

## **2009 Fallon Senior Plan Saver**

### **EVIDENCE OF COVERAGE**

Your Medicare Health Benefits and Services as a Member of Fallon Community Health Plan, Inc.

January 1 – December 31, 2009

This booklet gives the details about your Medicare health coverage and explains how to get the health care you need. This booklet is an important legal document. Please keep it in a safe place.

#### **Fallon Community Health Plan Customer Service:**

For help or information, please call Customer Service or go to our Plan Web site at [www.fchp.org](http://www.fchp.org).

**1-800-868-5200** (Calls to these numbers are free)

**TTY users call: 1-877-608-7677**

Hours of Operation: 8 a.m. to 8 p.m., seven days a week.

# **This is Your 2009 Evidence of Coverage (EOC)**

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## **1. Introduction**

### **Thank you for being a member of our Plan!**

This is your Evidence of Coverage, which explains how to get your Medicare health care coverage through our Plan, Fallon Senior Plan Saver; you are still covered by Medicare, but you are getting your health care through our Plan.

This Evidence of Coverage, together with your enrollment form, riders, and amendments that we send to you, is our contract with you. The Evidence of Coverage explains your rights, benefits, and responsibilities as a member of our Plan and is in effect from January 1, 2009 - December 31, 2009. Our plan's contract with the Centers for Medicare & Medicaid Services (CMS) is renewed annually, and availability of coverage beyond the end of the current contract year is not guaranteed.

This Evidence of Coverage will explain to you:

- What is covered by our Plan and what isn't covered.
- How to get the care you need, including some rules you must follow.
- What you will have to pay for your health care.
- What to do if you are unhappy about something related to getting your covered services.
- How to leave our Plan, and other Medicare options that are available.

This Section of the EOC has important information about:

- Eligibility requirements
- The geographic service area of our Plan
- Keeping your member record up-to-date
- Materials that you will receive from our Plan
- Paying your plan premiums
- Late enrollment penalty

### **Eligibility Requirements**

To be a member of our Plan, you must live in our service area, be entitled to Medicare Part A, and enrolled in Medicare Part B. If you currently pay a premium for Medicare Part A and/or Medicare Part B, you must continue paying your premium in order to keep your Medicare Part A and/or Medicare Part B and remain a member of this plan.

### **The geographic service area for our Plan.**

The counties and parts of counties in our service area are listed below.

The Fallon Senior Plan Saver service area includes all of Hampden County, Worcester County and parts of the following counties:

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Franklin County, the following ZIP codes only:

Erving	01344	Warwick	01378
New Salem	01355	Wendell	01379
North New Salem	01364	Wendell Depot	01380
Orange	01364		

Hampshire County, the following ZIP code only:

Ware	01082		
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Middlesex County, the following ZIP codes only:

Acton	01720	Lowell	01850
Ashby	01431	Lowell	01851
Ashland	01721	Lowell	01852
Ayer	01432	Lowell	01853
Ayer	01434	Lowell	01854
Bedford	01730	Marlborough	01752
Billerica	01821	Maynard	01754
Billerica	01822	Natick	01760
Boxborough	01719	North Billerica	01862
Carlisle	01741	North Chelmsford	01863
Chelmsford	01824	Nutting Lake	01865
Concord	01742	Pepperell	01463
Dracut	01826	Pinehurst	01866
Dunstable	01827	Sherborn	01770
Framingham	01701	Shirley	01464
Framingham	01702	Shirley Center	01464
Framingham	01703	Stow	01775
Framingham	01704	Sudbury	01776
Framingham	01705	Tewksbury	01876
Groton	01450	Townsend	01469
Groton	01470	Tyngsboro	01879
Groton	01471	Village of Nagog Woods	01718
Hanscom AFB	01731	Wayland	01778
Holliston	01746	West Groton	01472
Hopkinton	01748	West Townsend	01474
Hudson	01749	Westford	01886
Littleton	01460	Woodville	01784

Norfolk County, the following ZIP codes only:

Bellingham	02019	Norfolk	02056
Franklin	02038	Sheldonville	02070
Medway	02053	Wrentham	02093
Millis	02054		

## How do I keep my member record up to date?

We have a member record about you. Your member record has information from your enrollment form, including your address and telephone number. It shows your specific Plan coverage, including the Primary Care Physician you chose and other information. Doctors, hospitals, and other plan providers use your member record to know what services are covered for you. Section 3 tells how we protect the privacy of your personal health information.

Please help us keep your member record up to date by telling Customer Service if there are changes to your name, address, or phone number, or if you go into a nursing home. Also, tell Customer Service about any changes in other health insurance coverage you have, such as from your employer, your spouse's employer, workers' compensation, Medicaid, or liability claims such as claims from an automobile accident.

## Materials that you will receive from our Plan

### Plan membership card

While you are a member of our Plan, you must use our membership card for services covered by this plan. While you are a member of our Plan you must not use your red, white, and blue Medicare card to get covered services, items. Keep your red, white, and blue Medicare card in a safe place in case you need it later. If you get covered services using your red, white, and blue Medicare card instead of using our membership card while you are a plan member, the Medicare Program won't pay for these services and you may have to pay the full cost yourself.

Please carry your membership card that we gave you at all times and remember to show your card when you get covered services, items. If your membership card is damaged, lost, or stolen, call Customer Service right away and we will send you a new card. There is a sample card in Section 10 to show you what it looks like.

### The Provider Directory gives you a list of network providers

Every year that you are a member of our Plan, we will send you either a Provider Directory or an update to your Provider Directory, which lists our network providers. If you don't have the Provider Directory, you can get a copy from Customer Service. You may ask Customer Service for more information about our network providers, including their qualifications. Customer Service can give you the most up-to-date information about changes in our network providers and about which ones are accepting new patients. A complete list of network providers is available on our website.

You must use network providers for services to be covered by us at plan cost-sharing levels, except in emergencies, for urgently needed care out-of-area, or for out of the area dialysis services. See the benefits chart in Section 10 for more specific out-of-network coverage information.

## Your monthly plan premium

As a member of our Plan, you pay:

- 1) Your monthly Medicare Part B premium. Most people will pay the standard premium amount, which is \$96.40 in 2008. (Your Part B premium is typically deducted from your Social Security payment.) (If you receive benefits from your state Medicaid program, all or part of your Part B premium may be paid for you.)

Your monthly premium will be higher if you are single (file an individual tax return) and your yearly income is more than \$82,000, or if you are married (file a joint tax return) and your yearly income is more than \$164,000.

If your Yearly Income is*		In 2008, you pay*
File individual tax return	File joint tax return	
\$82,000 or below	\$164,000 or below	\$96.40
\$82,001-\$102,000	\$164,001-\$204,000	\$122.20
\$102,001-\$153,000	\$204,001-\$306,000	\$160.90
\$153,001-\$205,000	\$306,001-\$410,000	\$199.70
Above \$205,000	Above \$410,000	\$238.40

\*The above income and Part B premium amounts are for 2008 and will change for 2009. If you pay a Part B late-enrollment penalty, the premium amount is higher.

- 2) Your monthly Medicare Part A premium, if necessary (most people don't have to pay this premium).

### What is the Medicare Prescription Drug Plan late enrollment penalty?

If you don't join a Medicare drug plan when you are first eligible, and/or you go without creditable prescription drug coverage for a continuous period of 63 days or more, you may have to pay a late enrollment penalty when you enroll in a plan later. The Medicare drug plan will let you know what the amount is and it will be added to your monthly premium. This penalty amount changes every year, and you have to pay it as long as you have Medicare prescription drug coverage. However, if you qualify for extra help, you may not have to pay a penalty.

If you must pay a late enrollment penalty, your penalty is calculated when you first join a Medicare drug plan. To estimate your penalty, take 1% of the national base beneficiary premium for the year you join (in 2009, the national base beneficiary premium is \$30.36). Multiply it by the number of full months you were eligible to join a Medicare drug plan but didn't, and then round that amount to the nearest ten cents. This is your estimated penalty amount, which is added each month to your Medicare drug plan's premium for as long as you are in that plan.

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### **You won't have to pay a late enrollment penalty if:**

- You had creditable coverage (coverage that expects to pay, on average, at least as much as Medicare's standard prescription drug coverage)
- You had prescription drug coverage but you were not adequately informed that the coverage was not creditable (as good as Medicare's drug coverage)
- Any period of time that you didn't have creditable prescription drug coverage was less than 63 continuous days
- You lived in an area affected by Hurricane Katrina at the time of the hurricane (August 2005) AND you signed up for a Medicare prescription drug plan by December 31, 2006, AND you stay in a Medicare prescription drug plan
- You received or are receiving extra help

### **Important Information**

We will send you our Coordination of Benefits Annual Survey so that we can know what other health coverage you have besides our Plan. Medicare requires us to collect this information from you, so when you get the survey, please fill it out and send it back. If you have additional health coverage, you must provide that information to our Plan. In addition, if you lose or gain additional health coverage, please call Customer Service to update your member record.

## **2. How You Get Care**

### **How You Get Care**

#### **What are “providers”?**

“Providers” is the term we use for doctors, other health care professionals, hospitals, and other health care facilities that are licensed by the state and as appropriate eligible to receive payment from Medicare.

#### **What are “network providers”?**

A provider is a “network provider” when they participate in our Plan. When we say that network providers “participate in our Plan,” this means that we have arranged with them (for example, by contracting with them) to coordinate or provide covered services to members in our Plan. Network providers may also be referred to as “plan providers.”

#### **What are “covered services”?**

“Covered services” is the term we use for all the medical care, health care services, supplies, and equipment that are covered by our Plan. Covered services are listed in the Benefits Chart in Section 10.

#### **What do you pay for “covered services”?**

The amount you pay for covered services is listed in Section 10.

#### **Providers you can use to get services covered by our Plan**

While you are a member of our Plan, you must use our network providers to get your covered services except in limited cases such as emergency care, urgently needed care when our network is not available, or out of service area dialysis. We list the providers that participate with our Plan in our provider directory. If you get non-emergency care from non-plan (out-of-network) providers without prior authorization you must pay the entire cost yourself, unless the services are urgent and our network is not available, or the services are out-of-area dialysis services. If an out-of-network provider sends you a bill that you think we should pay for emergency services, please contact Customer Service or send the bill to us for payment.

#### **What is a “PCP”?**

When you become a member of our Plan, you must choose a plan provider to be your PCP. Your PCP is a physician, physician assistant or nurse practitioner who meets state requirements and is trained to give you basic medical care. As we explain below, you will get your routine or basic care from your PCP. Your PCP will also coordinate the rest of the covered services you get as a plan member. For example, in order to see a specialist, you usually need to get your PCP’s approval first (this is called getting a “referral” to a specialist).

