wheelchairs and hospital beds, provided to you by Care Wisconsin.
15. To pay any monthly costs on time, including any room and board charges you may have.
16. To let Care Wisconsin know as soon as possible when you have questions, suggestions or if you have problems with your payment.
17. To report fraud or abuse on the part of providers or Care Wisconsin employees.
18. To talk with your care team to provide input on changes in Care Wisconsin policies and services.

What are advance directives?

Sometimes people become unable to make health care decisions for themselves due to accidents or serious illness. You have the right to say what you want to happen if you are in this situation. This means that, if you want to, you can:

- Fill out a written form to give **someone the legal authority to make medical decisions for you** if you ever become unable to make decisions for yourself.
- **Give your doctors written instructions** about how you want them to handle your medical care if you become unable to make decisions for yourself.

The legal documents that you can use to give your directions in advance in these situations are called “**advance directives.**” There are different types of advance directives and different names for them. Documents called “**living will**” and “**power of attorney for health care**” are examples of advance directives.

If you want to use an “advance directive” to give your instructions, here is what to do:

- **Get the form.** If you want to have an advance directive, you can get a form from your lawyer, from a social worker, or from some office supply stores. You can sometimes get advance directive forms from organizations that give people information about Medicaid or Medicare. You can also contact your Team to ask for the forms.
- **Fill it out and sign it.** Regardless of where you get this form, keep in mind that it is a legal document. You should consider having a lawyer help you prepare it.
- **Give copies to appropriate people.** You should give a copy of the form to your doctor and to the person you name on the form as the one to make decisions for you if you can’t. You may want to give copies to close friends or family members as well. Be sure to keep a copy at home.

If you know ahead of time that you are going to be hospitalized, and you have signed an advance directive, **take a copy with you to the hospital.**

- If you are admitted to the hospital, they will ask you whether you have signed an advance directive form and whether you have it with you.
- If you have not signed an advance directive form, the hospital has forms available and will ask if you want to sign one.

Remember, it is your choice whether you want to fill out an advance directive (including whether you want to sign one if you are in the hospital). According to law, no one can deny you care or discriminate against you based on whether or not you have signed an advance directive.

What if your instructions are not followed?

If you have signed an advance directive, and you believe that a doctor or hospital hasn't followed the instructions in it, you may file a grievance with the Wisconsin Department of Health Services, Division of Quality Assurance, P.O. Box 2969, Madison, WI 53701 or by telephone at 1-608-266-8481.

What is abuse, neglect, and financial exploitation?

Care Wisconsin members have the right to be free from abuse, neglect, and financial exploitation. It is important to be clear about the definitions of abuse, neglect, and financial exploitation. It is also important that you know what to do if you are experiencing or witnessing abuse, neglect, or financial exploitation of a vulnerable adult.

Abuse can be:

- Physical and it does not matter whether the abuse is intentional or reckless but that the action of one person results in physical pain or injury, illness, or any impairment of physical condition to another person.
- Emotional abuse which includes language or behavior that serves no legitimate purpose and is intended to be intimidating, humiliating, threatening, frightening, or otherwise harassing, and that does or reasonably could intimidate, humiliate, threaten, frighten, or otherwise harass the person to whom the behavior or language is directed.
- Sexual abuse is defined as a violation of criminal assault law. It usually involves a sexual activity that is not agreed to by both people involved and/or causes physical or emotional injury.
- Any treatment that is not agreed to and forced upon a person, such as: the administration of medication to an individual who has not provided informed consent, or the performance of psychosurgery, electroconvulsive therapy, or experimental research on an individual who has not provided informed consent, or with the knowledge that no lawful authority exists for the administration or performance.
- Unreasonable confinement or restraint, such as: the intentional and unreasonable confinement of a person in a locked room, involuntarily removing a person from his or her living area, putting a restraining device on a person, or making a person take unnecessary or excessive medication. There are very rare exceptions when the use of these methods is allowed because all other methods have failed, but any use of these methods or devices must be applied according to state and federal standards governing confinement and restraint.

Neglect can be:

- Intentional or unintentional but it is the failure of a caregiver to secure or maintain adequate care, services, or supervision for a person in their care. This includes food, clothing, shelter, or physical or mental health care, and the result of the neglect creates significant risk or danger to the person's physical or mental health. Neglect does not include a decision that is made to not seek medical care for an individual, if that decision is consistent with the individual's previously executed declaration such as a do-not-resuscitate order, a power of attorney for health care, or as otherwise authorized by law. Self-neglect means that a person who is responsible for his or her

own care does not obtain adequate care, including food, shelter, clothing, or medical or dental care. The inability to obtain care results in a significant danger to the person's physical or mental health.