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Example: Your PCP will provide most of your care and will help you arrange or coordinate the rest of the covered services you get as a member of our Plan. This includes:

- your x-rays
- laboratory tests
- therapies
- care from doctors who are specialists
- hospital admissions, and
- follow-up care.

“Coordinating” your services includes checking or consulting with other plan providers about your care and how it is going. If you need certain types of covered services or supplies, you must get approval in advance from your PCP (such as giving you a referral to see a specialist). In some cases, your PCP will need to get prior authorization (prior approval) from us. Since your PCP will provide and coordinate your medical care, you should have all of your past medical records sent to your PCP’s office. Section 3 tells you how we will protect the privacy of your medical records and personal health information.

### How do you choose a PCP?

You may choose a PCP by looking in the Provider Directory or by calling Customer Service for assistance. You may change your PCP at any time. If there is a particular specialist or hospital that you want to use, check first to be sure that your PCP makes referrals to that specialist or uses that hospital. Once you have chosen a PCP, you must notify Customer Service of your choice. We will send you a letter confirming the change. You may change your PCP at any time.

### How do you get care from your PCP?

You will usually see your PCP first for most of your routine health care needs. There are only a few types of covered services you can get on your own, without contacting your PCP first except as we explain below and in Section 10.

Your PCP will provide most of your care and will help arrange or coordinate the rest of the covered services you get as a plan member. This includes your x-rays, laboratory tests, therapies, care from doctors who are specialists, hospital admissions, and follow-up care. “Coordinating” your services includes checking or consulting with other plan providers about your care and how it is going. If you need certain types of covered services or supplies, your PCP must give approval in advance (such as giving you a referral to see a specialist). In some cases, your PCP will also need to get prior authorization (prior approval). Since your PCP will provide and coordinate your medical care, you should have all of your past medical records sent to your PCP’s office. Section 3 tells how we will protect the privacy of your medical records and personal health information.

### How do you get care from doctors, specialists and hospitals?

When your PCP thinks that you need specialized treatment, he/she will give you a referral (approval in advance) to see a plan specialist or certain other providers. A specialist is a doctor who provides health care services for a specific disease or part of the body. Specialists include but are not limited to such doctors as:

- oncologists (who care for patients with cancer)
- cardiologists (who care for patients with heart conditions),
- orthopedists (who care for patients with certain bone, joint, or muscle conditions).

For some types of referrals, your PCP may need to get approval in advance from our Plan (this is called getting “prior authorization”).

It is very important to get a referral (approval in advance) from your PCP before you see a plan specialist or certain other providers (there are a few exceptions, including routine women’s health care that we explain later in this section). **If you don’t have a referral (approval in advance) before you get services from a specialist, you may have to pay for these services yourself.**

If the specialist feels you need additional specialty services, the specialist will ask for authorization directly from Fallon Community Health Plan.

If there are specific specialists you want to use find out whether your PCP sends patients to these specialists. Each plan PCP has certain plan specialists they use for referrals. This means that the PCP you select may determine the specialists you may see. You may generally change your PCP at any time if you want to see a Plan specialist that your current PCP can’t refer you to. Later in this section, under “How can you switch to another PCP,” we tell you how to change your PCP. If there are specific hospitals you want to use, you must first find out whether the doctors you will be seeing uses these hospitals.

### How can you switch to another PCP?

You may change your PCP for any reason, at any time. To change your PCP, call Customer Service.

When you call, be sure to tell Customer Service if you are seeing specialists or getting other covered services that needed your PCP’s approval (such as home health services and durable medical equipment). Customer Service will help make sure that you can continue with the specialty care and other services you have been getting when you change your PCP. They will also check to be sure the PCP you want to switch to is accepting new patients. Customer Service will change your member record to show the name of your new PCP, and tell you when the change to your new PCP will take effect.

## What services can you get on your own, without getting a referral (approval in advance) from your Primary Care Physician (PCP)?

You may get the following services on your own, without a referral (approval in advance) from your PCP. You still have to pay your share of the cost, as appropriate, for these services.

- Routine women's health care, which include breast exams, mammograms (x-rays of the breast), Pap tests, and pelvic exams. This care is covered without a referral from a plan provider.
- Flu shots, Hepatitis B and pneumonia vaccinations (as long as you get them from a plan provider).
- Routine dental care provided by a plan dentist.
- Mental health and substance abuse outpatient office visits with a plan provider. This does not include partial hospitalization services.
- Emergency services, whether you get these services from plan providers or non-plan providers
- Urgently needed care that you get from non-plan providers when you are temporarily outside the Plan's service area. Also, urgently needed care that you get from non-plan providers when you are in the service area but, because of unusual or extraordinary circumstances, the Plan providers are temporarily unavailable or inaccessible.
- Dialysis (kidney) services that you get when you are temporarily outside the Plan's service area. If possible, please let us know before you leave the service area where you are going to be so we can help arrange for you to have maintenance dialysis while outside the service area.

If you need care when you are outside the service area, your coverage is very limited. The only services we cover when you are outside our service area are care for a medical emergency, urgently needed care, renal dialysis, and care that Fallon Community Health Plan has approved in advance. If you have questions about what medical care is covered when you travel, please call Customer Service at the telephone number on the cover of this booklet.

## What if your doctor or other provider leaves your plan?

Sometimes a network provider you are using might leave the Plan. If this happens, you will have to switch to another provider who is part of our Plan. Customer Service can assist you in finding and selecting another provider.

## Getting care if you have a medical emergency or an urgent need for care

### What is a “medical emergency”?

A “medical emergency” is when you believe that your health is in serious danger. A medical emergency includes severe pain, a bad injury, a sudden illness, or a medical condition that is quickly getting much worse.

### If you have a medical emergency:

- Get medical help as quickly as possible. Call 911 for help or go to the nearest emergency room, hospital, or urgent care center. You don’t need to get approval or a referral first from your doctor or other network provider.
- As soon as possible, make sure that we know about your emergency, because we need to be involved in following up on your emergency care. You or someone else should call to tell your PCP about your emergency care, usually within 48 hours.

Your PCP will talk with the doctors who are giving you emergency care to help manage and follow up on your care. When the doctors who are giving you emergency care say that your condition is stable and the medical emergency is over then you are still entitled to follow-up post stabilization care. Your follow-up post stabilization care will be covered according to Medicare guidelines. In general, if your emergency care is provided out of network we will try to arrange for plan providers to take over your care as soon as your medical condition and the circumstances allow.

### What is covered if you have a medical emergency?

- You may get covered emergency medical care whenever you need it, anywhere in the world. (See the benefits chart in Section 10 for more detailed information.)
- **Ambulance** services are covered in situations where other means of transportation in the United States would endanger your health. (See the benefits chart in Section 10 for more detailed information.)

### What if it wasn’t a medical emergency?

Sometimes it can be hard to know if you have a medical emergency. For example, you might go in for emergency care – thinking that your health is in serious danger – and the doctor may say that it wasn’t a medical emergency after all. If this happens, you are still covered for the care you got to determine what was wrong, as long as you thought your health was in serious danger, as explained in “What is a ‘medical emergency’” above. If you get any extra care after the doctor says it wasn’t a medical emergency, the Plan will pay its portion of the covered additional care **only if you get it from a network provider.** We will pay our portion of the covered additional care from an out-of-network provider if you are out of our service area, as long as the additional care you get meets the definition of “urgently needed care” that is given below.

### What is urgently needed care?

Urgently needed care refers to a non-emergency situation when you are:

- Inside the United States
- Temporarily absent from the Plan's authorized service area
- In need of medical attention right away for an unforeseen illness, injury, or condition, and
- It isn't reasonable given the situation for you to obtain medical care through the Plan's participating provider network.

Under unusual and extraordinary circumstances, care may be considered urgently needed and paid for by our Plan when the member is in the service area, but the provider network of the Plan is temporarily unavailable or inaccessible.

### What is the difference between a “medical emergency” and “urgently needed care”?

The two main differences between urgently needed care and a medical emergency are in the danger to your health and your location. A “medical emergency” occurs when you reasonably believe that your health is in serious danger, whether you are in or outside of the service area. “Urgently needed care” is when you need medical help for an unforeseen illness, injury, or condition, but your health is not in serious danger and you are generally outside of the service area.

### How to get urgently needed care

If, while temporarily outside the Plan's service area, you require urgently needed care, then you may get this care from any provider.

**Note:** If you have a pressing, non-emergency medical need while in the service area, you generally must obtain services from the Plan according to its procedures and requirements as outlined earlier in this section.

### How to submit a paper claim for emergency or urgently needed care

When you receive emergency or urgently needed health care services from a provider who is not part of our network, you are responsible for paying your plan cost sharing amount and you should tell the provider to bill our Plan for the balance of the payment they are due. However, if you have received a bill from the provider, please send that claim to Fallon Community Health Plan, Claims Department, P.O. Box 15121, Worcester, MA 01615-0121 so we can pay the provider the amount they are owed. If you have any questions about what to pay a provider or where to send a paper claim you may call Customer Service.

### What is your cost for services that aren't covered by our Plan?

Our Plan covers all of the medically-necessary services that are covered under Medicare Part A and Part B. Our Plan uses Medicare's coverage rules to decide what services are medically necessary. You are responsible for paying the full cost of services that aren't covered by our Plan. Other sections of this booklet describe the services that are covered under our Plan and the rules that apply to getting your care as a plan member. Our plan might not cover the costs of services that aren't medically necessary under Medicare, even if the service is listed as covered by our Plan.

If you need a service that our Plan decides isn't medically necessary based on Medicare's coverage rules, you may have to pay all of the costs of the service if you didn't ask for an advance coverage determination. However, you have the right to appeal the decision.

If you have any questions about whether our Plan will pay for a service or item, including inpatient hospital services, you have the right to have an organization determination made for the service. You may call Customer Service and tell us you would like a decision on whether the service will be covered before you get the service.

For covered services that have a benefit limitation, you pay the full cost of any services you get after you have used up your benefit for that type of covered service, unless your plan offers, as a covered supplemental benefit, coverage beyond the original Medicare limits. For example, you may have to pay the full cost for room and board in a skilled nursing facility if your stay exceeds 100 days in a benefit period. Paying for costs once a benefit limit has been reached will not count toward your out-of-pocket maximum. You can call Customer Service when you want to know how much of your benefit limit you have already used.

### How can you participate in a clinical trial?

A "clinical trial" is a way of testing new types of medical care, like how well a new cancer drug works. A clinical trial is one of the final stages of a research process that helps doctors and researchers see if a new approach works and if it is safe.