Financial exploitation can be:

- Fraud, enticement or coercion,
- Theft,
- Misconduct by a fiscal agent,
- Identity theft,
- Unauthorized use of the identity of a company or agency,
- Forgery, or
- Unauthorized use of financial transaction cards including credit, debit, ATM and similar cards.

How do I discuss or report abuse, neglect, and/or financial exploitation?

Your Care Wisconsin care team is available to consult with you regarding issues that you feel may constitute abuse, neglect, or financial exploitation. They will assist you with coordination of reporting or securing services for safety.

You should always call 911 in an emergency for immediate assistance. The County Health and Human Services Department offers Adult Protective Services which are provided to people with developmental disabilities, degenerative brain disorder, serious and persistent mental illness, or other similar incapacity to keep the individual safe from abuse, neglect, financial exploitation, or misappropriation of property or prevent the individual from experiencing deterioration or from inflicting harm on himself or herself or another person.

Refer to the front of this handbook for the County Health and Human Services Department telephone number. You may also call the 24-hour hotline listed at the front of this handbook.

What if you are not satisfied with your care or treatment?

Care Wisconsin is always looking to improve the services we provide our members. We encourage you to work with us to resolve your concerns. You have many ways to get help if you do not agree with Care Wisconsin or if you have a problem with our services. If you are not satisfied with your care or treatment you should talk with your care team first.

If you do not want to talk with your care team, you can call our Member Rights Specialist at toll-free 1-800-963-0035 (TTY: WI Relay 711). The Member Rights Specialist can help you put your grievance or appeal in writing.

What is an appeal?

An appeal is when Care Wisconsin takes an “Action” and you request a review of our Action.

An Action is when Care Wisconsin:

- Determines you are not functionally eligible for the plan as a result of the administration of the long-term care functional screen;
- Denies or limits a service that you request;
- Reduces, suspends or terminates a service that you are receiving;
- Denies payment for a service in whole or in part;
- Does not provide services or items included in your Member Centered Plan in a timely manner;
- Fails to resolve your appeal within the timeframes in this handbook; or
- Develops a Member Centered Plan that is not acceptable to you because:
 - The plan requires you to live in a place where you don’t want to live;
 - The plan does not provide care, treatment or support that meets your needs and outcomes; or
 - The plan requires you to accept care, treatment or support items that you do not want or that are too restrictive for you.

Care Wisconsin will notify you in writing when it takes an Action as described above. This letter will be sent to you in the mail and is called a “Notice of Action.”

What is a grievance?

A grievance is when you are not satisfied with Care Wisconsin and it is not because of an Action.

Grievances might include:

- The quality of care or services;
- Rudeness of a provider or employee; or
- Failure to respect your rights.

How do you file an appeal or grievance?

You, or your legal representative, or, with your permission, a provider involved in your care has the right to file a grievance or appeal with Care Wisconsin, the Wisconsin Department of Health Services (DHS) or to request a State Fair Hearing any time you are concerned or dissatisfied with the care or services you have received from Care Wisconsin. You must submit an appeal no more than 45 days after you receive a Notice of Action (you can submit a grievance at any time). You can request an expedited resolution of an appeal if you feel that your health or life is in jeopardy as a result of the Action, and Care Wisconsin has three working days to offer a resolution.

You can contact the Member Rights Specialist for additional information and/or assistance regarding the process for filing an appeal or grievance. The Member Rights Specialist can be reached at toll-free 1-800-963-0035 (TTY: WI Relay 711).

You can also use ombudsman services, free of charge, offered by DHS through arrangements with Disability Rights Wisconsin and the Wisconsin Board on Aging and Long Term Care. These agencies

provide assistance with preparation for and representation at appeals, grievances and fair hearings. For more information, see the section titled “Ombudsman programs” in this handbook.

A grievance can be filed orally or in writing. An appeal can be filed orally but, unless the appeal is expedited, the oral appeal must be followed by a written appeal. You can file a grievance or appeal with the Care Wisconsin Grievance and Appeal Committee. If you don’t agree with the decision, you can still file an appeal with DHS or the State Fair Hearing process.