The Original Medicare Plan pays for routine costs if you take part in a clinical trial that meets Medicare requirements (meaning it's a "qualified" clinical trial and Medicare-approved). Routine costs include costs like room and board for a hospital stay that Medicare would pay for even if you weren't in a trial, an operation to implant an item that is being tested, and items and services to treat side effects and complications arising from the new care. Generally, Medicare will not cover the costs of experimental care, such as the drugs or devices being tested in a clinical trial.

There are certain requirements for Medicare coverage of clinical trials. If you participate as a patient in a clinical trial that meets Medicare requirements, the Original Medicare Plan (and not our Plan) pays the clinical trial doctors and other providers for the covered services you get that are related to the clinical trial. When you are in a clinical trial, you may stay enrolled in our Plan and continue to get the rest of your care, like diagnostic services, follow-up care, and care that is unrelated to the clinical trial through our Plan. Our Plan is still responsible for coverage of certain investigational device exemptions (IDE), called Category B IDE devices, needed by our members.

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You will have to pay the same coinsurance amounts charged under Original Medicare for the services you receive when participating in a qualifying clinical trial, but you do not have to pay the Original Medicare Part A or Part B deductibles because you are enrolled in our Plan.

You don't need to get a referral (approval in advance) from a network provider to join a clinical trial, and the clinical trial providers don't need to be network providers. However, please be sure to **tell us before you start participation in a clinical trial** so that we can keep track of your health care services. When you tell us about starting participation in a clinical trial, we can let you know whether the clinical trial is Medicare-approved, and what services you will get from clinical trial providers instead of from our plan.

You may view or download the publication "Medicare and Clinical Trials" at [www.medicare.gov](http://www.medicare.gov) under "Search Tools" select "Find a Medicare Publication." Or, call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048.

### How to access care in Religious Non-medical Health Care Institutions

Care in a Medicare-certified Religious Non-medical Health Care Institution (RNHCI) is covered by our Plan under certain conditions. Covered services in an RNHCI are limited to non-religious aspects of care. To be eligible for covered services in a RNHCI, you must have a medical condition that would allow you to receive inpatient hospital or skilled nursing facility care. You may get services furnished in the home, but only items and services ordinarily furnished by home health agencies that are not RNHCI. In addition, you must sign a legal document that says you are conscientiously opposed to the acceptance of "non-excepted" medical treatment. ("Excepted" medical treatment is medical care or treatment that you receive involuntarily or that is required under federal, state or local law. "Non-excepted" medical treatment is any other medical care or treatment.) Your stay in the RNHCI is not covered by our Plan unless you obtain authorization (approval) in advance from our Plan. You are covered for an unlimited number of days.

### **3. Your Rights and Responsibilities** **as a Member of our Plan**

#### **Introduction to your rights and protections**

Since you have Medicare, you have certain rights to help protect you. In this section, we explain your Medicare rights and protections as a member of our Plan and we explain what you can do if you think you are being treated unfairly or your rights are not being respected.

#### **Your right to be treated with dignity, respect and fairness**

You have the right to be treated with dignity, respect, and fairness at all times. Our Plan must obey laws that protect you from discrimination or unfair treatment. We don't discriminate based on a person's race, disability, religion, sex, sexual orientation, health, ethnicity, creed, age, or national origin. If you need help with communication, such as help from a language interpreter, please call Customer Service. Customer Service can also help if you need to file a complaint about access (such as wheel chair access). You may also call the Office for Civil Rights at 1-800-368-1019 or TTY/TDD 1-800-537-7697, or your local Office for Civil Rights.

#### **Your right to the privacy of your medical records and personal health information**

There are federal and state laws that protect the privacy of your medical records and personal health information. We protect your personal health information under these laws. Any personal information that you give us when you enroll in this plan is protected. We will make sure that unauthorized people don't see or change your records. Generally, we must get written permission from you (or from someone you have given legal power to make decisions for you) before we can give your health information to anyone who isn't providing your care or paying for your care. There are exceptions allowed or required by law, such as release of health information to government agencies that are checking on quality of care.

The laws that protect your privacy give you rights related to getting information and controlling how your health information is used. We are required to provide you with a notice that tells about these rights and explains how we protect the privacy of your health information. You have the right to look at medical records held at the Plan, and to get a copy of your records (there may be a fee charged for making copies). You also have the right to ask us to make additions or corrections to your medical records (if you ask us to do this, we will review your request and figure out whether the changes are appropriate). You have the right to know how your health information has been given out and used for non-routine purposes. If you have questions or concerns about privacy of your personal information and medical records, please call Customer Service.

## Your right to see network providers and get covered services within a reasonable period of time

As explained in this booklet, you will get most or all of your care from network providers, that is, from doctors and other health providers who are part of our Plan. You have the right to choose a network provider (we will tell you which doctors are accepting new patients). You have the right to go to a women's health specialist in our Plan (such as a gynecologist) without a referral. You have the right to timely access to your providers and to see specialists when care from a specialist is needed. "Timely access" means that you can get appointments and services within a reasonable amount of time.

## Your right to know your treatment options and participate in decisions about your health care

You have the right to get full information from your providers when you go for medical care, and the right to participate fully in decisions about your health care. Your providers must explain things in a way that you can understand. Your rights include knowing about all of the treatment options that are recommended for your condition, no matter what they cost or whether they are covered by our Plan. This includes the right to know about the different Medication Therapy Management Programs we offer and in which you may participate. You have the right to be told about any risks involved in your care. You must be told in advance if any proposed medical care or treatment is part of a research experiment, and be given the choice of refusing experimental treatments.

You have the right to receive a detailed explanation from us if you believe that a provider has denied care that you believe you were entitled to receive or care you believe you should continue to receive. In these cases, you must request an initial decision called an organization determination. Organization determinations are discussed in Section 5.

You have the right to refuse treatment. This includes the right to leave a hospital or other medical facility, even if your doctor advises you not to leave. This includes the right to stop taking your medication. If you refuse treatment, you accept responsibility for what happens as a result of your refusing treatment.

## Your right to use advance directives (such as a living will or a power of attorney)

You have the right to ask someone such as a family member or friend to help you with decisions about your health care. Sometimes, people become unable to make health care decisions for themselves due to accidents or serious illness. If you want to, you can use a special form to give someone the legal authority to make decisions for you if you ever become unable to make decisions for yourself. You also have the right to 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.

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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 Medicare. 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. It is important to sign this form and keep a copy at home. 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.

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. 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 complaint with:

**Against a hospital:**

Department of Public Health  
Division of Health Care Quality  
Complaint Unit  
99 Chauncy St.  
Boston, MA 02111  
1-800-462-5540

**Against an individual doctor:**

Board of Registration in Medicine  
Consumer Protection Manager  
560 Harrison Avenue, Suite G-4  
Boston, MA 02118  
1-800-377-0550

### Your right to get information about our Plan

You have the right to get information from us about our Plan. This includes information about our financial condition, and how our Plan compares to other health plans. To get any of this information, call Customer Service.

### Your right to get information in other formats

You have the right to get your questions answered. Our plan must have individuals and translation services available to answer questions from non-English speaking beneficiaries, and must provide information about our benefits that is accessible and appropriate for persons eligible for Medicare because of disability. If you have difficulty obtaining information from your plan based on language or a disability, call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048.

### Your right to get information about our network providers

You have the right to get information from us about our network providers and their qualifications and how we pay our doctors. To get this information, call Customer Service.

### Your right to get information about your Part C medical care or services and costs

You have the right to an explanation from us about any Part C medical care or service not covered by our Plan. We must tell you in writing why we will not pay for or approve a Part C medical care or service, and how you can file an appeal to ask us to change this decision. See Section 5 for more information about filing an appeal. You also have the right to this explanation even if you obtain the Part C medical care or service from a provider not affiliated with our organization.

### Your right to make complaints

You have the right to make a complaint if you have concerns or problems related to your coverage. See Section 4 and Section 5 for more information about complaints. If you make a complaint, we must treat you fairly (i.e., not retaliate against you) because you made a complaint. You have the right to get a summary of information about the appeals and grievances that members have filed against our Plan in the past. To get this information, call Customer Service.

### How to get more information about your rights

If you have questions or concerns about your rights and protections, you can

1. Call Customer Service at the number on the cover of this booklet.
2. Get free help and information from your State Health Insurance Assistance Program (SHIP). Contact information for your SHIP is in Section 8 of this booklet.
3. Visit [www.medicare.gov](http://www.medicare.gov) to view or download the publication “Your Medicare Rights & Protections.”
4. Call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048.

### What can you do if you think you have been treated unfairly or your rights are not being respected?

If you think you have been treated unfairly or your rights have not been respected, you may call Customer Service or:

- If you think you have been treated unfairly due to your race, color, national origin, disability, age, or religion, you can call the Office for Civil Rights at 1-800-368-1019 or TTY/TDD 1-800-537-7697, or call your local Office for Civil Rights.
- If you have any other kind of concern or problem related to your Medicare rights and protections described in this section, you can also get help from your SHIP.

### Your responsibilities as a member of our Plan include:

- Getting familiar with your coverage and the rules you must follow to get care as a member. You can use this booklet to learn about your coverage, what you have to pay, and the rules you need to follow. Call Customer Service if you have questions.
- Using all of your insurance coverage. If you have additional health insurance coverage besides our Plan, it is important that you use your other coverage in combination with your coverage as a member of our Plan to pay your health care expenses. This is called

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“coordination of benefits” because it involves coordinating all of the health benefits that are available to you.

- **You are required to tell our Plan if you have additional health insurance. Call Customer Service.**
- Notifying providers when seeking care (unless it is an emergency) that you are enrolled in our Plan and you must present your plan membership card to the provider.
- Giving your doctor and other providers the information they need to care for you, and following the treatment plans and instructions that you and your doctors agree upon. Be sure to ask your doctors and other providers if you have any questions and have them explain your treatment in a way you can understand.
- Acting in a way that supports the care given to other patients and helps the smooth running of your doctor’s office, hospitals, and other offices.
- Paying your copayment for your covered services. You must pay for services that aren’t covered.
- Notifying us if you move. If you move within our service area, we need to keep your member record up-to-date. If you move outside of our plan service area, you cannot remain a member of our plan, but we can let you know if we have a plan in that area.
- Letting us know if you have any questions, concerns, problems, or suggestions. If you do, please call Customer Service.

## **4. How to File a Grievance**

### **What is a Grievance?**

A grievance is any complaint, other than one that involves a request for an initial determination or an appeal as described in Section 5 of this manual.

Grievances do not involve problems related to approving or paying for Part C medical care or services, problems about having to leave the hospital too soon, and problems about having Skilled Nursing Facility (SNF), Home Health Agency (HHA), or Comprehensive Outpatient Rehabilitation Facility (CORF) services ending too soon.

If we will not pay for or give you the Part C medical care or services you want, you believe that you are being released from the hospital or SNF too soon, or your HHA or CORF services are ending too soon, you must follow the rules outlined in Section 5.

### **What types of problems might lead to your filing a grievance?**

- Problems with the service you receive from Customer Service.
- If you feel that you are being encouraged to leave (disenroll from) the Plan.
- If you disagree with our decision not to give you a “fast” decision or a “fast” appeal. We discuss these fast decisions and appeals in Section 5.
- We don’t give you a decision within the required time frame.
- We don’t give you required notices.
- You believe our notices and other written materials are hard to understand.
- Problems with the quality of the medical care or services you receive, including quality of care during a hospital stay.
- Problems with how long you have to wait on the phone, in the waiting room, or in the exam room.
- Problems getting appointments when you need them, or waiting too long for them.
- Rude behavior by doctors, nurses, receptionists, or other staff.
- Cleanliness or condition of doctor’s offices, clinics, or hospitals.

If you have one of these types of problems and want to make a complaint, it is called “filing a grievance.”

### **Who may file a grievance**

You or someone you name may file a grievance. The person you name would be your “representative.” You may name a relative, friend, lawyer, advocate, doctor, or anyone else to act for you. Other persons may already be authorized by the Court or in accordance with State law to act for you. If you want someone to act for you who is not already authorized by the Court or under State law, then you and that person must sign and date a statement that gives the person legal permission to be your representative. To learn how to name your representative, you may call Customer Service.

### Filing a grievance with our Plan

If you have a complaint, you or your representative may call the phone number for **Part C Grievances** (for complaints about Part C medical care or services) in Section 8. We will try to resolve your complaint over the phone. If you ask for a written response, file a written grievance, or your complaint is related to quality of care, we will respond in writing to you. **If we cannot resolve your complaint over the phone, we have a formal procedure to review your complaints. We call this the grievance procedure.** To use the grievance procedure, you may file your grievance orally or in writing to Fallon Community Health Plan Customer Service, 10 Chestnut St., Worcester, MA 01608. You may call Customer Service at 1-800-868-5200 (TDD/TTY: 1-877-608-7677), 8 a.m. to 8 p.m., seven days a week, and ask them to file a grievance for you.

The grievance must be submitted within 60 days of the event or incident. We must address your grievance as quickly as your case requires based on your health status, but no later than 30 days after receiving your complaint. We may extend the time frame by up to 14 days if you ask for the extension, or if we justify a need for additional information and the delay is in your best interest. If we deny your grievance in whole or in part, our written decision will explain why we denied it, and will tell you about any dispute resolution options you may have.

### Fast Grievances

In certain cases, you have the right to ask for a “fast grievance,” meaning we will answer your grievance within 24 hours. We discuss situations where you may request a fast grievance in Section 5.

### For quality of care problems, you may also complain to the QIO

You may complain about the quality of care received under Medicare, including care during a hospital stay. You may complain to us using the grievance process, to the Quality Improvement Organization (QIO), or both. If you file with the QIO, we must help the QIO resolve the complaint. See Section 8 for more information about the QIO and for the name and phone number of the QIO in your state.

## **5. Complaints and Appeals about your Part C Medical Care and Service(s)**

### **Introduction**

This section explains how you ask for coverage of your Part C medical care or service(s) or payments in different situations. This section also explains how to make complaints when you think you are being asked to leave the hospital too soon, or you think your skilled nursing facility (SNF), home health (HHA) or comprehensive outpatient rehabilitation facility (CORF) services are ending too soon. These types of requests and complaints are discussed below in Part 1, Part 2, or Part 3.

Other complaints that do not involve the types of requests or complaints discussed below in Part 1, Part 2, or Part 3 are considered **grievances**. You would file a grievance if you have any type of problem with us or one of our plan providers that does not relate to coverage for Part C medical care or services. For more information about grievances, see Section 4.

**Part 1. Requests for Part C medical care or services or payments.**

**Part 2. Complaints if you think you are asked to leave the hospital too soon.**

**Part 3. Complaints if you think your skilled nursing facility (SNF), home health (HHA) or comprehensive outpatient rehabilitation facility (CORF) services are ending too soon.**

### **PART 1. Requests for medical care or services or payment**

This part explains what you can do if you have problems getting the Part C medical care or service you requested, or payment (including the amount you paid) for a Part C medical care or service you already received.

If you have problems getting the Part C medical care or services you need, or payment for a Part C service you already received, you must request an initial determination with the plan.

### **Initial Determinations**

The initial determination we make is the starting point for dealing with requests you may have about covering a Part C medical care or service you need, or paying for a Part C medical care or service you already received. Initial decisions about Part C medical care or services are called "**organization determinations.**" With this decision, we explain whether we will provide the Part C medical care or service you are requesting, or pay for the Part C medical care or service you already received.

The following are examples of requests for initial determinations:

- You are not getting Part C medical care or services you want, and you believe that this care is covered by the Plan.

- We will not approve the medical treatment your doctor or other medical provider wants to give you, and you believe that this treatment is covered by the Plan.
- You are being told that a medical treatment or service you have been getting will be reduced or stopped, and you believe that this could harm your health.
- You have received Part C medical care or services that you believe should be covered by the Plan, but we have refused to pay for this care.

### Who may ask for an initial determination?

You, your prescribing physician, or someone you name may ask us for an initial determination. The person you name would be your “appointed representative.” You may name a relative, friend, advocate, doctor, or anyone else to act for you. Other persons may already be authorized under State law to act for you. If you want someone to act for you who is not already authorized under State law, then you and that person must sign and date a statement that gives the person legal permission to be your appointed representative. If you are requesting Part C medical care or services, this statement must be sent to us at the address or fax number listed under “**Part C Organization Determinations**” in Section 8. To learn how to name your appointed representative, you may call Customer Service.

You also have the right to have a lawyer act for you. You may contact your own lawyer, or get the name of a lawyer from your local bar association or other referral service. There are also groups that will give you free legal services if you qualify.

### Asking for a “standard” or “fast” initial determination

A decision about whether we will give you, or pay for, the Part C medical care or service you are requesting can be a “standard” decision that is made within the standard time frame, or it can be a “fast” decision that is made more quickly. A fast decision is also called an “expedited” decision.

### Asking for a standard decision

To ask for a standard decision for a Part C medical care or service you, your doctor, or your representative should fax, or write us at the numbers or address listed under **Part C Organization Determinations** (for appeals about Part C medical care or services) in Section 8. Requests made outside of regular weekday business hours must be delivered by phone.

### Asking for a fast decision

You may ask for a fast decision **only** if you or your doctor believe that waiting for a standard decision could seriously harm your health or your ability to function. (Fast decisions apply only to requests for benefits that you have not yet received. You cannot get a fast decision if you are asking us to pay you back for a benefit that you already received.)

If you are requesting a Part C medical care or service that you have not yet received, you, your doctor, or your representative may ask us to give you a fast decision by calling, faxing, or writing us at the numbers or address listed under **Part C Organization Determinations** (for appeals about Part C medical care or services) in Section 8. Requests made outside of regular weekday business hours must be delivered by phone.

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Be sure to ask for a “fast” or “expedited” review. If your doctor asks for a fast decision for you, or supports you in asking for one, and the doctor indicates that waiting for a standard decision could seriously harm your health or your ability to function, we will automatically give you a fast decision.

If you ask for a fast decision without support from a doctor, we will decide if your health requires a fast decision. If we decide that your medical condition does not meet the requirements for a fast decision, we will send you a letter informing you that if you get a doctor’s support for a fast review, we will automatically give you a fast decision. The letter will also tell you how to file a “fast grievance.” You have the right to file a fast grievance if you disagree with our decision to deny your request for a fast review (for more information about fast grievances, see Section 4). If we deny your request for a fast initial determination, we will give you a standard decision.

### What happens when you request an initial determination?

- For a decision about payment for Part C medical care or services you already received.

If we do not need more information to make a decision, we have up to 30 days to make a decision after we receive your request, although a small number of decisions may take longer. However, if we need more information in order to make a decision, we have up to 60 days from the date of the receipt of your request to make a decision. You will be told in writing when we make a decision.

If you have not received an answer from us within 60 days of your request, you have the right to appeal.

- For a standard decision about Part C medical care or services you have not yet received.

We have 14 days to make a decision after we receive your request. However, we can take up to 14 more days if you ask for additional time, or if we need more information (such as medical records) that may benefit you. If we take additional days, we will notify you in writing. If you believe that we should not take additional days, you can make a specific type of complaint called a “fast grievance”. For more information about fast grievances, see Section 4.

If you have not received an answer from us within 14 days of your request (or by the end of any extended time period), you have the right to appeal.

- For a fast decision about Part C medical care or services you have not yet received.

If you receive a “fast” decision, we will give you our decision about your requested medical care or services within 72 hours after we receive the request. However, we can take up to 14 more days if we find that some information is missing that may benefit you, or if you need more time to prepare for this review. If we take additional days, we will

notify you in writing. If you believe that we should not take any extra days, you can file a fast grievance. We will call you as soon as we make the decision.

If we do not tell you about our decision within 72 hours (or by the end of any extended time period), you have the right to appeal. If we deny your request for a fast decision, you may file a "fast grievance." For more information about fast grievances, see Section 4.

### What happens if we decide completely in your favor?

- For a decision about payment for Part C medical care or services you already received.

Generally, we must send payment no later than 30 days after we receive your request, although a small number of decisions may take up to 60 days. If we need more information in order to make a decision, we have up to 60 days from the date of the receipt of your request to make payment.

- For a standard decision about Part C medical care or services you have not yet received.

We must authorize or provide your requested care within 14 days of receiving your request. If we extended the time needed to make our decision, we will authorize or provide your medical care before the extended time period expires.

- For a fast decision about Part C medical care or services you have not yet received.

We must authorize or provide your requested care within 72 hours of receiving your request. If we extended the time needed to make our decision, we will authorize or provide your medical care before the extended time period expires.

### What happens if we decide against you?

If we decide against you, we will send you a written decision explaining why we denied your request. If an initial determination does not give you all that you requested, you have the right to appeal the decision. (See **Appeal Level 1**.)

### **Appeal Level 1: Appeal to the Plan**

You may ask us to review our initial determination, even if only part of our decision is not what you requested. An appeal to the plan about Part C medical care or services is also called a plan "**reconsideration**." When we receive your request to review the initial determination, we give the request to people at our organization who were not involved in making the initial determination. This helps ensure that we will give your request a fresh look.