You can also file directly with DHS, and in many cases go directly to State Fair Hearing. The contact information for these agencies is as follows:

Care Wisconsin: You or your representative can contact the Care Wisconsin Member Rights Specialist at toll-free 1-800-963-0035 (TTY: WI Relay 711). You can also send a grievance or appeal letter to:

Care Wisconsin
Family Care program
Member Rights Specialist
P.O. Box 14017
Madison, WI 53708-0017

Wisconsin Department of Health Services (DHS): You or your representative can request DHS review an appeal or grievance by contacting DHS in writing, by telephone or e-mail.

DHS Family Care Grievances
c/o MetaStar
2909 Landmark Place
Madison, WI 53713
Toll-Free: 1-888-203-8338
Fax: (608) 274-8340
E-mail: dhsfamcare@wisconsin.gov

State Fair Hearing: You or your representative can request a State Fair Hearing with the Division of Hearings and Appeals, which has its own guidelines. You or your legal representative can file for a State Fair Hearing by sending your request in writing to:

Family Care Request for Fair Hearing
c/o DOA Division of Hearings and Appeals
P.O. Box 7875
Madison, WI 53707
Phone: (608) 266-3096
TTY: (608) 264-9853
Fax: (608) 264-9885

What are the timeframes for grievances and appeals?

You must submit your appeal no more than 45 calendar days after receiving the Notice of Action. You can submit a grievance at any time.

Care Wisconsin will acknowledge in writing the receipt of your appeal or grievance within 5 working days.

- Grievance Timeframe: Care Wisconsin will make a decision on your grievance within 20 working days of receiving the grievance.
- Standard Appeal Timeframe: Care Wisconsin will make a decision as fast as your situation or health condition requires but within 20 working days of receiving the appeal or grievance.

In some cases, you or Care Wisconsin may need more than 20 working days to resolve the concern. If we need more time, we will let you know in writing. For standard appeals, we can ask for up to 10 more working days for a total of 30 days to decide on your appeal.

- Expedited Appeal Timeframe: If you feel that taking 20 working days to decide on your appeal would be a seriously risk to your life, health or ability to attain, maintain or regain maximum function, you can ask for an expedited appeal. Care Wisconsin will approve or deny your request for an expedited appeal within 2 calendar days
 - If we deny your request, we will decide your appeal using the Standard Appeal Timeframe.
 - If we approve your request, we will make a decision as quickly as possible, but no later than 72 hours after receiving the appeal. Either you or Care Wisconsin can request to extend the appeal timeframe up to a total of 14 calendar days if more information is needed and a delay is in your best interest.

How does Care Wisconsin resolve grievances and appeals?

For grievances and appeals submitted to Care Wisconsin, we will talk with you about the grievance or appeal. Your designated family member or an authorized representative may participate in the grievance and appeal process. The Care Wisconsin Grievance and Appeal Committee will review and resolve appeals and grievances that are brought before it. You or your representative will be notified of the review and may present additional information or appear before the Committee.

The Member Rights Specialist can assist with making these arrangements. We will keep your grievance or appeal private. Care Wisconsin will not retaliate or take any other action against you, your representative or your provider for filing an appeal or grievance.

Continuing your services during an appeal

Care Wisconsin will continue your current services until a final decision is made about your appeal if:

- You request the services to continue;
- You file the appeal before the date of the Action or within 14 days of receipt of the written notice action from Care Wisconsin; and

- The current level of services was authorized by your care team.

IMPORTANT: If the final appeal decision is that Care Wisconsin is not responsible for the services, and the services were continued during the appeal at your request, Care Wisconsin can require you to pay for those services.

Your records

You can receive copies of your records that are relevant to an appeal, DHS review or State Fair Hearing. These copies are free of charge. Your care team or the Member Rights Specialist can assist with arrangements for requesting records.

For more information

For help in submitting a grievance or appeal, please call the Care Wisconsin Member Rights Specialist at toll-free 1-800-963-0035 (TTY: WI Relay 711).

What are the ombudsman programs?

The Wisconsin Department of Health Services has arrangements with Disability Rights Wisconsin and the Wisconsin Board on Aging and Long Term Care to offer ombudsman programs free of charge.

Regional ombudsmen will assist current or potential Family Care members and their families or guardians with ensuring quantity and quality of services; complaint investigation; mediation and resolution of conflicts; provision of information and education on current and potential members' rights and benefits; and preparation for and representation at appeals, grievances and fair hearings.

You can contact:

- **Disability Rights Wisconsin**—Ombudsmen from this agency provide advocacy to individuals under age 60.

131 W. Wilson Street, Suite 700

Madison, WI 53703

General: (608) 267-0214

TTY: 1-888-758-6049

Fax: (608) 267-0368

Madison Toll-Free: 1-800-928-8778

Milwaukee Toll-Free: 1-800-708-3034

Rice Lake Toll-Free: 1-877-338-3724

www.disabilityrightswi.org

(See Web site for contact information for other locations.)

- **Wisconsin Board on Aging and Long Term Care**—Ombudsmen from this agency provide advocacy to individuals age 60 and older.

1402 Pankratz Street, Suite 111
Madison, WI 53704-4001
Toll-Free: 1-800-815-0015
Fax: (608) 246-7001
<http://longtermcare.state.wi.us/home/>

What independent advocacy organizations may help you?

Here are independent advocacy organizations that may assist you with your appeal or grievance:

- Coalition of Wisconsin Aging Groups
Toll-Free: 1-800-488-2596
- Legal Action of Wisconsin
Toll-Free: 1-800-362-3904

You can tell us how we are doing

Our goal is to support your needs and outcomes. A key feature of the Family Care program is member involvement. You can play an important role by telling us how we are doing. From time to time, we may ask for your thoughts on Care Wisconsin through member interviews and satisfaction surveys. These interviews and surveys help us to be sure that you are getting the care you need from your care team, and all the other care workers who provide services to you. Your responses and comments help us to identify our strengths as well as the areas we need to improve. We may also ask your assistance (if willing and able) in the following ways:

- To serve on Care Wisconsin's Family Care committees or boards where your opinion or advice will help the program better meet member needs
- To serve on committees that evaluate Care Wisconsin's Family Care program or the contracted providers in the areas of quality or ethics
- To participate in health education and prevention programs

Your involvement will help us provide quality care to all members in the Family Care program. If you would like to know the results of any surveys please let us know, and we would be happy to share that information with you.

Care Wisconsin's Notice of Privacy Practices

This Notice of Privacy Practices describes how we protect your personal information. It also describes your rights with regard to your information.

Care Wisconsin maintains the privacy of your “protected health information” according to the privacy practices described in this Notice. Protected health information includes any identifying information, financial information and information about your health and health care services. This Notice of Privacy Practices describes our legal duties and privacy practices concerning your protected health information. In general, when we use or disclose your protected health information, we must use or disclose only the information we need to achieve the purpose of the use or disclosure.

I. USE AND DISCLOSURE OF HEALTH INFORMATION

- A. Care Wisconsin may use and disclose your protected health information without your written authorization for purposes of treatment, payment and health care operations. The following descriptions provide a few examples but do not refer to every way your protected health information can be used and disclosed. Please note that Wisconsin law is more protective of certain information than the Privacy Rule. Therefore, in most cases, Care Wisconsin may not disclose your information related to treatment for mental health, alcohol or drug dependence, developmental disabilities, neuropsychological exams, sexually transmitted disease or HIV status without your written authorization.
1. **To Provide Treatment.** Care Wisconsin may use and disclose your protected health information to provide medical treatment and coordinate your care within Care Wisconsin and with others involved in your care, such as your physician and Care Wisconsin team members. For example, your Care Wisconsin team members may disclose protected health information to suppliers of medical equipment in order to select the most appropriate item.
 2. **To Make or Obtain Payment.** Care Wisconsin may use and disclose your protected health information to make payment to or collect payment from third parties for the care you receive. For example, the Wisconsin Medicaid Program requires Care Wisconsin to disclose certain health care status information for reimbursement purposes. Or Care Wisconsin may provide information regarding your coverage or health care treatment to other health plans to coordinate payment of benefits.
 3. **To Conduct Health Care Operations.** Care Wisconsin may use and disclose protected health information for our own operations in order to facilitate the function and operations of Care Wisconsin and as necessary to provide and coordinate quality care to all of Care Wisconsin's participants. Health care operations include activities such as:
 - Quality assessment and improvement activities.
 - Activities designed to improve health or reduce health care costs.
 - Clinical guideline and protocol development, case management and care coordination.
 - Contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment.

- Contacting you with appointment reminders.
- Professional review and performance evaluation.
- Training programs including those in which students, trainees or practitioners in health care learn under supervision.
- Training of non-health care professionals.
- Accreditation, certification, licensing or credentialing activities.
- Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs. This includes disclosure and exchange of information between Care Wisconsin of Wisconsin and state and federal oversight agencies and their authorized representatives.
- Business planning and development including cost management and planning related analyses and formulary development including required submission of data to federal and state governments.
- Business management and general administrative activities of Care Wisconsin, including customer service and resolution of internal grievances.
- Underwriting and other insurance related activities.
- Conducting or arranging for legal services.
- Creating “de-identified” protected health information.