### Who may file your appeal of the initial determination?

If you are appealing an initial decision about Part C medical care or services, the rules about who may file an appeal are the same as the rules about who may ask for an organization determination. Follow the instructions under "Who may ask for an initial determination?" However, providers who do not have a contract with the Plan may also appeal a payment

decision as long as the provider signs a “waiver of payment” statement saying it will not ask you to pay for the Part C medical care or service under review, regardless of the outcome of the appeal.

### How soon must you file your appeal?

You must file the appeal request within 60 calendar days from the date included on the notice of our initial determination. We may give you more time if you have a good reason for missing the deadline.

### How to file your appeal

#### 1. Asking for a standard appeal

To ask for a standard appeal about a Part C medical care or service a signed, written appeal request must be sent to the address listed under **Part C Appeals** (for appeals about medical care or services) in Section 8.

#### 2. Asking for a fast appeal

If you are appealing a decision we made about giving you a Part C medical care or service that you have not received yet, you and/or your doctor will need to decide if you need a fast appeal. The rules about asking for a fast appeal are the same as the rules about asking for a fast initial determination. You, your doctor, or your representative may ask us for a fast appeal by calling, faxing, or writing us at the numbers or address listed under **Part C Appeals** (for appeals about Part C medical care or services) in Section 8. Requests made outside of regular weekday business hours must be delivered by phone.

Be sure to ask for a "fast" or "expedited" review. Remember, if your doctor provides a written or oral supporting statement explaining that you need the fast appeal, we will automatically give you a fast appeal. If you ask for a fast decision without support from a doctor, we will decide if your health requires a fast decision. If we decide that your medical condition does not meet the requirements for a fast decision, we will send you a letter informing you that if you get a doctor's support for a fast review, we will automatically give you a fast decision. The letter will also tell you how to file a “fast grievance.” You have the right to file a fast grievance if you disagree with our decision to deny your request for a fast review (for more information about fast grievances, see Section 4). If we deny your request for a fast appeal, we will give you a standard appeal.

### Getting information to support your appeal

We must gather all the information we need to make a decision about your appeal. If we need your assistance in gathering this information, we will contact you or your representative. You have the right to obtain and include additional information as part of your appeal. For example, you may already have documents related to your request, or you may want to get your doctor's records or opinion to help support your request. You may need to give the doctor a written request to get information.

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You may give us your additional information to support your appeal by calling, faxing, or writing us at the numbers or address listed under **Part C Appeals** (for appeals about Part C medical care or services) in Section 8.

You may also deliver additional information in person to the address listed under **Part C Appeals** (for appeals about Part C medical care or services) in Section 8.

You also have the right to ask us for a copy of information regarding your appeal. You may call or write us at the phone number or address listed under **Part C Appeals** (for appeals about Part C medical care or services) in Section 8. We are allowed to charge a fee for copying and sending this information to you.

### How soon must we decide on your appeal?

- For a decision about payment for Part C medical care or services you already received.

After we receive your appeal request, we have 60 days to decide. If we do not decide within 60 days, your appeal automatically goes to Appeal Level 2.

- For a standard decision about Part C medical care or services you have not yet received.

After we receive your appeal, we have 30 days to decide, but will decide sooner if your health condition requires. However, if you ask for more time, or if we find that helpful information is missing, we can take up to 14 more days to make our decision. If we do not tell you our decision within 30 days (or by the end of the extended time period), your request will automatically go to Appeal Level 2.

- For a fast decision about Part C medical care or services you have not yet received.

After we receive your appeal, we have 72 hours to decide, but will decide sooner if your health condition requires. However, if you ask for more time, or if we find that helpful information is missing, we can take up to 14 more days to make our decision. If we do not decide within 72 hours (or by the end of the extended time period), your request will automatically go to Appeal Level 2.

### What happens if we decide completely in your favor?

- For a decision about payment for Part C medical care or services you already received.

We must pay within 60 days of receiving your appeal request.

- For a standard decision about Part C medical care or services you have not yet received.

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We must authorize or provide your requested care within 30 days of receiving your appeal request. If we extended the time needed to decide your appeal, we will authorize or provide your requested care before the extended time period expires.

- For a fast decision about Part C medical care or services you have not yet received.

We must authorize or provide your requested care within 72 hours of receiving your appeal request. If we extended the time needed to decide your appeal, we will authorize or provide your requested care before the extended time period expires.

### **Appeal Level 2: Independent Review Entity (IRE)**

At the second level of appeal, your appeal is reviewed by an outside, Independent Review Entity (IRE) that has a contract with the Centers for Medicare & Medicaid Services (CMS), the government agency that runs the Medicare program. The IRE has no connection to us. You have the right to ask us for a copy of your case file that we sent to this entity. We are allowed to charge you a fee for copying and sending this information to you.

#### **How to file your appeal**

If you asked for Part C medical care or services, or payment for Part C medical care or services, and we did not rule completely in your favor at Appeal Level 1, your appeal is automatically sent to the IRE.

#### **How soon must the IRE decide?**

The IRE has the same amount of time to make its decision as the plan had at **Appeal Level 1**.

#### **If the IRE decides completely in your favor:**

The IRE will tell you in writing about its decision and the reasons for it.

- For a decision about payment for Part C medical care or services you already received.

We must pay within 30 days after we receive notice reversing our decision.

- For a standard decision about Part C medical care or services you have not yet received.

We must authorize your requested Part C medical care or service within 72 hours, or provide it to you within 14 days after we receive notice reversing our decision.

- For a fast decision about Part C medical care or services.

We must authorize or provide your requested Part C medical care or services within 72 hours after we receive notice reversing our decision.

### **Appeal Level 3: Administrative Law Judge (ALJ)**

If the IRE does not rule completely in your favor, you or your representative may ask for a review by an Administrative Law Judge (ALJ) if the dollar value of the Part C medical care or

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service you asked for meets the minimum requirement provided in the IRE's decision. During the ALJ review, you may present evidence, review the record (by either receiving a copy of the file or accessing the file in person when feasible), and be represented by counsel.

### How to file your appeal

The request must be filed with an ALJ within 60 calendar days of the date you were notified of the decision made by the IRE (Appeal Level 2). The ALJ may give you more time if you have a good reason for missing the deadline. The decision you receive from the IRE will tell you how to file this appeal, including who can file it.

The ALJ will not review your appeal if the dollar value of the requested Part C medical care or service does not meet the minimum requirement specified in the IRE's decision. If the dollar value is less than the minimum requirement, you may not appeal any further.

### How soon will the Judge make a decision?

The ALJ will hear your case, weigh all of the evidence, and make a decision as soon as possible.

### If the Judge decides in your favor:

See the section "**Favorable Decisions by the ALJ, MAC, or a Federal Court Judge**" below for information about what we must do if our decision denying what you asked for is reversed by an ALJ.

## Appeal Level 4: Medicare Appeals Council (MAC)

If the ALJ does not rule completely in your favor, you or your representative may ask for a review by the Medicare Appeals Council (MAC).

### How to file your appeal

The request must be filed with the MAC within 60 calendar days of the date you were notified of the decision made by the ALJ (Appeal Level 3). The MAC may give you more time if you have a good reason for missing the deadline. The decision you receive from the ALJ will tell you how to file this appeal, including who can file it.

### How soon will the Council make a decision?

The MAC will first decide whether to review your case (it does not review every case it receives). If the MAC reviews your case, it will make a decision as soon as possible. If it decides not to review your case, you may request a review by a Federal Court Judge (see Appeal Level 5). The MAC will issue a written notice explaining any decision it makes. The notice will tell you how to request a review by a Federal Court Judge.

## If the Council decides in your favor:

See the section “**Favorable Decisions by the ALJ, MAC, or a Federal Court Judge**” below for information about what we must do if our decision denying what you asked for is reversed by the MAC.

## Appeal Level 5: Federal Court

You have the right to continue your appeal by asking a Federal Court Judge to review your case if the amount involved meets the minimum requirement specified in the Medicare Appeals Council's decision, you received a decision from the Medicare Appeals Council (Appeal Level 4), and:

- The decision is not completely favorable to you, or
- The decision tells you that the MAC decided not to review your appeal request.

## How to file your appeal

In order to request judicial review of your case, you must file a civil action in a United States district court within 60 calendar days after the date you were notified of the decision made by the Medicare Appeals Council (Appeal Level 4). The letter you get from the Medicare Appeals Council will tell you how to request this review, including who can file the appeal.

Your appeal request will not be reviewed by a Federal Court if the dollar value of the requested Part C medical care or service does not meet the minimum requirement specified in the MAC's decision.

## How soon will the Judge make a decision?

The Federal Court Judge will first decide whether to review your case. If it reviews your case, a decision will be made according to the rules established by the Federal judiciary.

## If the Judge decides in your favor:

See the section “**Favorable Decisions by the ALJ, MAC, or a Federal Court Judge**” below for information about what we must do if our decision denying what you asked for is reversed by a Federal Court Judge.

## If the Judge decides against you:

You may have further appeal rights in the Federal Courts. Please refer to the Judge's decision for further information about your appeal rights.

## Favorable Decisions by the ALJ, MAC, or a Federal Court Judge

This section explains what we must do if our initial decision denying what you asked for is reversed by the ALJ, MAC, or a Federal Court Judge.

- For a decision about Part C medical care or services, we must pay for, authorize, or provide the medical care or service you have asked for within 60 days of the date we receive the decision.

## **PART 2. Complaints (appeals) if you think you are being discharged from the hospital too soon**

When you are admitted to the hospital, you have the right to get all the hospital care covered by the Plan that is necessary to diagnose and treat your illness or injury. The day you leave the hospital (your discharge date) is based on when your stay in the hospital is no longer medically necessary. This part explains what to do if you believe that you are being discharged too soon.

### **Information you should receive during your hospital stay**

Within two days of admission as an inpatient or during pre-admission, someone at the hospital must give you a notice called the Important Message from Medicare (call Customer Service or 1-800-MEDICARE (1-800-633-4227) to get a sample notice or see it online at <http://www.cms.hhs.gov/BNI>). This notice explains:

- Your right to get all medically necessary hospital services paid for by the Plan (except for any applicable copayments or deductibles).
- Your right to be involved in any decisions that the hospital, your doctor, or anyone else makes about your hospital services and who will pay for them.
- Your right to get services you need after you leave the hospital.
- Your right to appeal a discharge decision and have your hospital services paid for by us during the appeal (except for any applicable copayments or deductibles).

You (or your representative) will be asked to sign the Important Message from Medicare to show that you received and understood this notice. **Signing the notice does not mean that you agree that the coverage for your services should end – only that you received and understand the notice.** If the hospital gives you the Important Message from Medicare more than 2 days before your discharge day, it must give you a copy of your signed Important Message from Medicare before you are scheduled to be discharged.

### **Review of your hospital discharge by the Quality Improvement Organization**

You have the right to request a review of your discharge. You may ask a Quality Improvement Organization to review whether you are being discharged too soon.

### **What is the “Quality Improvement Organization”?**

“QIO” stands for Quality Improvement Organization. The QIO is a group of doctors and other health care experts paid by the federal government to check on and help improve the care given to Medicare patients. They are not part of the Plan or the hospital. There is one QIO in each state. QIOs have different names, depending on which state they are in. In Massachusetts, the QIO is called Masspro. The doctors and other health experts in Masspro review certain types of complaints made by Medicare patients. These include complaints from Medicare patients who think their hospital stay is ending too soon.

### Getting the QIO to review your hospital discharge

You must quickly contact the QIO. The Important Message from Medicare gives the name and telephone number of the QIO and tells you what you must do.

- You must ask the QIO for a “**fast review**” of your discharge. This “fast review” is also called an “immediate review.”
- You must request a review from the QIO no later than the day you are scheduled to be discharged from the hospital. **If you meet this deadline, you may stay in the hospital after your discharge date without paying for it while you wait to get the decision from the QIO.**
- The QIO will look at your medical information provided to the QIO by us and the hospital.
- During this process you will get a notice, called the Detailed Notice of Discharge, giving the reasons why we believe that your discharge date is medically appropriate. Call Customer Service or 1-800-MEDICARE (1-800-633-4227 - TTY users should call 1-877-486-2048) to get a sample notice or see it online at <http://www.cms.hhs.gov/BNI/>.
- The QIO will decide, within one day after receiving the medical information it needs, whether it is medically appropriate for you to be discharged on the date that has been set for you.

### What happens if the QIO decides in your favor?

We will continue to cover your hospital stay (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

### What happens if the QIO agrees with the discharge?

You will not be responsible for paying the hospital charges until noon of the day after the QIO gives you its decision. However, you could be financially liable for any inpatient hospital services provided after noon of the day after the QIO gives you its decision. You may leave the hospital on or before that time and avoid any possible financial liability.

If you remain in the hospital, you may still ask the QIO to review its first decision if you make the request within 60 days of receiving the QIO’s first denial of your request. However, you could be financially liable for any inpatient hospital services provided after noon of the day after the QIO gave you its first decision.

### What happens if you appeal the QIO decision?

The QIO has 14 days to decide whether to uphold its original decision or agree that you should continue to receive inpatient care. If the QIO agrees that your care should continue, we must pay for or reimburse you for any care you have received since the discharge date on the Important Message from Medicare, and provide you with inpatient care (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

If the QIO upholds its original decision, you may be able to appeal its decision to an Administrative Law Judge (ALJ). Please see Appeal Level 3 in Part 1 of this section for guidance on the ALJ appeal. If the ALJ upholds the decision, you may also be able to ask for a review by the Medicare Appeals Council (MAC) or a Federal court. If any of these decision makers agree that your stay should continue, we must pay for or reimburse you for any care you have received since the discharge date, and provide you with inpatient care (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

### What if you do not ask the QIO for a review by the deadline?

If you do not ask the QIO for a fast review of your discharge by the deadline, you may ask us for a “fast appeal” of your discharge, which is discussed in Part 1 of this section. If you ask us for a fast appeal of your discharge and you stay in the hospital past your discharge date, you may have to pay for the hospital care you receive past your discharge date. Whether you have to pay or not depends on the decision we make.

- If we decide, based on the fast appeal, that you need to stay in the hospital, we will continue to cover your hospital care (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.
- If we decide that you should not have stayed in the hospital beyond your discharge date, we will not cover any hospital care you received after the discharge date.

If we uphold our original decision, we will forward our decision and case file to the Independent Review Entity (IRE) within 24 hours. Please see Appeal Level 2 in Part 1 of this section for guidance on the IRE appeal. If the IRE upholds our decision, you may also be able to ask for a review by an ALJ, MAC, or a Federal court. If any of these decision makers agree that your stay should continue, we must pay for or reimburse you for any care you have received since the discharge date on the notice you got from your provider, and provide you with any services you asked for (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

## **PART 3. Complaints (appeals) if you think coverage for your skilled nursing facility, home health agency, or comprehensive outpatient rehabilitation facility services, is ending too soon**

When you are a patient in a Skilled Nursing Facility (SNF), Home Health Agency (HHA), or Comprehensive Outpatient Rehabilitation Facility (CORF), you have the right to get all the SNF, HHA or CORF care covered by the Plan that is necessary to diagnose and treat your illness or injury. The day we end coverage for your SNF, HHA or CORF services is based on when these services are no longer medically necessary. This part explains what to do if you believe that coverage for your services is ending too soon.

### Information you will receive during your SNF, HHA or CORF stay

Your provider will give you written notice called the Notice of Medicare Non-Coverage at least 2 days before coverage for your services ends (call Customer Service or 1-800 MEDICARE (1-800-633-4227) to get a sample notice or see it online at <http://www.cms.hhs.gov/BNI/>). You (or your representative) will be asked to sign and date this notice to show that you received it.

**Signing the notice does not mean that you agree that coverage for your services should end – only that you received and understood the notice.**

### Getting QIO review of our decision to end coverage

You have the right to appeal our decision to end coverage for your services. As explained in the notice you get from your provider, you may ask the Quality Improvement Organization (the “QIO”) to do an independent review of whether it is medically appropriate to end coverage for your services.

### How soon do you have to ask for QIO review?

You must quickly contact the QIO. The written notice you got from your provider gives the name and telephone number of your QIO and tells you what you must do.

- If you get the notice 2 days before your coverage ends, you must contact the QIO no later than noon of the day after you get the notice.
- If you get the notice more than 2 days before your coverage ends, you must make your request no later than noon of the day before the date that your Medicare coverage ends.

### What will happen during the QIO’s review?

The QIO will ask why you believe coverage for the services should continue. You don’t have to prepare anything in writing, but you may do so if you wish. The QIO will also look at your medical information, talk to your doctor, and review information that we have given to the QIO. During this process, you will get a notice called the Detailed Explanation of Non-Coverage giving the reasons why we believe coverage for your services should end. Call Customer Service or 1-800-MEDICARE (1-800-633-4227 - TTY users should call 1-877-486-2048) to get a sample notice or see it online at <http://www.cms.hhs.gov/BNI/>.

The QIO will make a decision within one full day after it receives all the information it needs.

### What happens if the QIO decides in your favor?

We will continue to cover your SNF, HHA or CORF services (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

### What happens if the QIO agrees that your coverage should end?

You will not be responsible for paying for any SNF, HHA, or CORF services provided before the termination date on the notice you get from your provider. You may stop getting services on or before the date given on the notice and avoid any possible financial liability. If you continue receiving services, you may still ask the QIO to review its first decision if you make the request within 60 days of receiving the QIO’s first denial of your request.

### What happens if you appeal the QIO decision?

The QIO has 14 days to decide whether to uphold its original decision or agree that you should continue to receive services. If the QIO agrees that your services should continue, we must pay for or reimburse you for any care you have received since the termination date on the notice you got from your provider, and provide you with any services you asked for (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

If the QIO upholds its original decision, you may be able to appeal its decision to an Administrative Law Judge (ALJ). Please see Appeal Level 3 in Part 1 of this section for guidance on the ALJ appeal. If the ALJ upholds our decision, you may also be able to ask for a review by the Medicare Appeals Council (MAC) or a Federal Court. If either the MAC or Federal Court agrees that your stay should continue, we must pay for or reimburse you for any care you have received since the termination date on the notice you got from your provider, and provide you with any services you asked for (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

### What if you do not ask the QIO for a review by the deadline?

If you do not ask the QIO for a review by the deadline, you may ask us for a fast appeal, which is discussed in Part 1 of this section.

If you ask us for a fast appeal of your coverage ending and you continue getting services from the SNF, HHA, or CORF, you may have to pay for the care you get after your termination date. Whether you have to pay or not depends on the decision we make.

- If we decide, based on the fast appeal, that coverage for your services should continue, we will continue to cover your SNF, HHA, or CORF services (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.
- If we decide that you should not have continued getting services, we will not cover any services you received after the termination date.

If we uphold our original decision, we will forward our decision and case file to the Independent Review Entity (IRE) within 24 hours. Please see Appeal Level 2 in Part 1 of this section for guidance on the IRE appeal. If the IRE upholds our decision, you may also be able to ask for a review by an ALJ, MAC, or a Federal court. If any of these decision makers agree that your stay should continue, we must pay for or reimburse you for any care you have received since the discharge date on the notice you got from your provider, and provide you with any services you asked for (except for any applicable copayments or deductibles) for as long as it is medically necessary and you have not exceeded our Plan coverage limitations as described in Section 10.

## 6. Ending your Membership

Ending your membership in our Plan may be **voluntary** (your own choice) or **involuntary** (not your own choice):

- You might leave our Plan because you have decided that you *want* to leave.
- There are also limited situations where we are required to end your membership. For example, if you move permanently out of our geographic service area.

### Voluntarily ending your membership

There are only certain times during the year when you may voluntarily end your membership in our Plan. The key time to make changes is the Medicare fall open enrollment period (also known as the “Annual Election Period”), which occurs every year from November 15 through December 31. This is the time to review your health care and drug coverage for the following year and make changes to your Medicare health or prescription drug coverage. Any changes you make during this time will be effective January 1. Certain individuals, such as those with Medicaid, those who get extra help, or who move, can make changes at other times. For more information on when you can make changes see the enrollment period table later in this section.

If you want to end your membership in our plan during this time, this is what you need to do:

- **If you are planning on enrolling in a new Medicare Advantage plan:** Simply join the new plan. You will be disenrolled from our plan when your new plan’s coverage begins on January 1.
- **If you are planning on switching to the Original Medicare Plan and joining a Medicare Prescription drug plan:** Simply join the new Medicare Prescription drug plan. You will be disenrolled automatically from our plan when your new coverage begins on January 1.
- **If you are planning on switching to the Original Medicare Plan without a Medicare Prescription drug plan:** Contact Customer Service for information on how to request disenrollment. You may also call 1-800-MEDICARE (1-800-633-4227) to request disenrollment from our plan. TTY users should call 1-877-486-2048. Your enrollment in Original Medicare will be effective January 1.