For example, Care Wisconsin may use your protected health information to evaluate its staff performance, combine your protected health information with other Care Wisconsin participants to evaluate how to more effectively serve all of Care Wisconsin’s participants, and disclose your health information to Care Wisconsin staff and contracted personnel for training purposes. Care Wisconsin may use your protected health information to conduct case management, quality improvement and utilization review, and to engage grievance and appeal resolution activities. Furthermore, Care Wisconsin may use or disclose your protected health information to provide you with information on health-related benefits and services that may be of interest to you

B. Care Wisconsin is permitted by law to use and disclose your protected health information without your authorization for a number of functions and activities listed below:

1. **As Required by Law.** Care Wisconsin will disclose your protected health information when it is required to do so by federal, state or local law.
2. **Public Health Risks.** Care Wisconsin may disclose your protected health information for the following public activities and purposes to:
 - Prevent or control disease, injury or disability; report disease, injury, and vital events such as birth or death; conduct public health surveillance, investigations and interventions.
 - Report adverse events and product defects; to track products or enable product recalls, repairs and replacement; to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
 - Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
 - Notify an employer about an individual who is a member of the workforce as legally required.

3. **Abuse, Neglect or Domestic Violence.** Care Wisconsin is allowed to notify government authorities if Care Wisconsin believes a patient is the victim of abuse, neglect or domestic violence. Care Wisconsin will notify you of the disclosure unless we determine this would put you at risk.
4. **Health Oversight Activities.** Care Wisconsin may disclose your protected health information to a health oversight agency for activities including audits; civil, administrative or criminal investigations; inspections; licensure or disciplinary action. Care Wisconsin, however, may not disclose your protected health information if you are the subject of an investigation and the investigation does not arise out of and is not directly related to your receipt of health care or public benefits.
5. **Judicial and Administrative Proceedings.** As permitted or required by state law, Care Wisconsin may disclose your protected health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when Care Wisconsin makes reasonable efforts to either notify you about the request or to obtain an order protecting your protected health information.
6. **Law Enforcement Purposes.** As permitted or required by state law, Care Wisconsin may disclose your protected health information to a law enforcement official in response to a court order or in order to identify or locate a suspect, fugitive, material witness or missing person, or to report or respond to a crime.
7. **Coroners and Medical Examiners.** Care Wisconsin may disclose your protected health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.
8. **Funeral Directors.** Care Wisconsin may disclose your protected health information to funeral directors consistent with applicable law to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, Care Wisconsin may disclose your protected health information prior to, and in reasonable anticipation of, your death.
9. **Organ, Eye or Tissue Donation.** Care Wisconsin may use or disclose your protected health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissue for the purpose of facilitating the donation and transplantation.
10. **Research Purposes.** Care Wisconsin may, under very select circumstances, use your protected health information for research. Before Care Wisconsin discloses any of your protected health information for such research purposes, the project will be subject to an extensive approval process. Care Wisconsin will usually request your written authorization before granting access to your individually identifiable protected health information.
11. **Serious Threat to Health Or Safety.** Care Wisconsin may, consistent with applicable law and ethical standards of conduct, disclose your protected health information if Care Wisconsin, in good faith, believes that such disclosure is necessary to prevent or lessen a

serious and imminent threat to your health or safety or to the health and safety of the public.

12. **Specified Government Functions.** In certain circumstances, federal regulations authorize Care Wisconsin to use or disclose your protected health information to facilitate specified government functions relating to the military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations, and inmates and law enforcement custody.
13. **Worker's Compensation.** Care Wisconsin may release your protected health information for worker's compensation or similar programs.

C. Unless your refuse or object, Care Wisconsin may also use and disclose your protected health information with persons involved in your care or payment of your care and for fundraising purposes.

1. **Persons Involved in Your Care or Payment for Your Care.** Care Wisconsin may disclose protected health information about you to family members, friends or someone else whom you identify as involved in your care or payment for your care to coordinate your care and treatment plan. If you are unable to function or if there is an emergency, Care Wisconsin staff will exercise their professional judgment to determine if family or friends should receive information about you. In addition, we may disclose your protected health information to organizations authorized to handle disaster relief efforts so that those who care for you can receive information about your location or health status.
2. **Fundraising Activities.** Care Wisconsin may use your protected health information to contact you in our efforts to raise money for Care Wisconsin. If you do not wish to be contacted for fundraising efforts, you must notify in writing the Marketing Manager, P.O. Box 14017, Madison, WI 53708-0017.

II. AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Except for the situations listed above, Care Wisconsin must obtain your written authorization for any other release of your protected health information. If you or your representative authorizes Care Wisconsin to use or disclose your protected health information, you may revoke that authorization in writing at any time.

III. YOUR HEALTH INFORMATION RIGHTS

You have several rights regarding your protected health information that Care Wisconsin maintains. If you wish to exercise any of the following rights, please contact Care Wisconsin's Privacy Officer.

1. **Right to Request Restrictions.** You may request restrictions on certain uses and disclosures of your protected health information. You have the right to request a limit on Care Wisconsin's disclosure of your protected health information to someone who is involved in your care or the payment of your care. However, Care Wisconsin is not required to agree to your request.

2. **Right to Receive Confidential Communications.** You have the right to request that Care Wisconsin communicate with you in a certain way. For example, you may ask that Care Wisconsin only conduct communications pertaining to your protected health information with you privately with no other family members present. Or, if you wish for us to contact you at a specific address or telephone number, or if you wish for appointment reminders not to be left on voice mail, you should make this request known to us. Care Wisconsin will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.
3. **Right to Inspect and Copy Your Health Information.** With a few exceptions, you have the right to inspect and copy your protected health information, including billing records, maintained in a designated record set by Care Wisconsin. However, this right does not apply to psychotherapy notes or information gathered for judicial proceedings, for example. If you request a copy of your protected health information, Care Wisconsin may charge a reasonable fee for copying, assembling costs and postage, if applicable, associated with your request.
4. **Right to Amend Your Health Information.** You or your representative has the right to request that Care Wisconsin correct your protected health information if you believe it is inaccurate or incomplete. Your request may be denied if your protected health information records were not created by Care Wisconsin, if the information is not part of Care Wisconsin's designated record set, if the protected health information you wish to amend is not part of the protected health information you or your representative are permitted to inspect and copy, or if Care Wisconsin determines the records containing your protected health information are accurate and complete.
5. **Right to an Accounting of Disclosures.** You or your representative have the right to request an accounting of certain disclosures of your protected health information made by Care Wisconsin for any reason other than those made to you or to persons involved in your care, and for treatment, payment, health care operations, national security, law enforcement/corrections certain health oversight activities, incident to a permitted use or disclosure and in accordance with authorizations. The request should specify the time period for the accounting starting no earlier than April 14, 2003. Accounting requests may not be made for periods of time in excess of six (6) years. Care Wisconsin will provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.
6. **Right to Obtain a Paper Copy of this Notice.** You or your representative has a right to a separate paper copy of this Notice at any time even if you or your representative have received this Notice previously. You may also obtain a copy of the current version of Care Wisconsin's Notice at its Web site, www.carewisc.org.
7. **Right to Complain.** You or your representative have the right to express complaints to Care Wisconsin and to the Secretary of Health and Human Services if you or your representative believe that your privacy rights have been violated. To file a complaint with either entity, please contact Care Wisconsin's Privacy Officer. Care Wisconsin encourages you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint.

IV. DUTIES OF CARE WISCONSIN

Care Wisconsin is required by law to maintain the privacy of your protected health information and to provide to you or your representative this Notice of its duties and privacy practices. Care Wisconsin is required to abide by the terms of this Notice as may be amended from time to time. Care Wisconsin reserves the right to change the terms of its Notice if its privacy practices change or as federal or state requirements change and to make the new Notice provisions effective for all protected health information that it maintains. If Care Wisconsin significantly changes its Notice, Care Wisconsin will provide a copy of the revised Notice to you or your representative within sixty (60) days of the change.

V. CONTACT PERSON

Care Wisconsin has designated the Privacy Officer as its contact person for all issues regarding patient privacy and your rights under federal, state and local privacy standards. You may call the Privacy Officer at (608) 245-3073 or send mail to P.O. Box 14017, Madison, WI 53708-0017.

EFFECTIVE DATE

This Notice is effective as of October 16, 2009.

FAMILY CARE
IN DODGE COUNTY

A Program of Care Wisconsin

Care Wisconsin
820 North Main Street, Suite C
P.O. Box 147
Juneau, WI 53039

Equal Opportunity Service Provider

FCMH3_1-10A
© 2010 Care Wisconsin First, Inc.