<b>Enrollment Period</b>	<b>When?</b>	<b>Effective Date</b>
Fall Open Enrollment (Annual Election Period)  Time to review health and drug coverage and make changes.	Every year from November 15 to December 31	January 1
Medicare Advantage (MA) Open Enrollment  MA-eligible beneficiaries can	Every year from January 1 to March 31	First day of next month after plan receives your enrollment request

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<p>make one change to their health plan coverage. However, you cannot use this period to add, drop, or change your Medicare prescription drug coverage.</p> <p>Examples:</p> <p>If you are in a MA plan that does not have Medicare prescription drug coverage, you can switch to another Medicare Advantage plan that does not offer drug coverage or go to Original Medicare</p> <p>If you are in Original Medicare Plan and have a Medicare prescription drug plan, you can join a Medicare Advantage Plan that offers Medicare drug coverage</p> <p>If you are in an MA plan that offers Medicare drug coverage, you can leave and join Original Medicare Plan and a Medicare prescription drug plan</p>		
<p>Special Enrollment Periods for limited special exceptions, such as:</p> <ul style="list-style-type: none"> <li>• You have a change in residence</li> <li>• You have Medicaid</li> <li>• You are eligible for extra help with Medicare prescriptions</li> <li>• You live in an institution (such as a nursing home)</li> </ul>	<p>Determined by exception.</p>	<p>Generally, first day of next month after plan receives your enrollment request</p>

For more information about the options available to you during these enrollment periods, contact Medicare at 1-800-MEDICARE (1-800-633-4227.) TTY users should call 1-877-486-2048. Additional information can also be found in the “*Medicare & You*” handbook. This handbook is mailed to everyone with Medicare each fall. You may view or download a copy from [www.medicare.gov](http://www.medicare.gov) - under “Search Tools,” select “Find a Medicare Publication.”

## Until your membership ends, you must keep getting your Medicare services through our Plan

If you leave our Plan, it may take some time for your membership to end and your new way of getting Medicare to take effect (we discuss when the change takes effect earlier in this section). While you are waiting for your membership to end, you are still a member and must continue to get your care as usual through our Plan. If you happen to be hospitalized on the day your membership ends, generally you will be covered by our Plan until you are discharged. Call Customer Service for more information and to help us coordinate with your new plan.

## We cannot ask you to leave the Plan because of your health.

We cannot ask you to leave your health plan for any health-related reasons. If you ever feel that you are being encouraged or asked to leave our Plan because of your health, you should call 1-800-MEDICARE (1-800-633-4227), which is the national Medicare help line. TTY users should call 1-877-486-2048. You may call 24 hours a day, 7 days a week.

## Involuntarily ending your membership

If any of the following situations occur, we will end your membership in our Plan.

- If you do not stay continuously enrolled in Medicare A and B.
- If you move out of the service area or are away from the service area for more than 6 months you cannot remain a member of our Plan. And we must end your membership (“disenroll” you). If you plan to move or take a long trip, please call Customer Service to find out if the place you are moving to or traveling to is in our Plan’s service area.
- If you intentionally give us incorrect information on your enrollment request that would affect your eligibility to enroll in our Plan.
- If you behave in a way that is disruptive, to the extent that your continued enrollment seriously impairs our ability to arrange or provide medical care for you or for others who are members of our Plan. We cannot make you leave our Plan for this reason unless we get permission first from Medicare.
- If you let someone else use your plan membership card to get medical care. If you are disenrolled for this reason, CMS may refer your case to the Inspector General for additional investigation.

## You have the right to make a complaint if we end your membership in our Plan

If we end your membership in our Plan we will tell you our reasons in writing and explain how you may file a complaint against us if you want to.

## **7. Definitions of Important Words Used in the EOC**

**Appeal** – An appeal is a special kind of complaint you make if you disagree with a decision to deny a request for health care services or payment for services you already received. You may also make a complaint if you disagree with a decision to stop services that you are receiving. For example, you may ask for an appeal if our Plan doesn't pay for an item/service you think you should be able to receive. Section 5 explains appeals, including the process involved in making an appeal.

**Benefit period** – For both our Plan and the Original Medicare Plan, a benefit period is used to determine coverage for inpatient stays in hospitals and skilled nursing facilities. A benefit period begins on the first day you go to a Medicare-covered inpatient hospital or a skilled nursing facility. The benefit period ends when you haven't been an inpatient at any hospital or SNF for 60 days in a row. If you go to the hospital (or SNF) after one benefit period has ended, a new benefit period begins. There is no limit to the number of benefit periods you can have.

The type of care that is covered depends on whether you are considered an inpatient for hospital and SNF stays. You must be admitted to the hospital as an inpatient, not just under observation. You are an inpatient in a SNF only if your care in the SNF meets certain standards for skilled level of care. Specifically, in order to be an inpatient in a SNF, you must need daily skilled-nursing or skilled-rehabilitation care, or both.

**Centers for Medicare & Medicaid Services (CMS)** – The Federal agency that runs the Medicare program. Section 8 explains how to contact CMS.

**Cost-sharing** - Cost-sharing refers to amounts that a member has to pay when services are received. It includes any combination of the following three types of payments: (1) any deductible amount a plan may impose before services are covered; (2) any fixed "copayment" amounts that a plan may require be paid when specific services are received; or (3) any "coinsurance" amount that must be paid as a percentage of the total amount paid for a service.

**Covered services** – The general term we use in this EOC to mean all of the health care services and supplies that are covered by our Plan.

**Creditable Prescription Drug Coverage** – Coverage (for example, from an employer or union) that is at least as good as Medicare's prescription drug coverage.

**Custodial care** - Care for personal needs rather than medically necessary needs. Custodial care is care that can be provided by people who don't have professional skills or training. This care includes help with walking, dressing, bathing, eating, preparation of special diets, and taking medication. Medicare does not cover custodial care unless it is provided as other care you are getting in addition to daily skilled nursing care and/or skilled rehabilitation services.

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**Customer Service** – A department within our Plan responsible for answering your questions about your membership, benefits, grievances, and appeals. See Section 8 for information about how to contact Customer Service.

**Disenroll or Disenrollment** – The process of ending your membership in our Plan. Disenrollment may be voluntary (your own choice) or involuntary (not your own choice). Section 6 discusses disenrollment.

**Durable medical equipment** – Certain medical equipment that is ordered by your doctor for use in the home. Examples are walkers, wheelchairs, or hospital beds.

**Emergency care** – Covered services that are: 1) rendered by a provider qualified to furnish emergency services; and 2) needed to evaluate or stabilize an emergency medical condition.

**Evidence of Coverage (EOC) and Disclosure Information** – This document, along with your enrollment form and any other attachments or riders, which explains your coverage, what we must do, your rights, and what you have to do as a member of our Plan.

**Grievance** - A type of complaint you make about us or one of our network providers, including a complaint concerning the quality of your care. This type of complaint does not involve coverage or payment disputes. See Section 4 for more information about grievances.

**Home health aide** – A home health aide provides services that don't need the skills of a licensed nurse or therapist, such as help with personal care (e.g., bathing, using the toilet, dressing, or carrying out the prescribed exercises). Home health aides do not have a nursing license or provide therapy.

**Home health care** - Skilled nursing care and certain other health care services that you get in your home for the treatment of an illness or injury. Covered services are listed in the Benefits Chart in Section 10 under the heading "Home health care." If you need home health care services, our Plan will cover these services for you provided the Medicare coverage requirements are met. Home health care can include services from a **home health aide** if the services are part of the home health plan of care for your illness or injury. They aren't covered unless you are also getting a covered skilled service. Home health services don't include the services of housekeepers, food service arrangements, or full-time nursing care at home.

**Hospice care** - A special way of caring for people who are terminally ill and providing counseling for their families. Hospice care is physical care and counseling that is given by a team of people who are part of a Medicare-certified public agency or private company. Depending on the situation, this care may be given in the home, a hospice facility, a hospital, or a nursing home. Care from a hospice is meant to help patients in the last months of life by giving comfort and relief from pain. The focus is on care, not cure. For more information on hospice care visit [www.medicare.gov](http://www.medicare.gov) and under "Search Tools" choose "Find a Medicare Publication" to view or download the publication "Medicare Hospice Benefits." Or, call 1-800-MEDICARE (1-800-633-4227. TTY users should call 1-877-486-2048).

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**Inpatient Care** – Health care that you get when you are admitted to a hospital.

**Medically necessary** – Services or supplies that are proper and needed for the diagnosis or treatment of your medical condition; are used for the diagnosis, direct care, and treatment of your medical condition; meet the standards of good medical practice in the local community; and are not mainly for your convenience or that of your doctor.

**Medicare** – The Federal health insurance program for people 65 years of age or older, some people under age 65 with certain disabilities, and people with End-Stage Renal Disease (generally those with permanent kidney failure who need dialysis or a kidney transplant).

**Medicare Advantage (MA) Plan**– Sometimes called Medicare Part C. A plan offered by a private company that contracts with Medicare to provide you with all your Medicare Part A (Hospital) and Part B (Medical) benefits. A MA plan offers a specific set of health benefits at the same premium and level of cost-sharing to all people with Medicare who live in the service area covered by the Plan. Medicare Advantage Organizations can offer one or more Medicare Advantage plan in the same service area. A Medicare Advantage Plan can be an HMO, PPO, a Private Fee-for-Service (PFFS) Plan, or a Medicare Medical Savings Account (MSA) plan. In most cases, Medicare Advantage Plans also offer Medicare Part D (prescription drug coverage). These plans are called **Medicare Advantage Plans with Prescription Drug Coverage**. Everyone who has Medicare Part A and Part B is eligible to join any Medicare Health Plan that is offered in their area, except people with End-Stage Renal Disease (unless certain exceptions apply).

**Medicare Prescription Drug Coverage (Medicare Part D)** – Insurance to help pay for outpatient prescription drugs, vaccines, biologicals, and some supplies not covered by Medicare Part A or Part B.

**“Medigap” (Medicare supplement insurance)** policy – Medicare supplement insurance sold by private insurance companies to fill “gaps” in the Original Medicare Plan coverage. Medigap policies only work with the Original Medicare Plan. (A Medicare Advantage plan is not a Medigap policy.)

**Member (member of our Plan, or “plan member”)** – A person with Medicare who is eligible to get covered services, who has enrolled in our Plan and whose enrollment has been confirmed by the Centers for Medicare & Medicaid Services (CMS).

**Network provider** – “Provider” is the general term we use for doctors, other health care professionals, hospitals, and other health care facilities that are licensed or certified by Medicare and by the State to provide health care services. We call them **“network providers”** when they have an agreement with our Plan to accept our payment as payment in full, and in some cases to coordinate as well as provide covered services to members of our Plan. Our Plan pays network providers based on the agreements it has with the providers or if the providers agree to provide you with plan-covered services. Network providers may also be referred to as “plan providers.”

**Organization Determination** - The Medicare Advantage organization has made an organization determination when it, or one of its providers, makes a decision about MA services or payment that you believe you should receive.

**Original Medicare Plan** – (“Traditional Medicare” or “Fee-for-service” Medicare) The Original Medicare Plan is the way many people get their health care coverage. It is the national pay-per-visit program that lets you go to any doctor, hospital, or other health care provider that accepts Medicare. You must pay the deductible. Medicare pays its share of the Medicare-approved amount, and you pay your share. Original Medicare has two parts: Part A (Hospital Insurance) and Part B (Medical Insurance) and is available everywhere in the United States.

**Out-of-network provider or out-of-network facility** – A provider or facility with which we have not arranged to coordinate or provide covered services to members of our Plan. Out-of-network providers are providers that are not employed, owned, or operated by our Plan or are not under contract to deliver covered services to you. Using out-of-network providers or facilities is explained in this EOC in Section 2.

**Part C** – see “**Medicare Advantage (MA) Plan**”

**Preferred Provider Organization Plan** – A Preferred Provider Organization plan is an MA plan that has a network of contracted providers that have agreed to treat plan members for a specified payment amount. A PPO plan must cover all plan benefits whether they are received from network or out-of-network providers. Member cost-sharing may be higher when plan benefits are received from non-network providers.

**Primary Care Physician (PCP)** – A health care professional you select to coordinate your health care. Your PCP is responsible for providing or authorizing covered services while you are a plan member. Section 2 tells more about PCPs.

**Prior authorization** – Approval in advance to get services. Some in-network services are covered only if your doctor or other plan provider gets “prior authorization” from our Plan. Covered services that need prior authorization are marked in the Benefits Chart in Section 10.

**Quality Improvement Organization (QIO)** – Groups of practicing doctors and other health care experts that are paid by the federal government to check and improve the care given to Medicare patients. They must review your complaints about the quality of care given by Medicare Providers. See Section 8 for information about how to contact the QIO in your state and Section 5 for information about making complaints to the QIO.

**Rehabilitation services** – These services include physical therapy, speech and language therapy, and occupational therapy.

**Service area** – “Service area” is the geographic area approved by the Centers for Medicare & Medicaid Services (CMS) within which an eligible individual may enroll in a certain plan.

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**Skilled nursing facility (SNF) care** - A level of care in a SNF ordered by a doctor that must be given or supervised by licensed health care professionals. It may be skilled nursing care, or skilled rehabilitation services, or both. Skilled nursing care includes services that require the skills of a licensed nurse to perform or supervise. Skilled rehabilitation services are physical therapy, speech therapy, and occupational therapy. Physical therapy includes exercise to improve the movement and strength of an area of the body, and training on how to use special equipment, such as how to use a walker or get in and out of a wheelchair. Speech therapy includes exercise to regain and strengthen speech and/or swallowing skills. Occupational therapy helps you learn how to perform usual daily activities, such as eating and dressing by yourself.

**Supplemental Security Income (SSI)** – A monthly benefit paid by the Social Security Administration to people with limited income and resources who are disabled, blind, or age 65 and older. SSI benefits are not the same as Social Security benefits.

**Urgently needed care** – Section 2 explains about “urgently needed” services. These are different from emergency services.

## **8. Helpful Phone Numbers and Resources**

### Contact Information for our Plan Customer Service

If you have any questions or concerns, please call or write to our Plan Customer Service. We will be happy to help you.

**CALL** 1-800-868-5200. This number is also on the cover of this booklet for easy reference. Calls to this number are free.  
Hours of Operation: 8 a.m. to 8 p.m., seven days a week.

**TTY/TDD** 1-877-608-7677. This number requires special telephone equipment. It is on the cover of this booklet for easy reference. Calls to this number are free.

**FAX** 1-508-368-9966

**WRITE** Fallon Community Health Plan  
10 Chestnut St.  
Worcester, MA 01608

**VISIT** Fallon Community Health Plan  
10 Chestnut St.  
Worcester, MA 01608

**WEBSITE** [www.fchp.org](http://www.fchp.org)

## Contact Information for Grievances, Organizations Determinations, and Appeals

### **Part C Organization Determinations (about your Medicare Care and Services)**

- CALL** 1-800-868-5200. Calls to this number are free.
- TTY/TDD** 1-877-608-7677. This number requires special telephone equipment. Calls to this number are free.
- FAX** 1-508-755-7393 for regular organization determinations.  
1-508-368-9133 for “fast” organization determinations.
- WRITE** Fallon Community Health Plan  
10 Chestnut St.  
Worcester, MA 01608

For information about Part C organization determinations, see Section 5.

### **Part C Grievances (about your Medical Care and Services)**

- CALL** 1-800-868-5200. Calls to this number are free.
- TTY/TDD** 1-877-608-7677. This number requires special telephone equipment. Calls to this number are free.
- FAX** 1-508-755-7393
- WRITE** Fallon Community Health Plan  
Member Relations Department  
10 Chestnut St.  
Worcester, MA 01608

For information about Part C grievances, see Section 4.

**Part C Appeals (about your Medical Care and Services)**

<b>CALL</b>	1-508-368-9950, if it is a “fast appeal.” You also may call 1-800-868-5200, if it is a “fast appeal.” Calls to this number are free.
<b>TTY/TDD</b>	1-877-608-7677. This number requires special telephone equipment. Calls to this number are free.
<b>FAX</b>	1-508-755-7393
<b>WRITE</b>	Fallon Community Health Plan Member Relations Department 10 Chestnut St. Worcester, MA 01608

For information about Part C appeals, see Section 5.

## Other important contacts

Below is a list of other important contacts. For the most up-to-date contact information, check your *Medicare & You* Handbook, visit [www.medicare.gov](http://www.medicare.gov) and choose “Find Helpful Phone Numbers and Resources,” or call 1-800-Medicare (1-800-633-4227). TTY users should call 1-877-486-2048.

### The SHINE Program

The SHINE Program is a state program that gets money from the Federal government to give free local health insurance counseling to people with Medicare. The SHINE Program can explain your Medicare rights and protections, help you make complaints about care or treatment, and help straighten out problems with Medicare bills. The SHINE Program has information about Medicare Advantage Plans, Medicare Prescription Drug Plans, and about Medigap (Medicare supplement insurance) policies. This includes information about whether to drop your Medigap policy while enrolled in a Medicare Advantage Plan and special Medigap rights for people who have tried a Medicare Advantage Plan for the first time.

You may contact The SHINE Program at:

SHINE Program  
Executive Office of Elder Affairs  
One Ashburton Place  
Boston, MA 02108  
Telephone: 1-800-243-4636 (TTY: 1-800-872-0166).

You may also find the website for The SHINE Program at [www.medicare.gov](http://www.medicare.gov) under “Search Tools” by selecting “Helpful Phone Numbers and Websites.”

### **Masspro**

“QIO” stands for Quality Improvement Organization. The QIO is a group of doctors and health professionals in your state that reviews medical care and handles certain types of complaints from patients with Medicare, and is paid by the federal government to check on and help improve the care given to Medicare patients. There is a QIO in each state. QIOs have different names, depending on which state they are in. The doctors and other health experts in the QIO review certain types of complaints made by Medicare patients. These include complaints about quality of care and appeals filed by Medicare patients who think the coverage for their hospital, skilled nursing facility, home health agency, or comprehensive outpatient rehabilitation stay is ending too soon. See Sections 4 and 5 for more information about complaints, appeals and grievances.

You may contact Masspro at:

Masspro  
245 Winter St.  
Waltham, MA 02451  
Telephone: 1-800-252-5533 (TTY: 1-877-486-2048)

### **How to contact the Medicare program**

Medicare is the Federal health insurance program for people 65 years of age or older, some people under age 65 with certain disabilities, and people with End-Stage Renal Disease (generally those with permanent kidney failure who need dialysis or a kidney transplant). Our organization contracts with the federal government.

- Call 1-800-MEDICARE (1-800-633-4227) to ask questions or get free information booklets from Medicare 24 hours a day, 7 days a week. TTY users should call 1-877-486-2048. Customer Service representatives are available 24 hours a day, including weekends.
- Visit [www.medicare.gov](http://www.medicare.gov) for information. This is the official government website for Medicare. This website gives you up-to-date information about Medicare and nursing homes and other current Medicare issues. It includes booklets you can print directly from your computer. It has tools to help you compare Medicare Advantage Plans and Medicare Prescription Drug Plans in your area. You can also search under “Search Tools” for Medicare contacts in your state. Select “Helpful Phone Numbers and Websites.” If you don’t have a computer, your local library or senior center may be able to help you visit this website using its computer.

### **Medicaid**

Medicaid is a state government program that helps with medical costs for some people with limited incomes and resources. Some people with Medicare are also eligible for Medicaid. Medicaid has programs that can help pay for your Medicare premiums and other costs, if you qualify. To find out more about Medicaid and its programs, contact:

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MassHealth  
600 Washington St.  
Boston, MA 02111  
Telephone: 1-800-841-2900 (TTY: 1-800-497-4648)

### **Social Security**

Social Security programs include retirement benefits, disability benefits, family benefits, survivors' benefits, and benefits for the aged and blind. You may call Social Security at 1-800-772-1213. TTY users should call 1-800-325-0778. You may also visit [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Web.

### **Railroad Retirement Board**

If you get benefits from the Railroad Retirement Board, you may call your local Railroad Retirement Board office or 1-800-808-0772. TTY users should call 312-751-4701. You may also visit [www.rrb.gov](http://www.rrb.gov) on the Web.

### **Employer (or “Group”) Coverage**

If you get, or your spouse gets, benefits from your current or former employer or union, or from your spouse's current or former employer or union, call the employer/union benefits administrator or Customer Service if you have any questions about your employer/union benefits, plan premiums, or the open enrollment season. Important Note: You (or your spouse's) employer/union benefits may change, or you (or your spouse) may lose the benefits, if you enroll in Medicare Part D. Call your employer/union benefits administrator or Customer Service to find out whether the benefits will change or be terminated if you or your spouse enrolls in Part D.

## **9. Legal Notices**

### **Notice about governing law**

Many laws apply to this Evidence of Coverage and some additional provisions may apply because they are required by law. This may affect your rights and responsibilities even if the laws are not included or explained in this document. The principal law that applies to this document is Title XVIII of the Social Security Act and the regulations created under the Social Security Act by the Centers for Medicare & Medicaid Services, or CMS. In addition, other Federal laws may apply and, under certain circumstances, the laws of the state you live in.

### **Notice about nondiscrimination**

We don't discriminate based on a person's race, disability, religion, sex, sexual orientation, health, ethnicity, creed, age, or national origin. All organizations that provide Medicare Advantage Plans, like our Plan, must obey federal laws against discrimination, including Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act, all other laws that apply to organizations that get Federal funding, and any other laws and rules that apply for any other reason.

## **10. How Much You Pay for Your Part C Medical Benefits**

### **How Much You Pay for Part C Medical Benefits**

This section has a Benefits Chart that gives a list of your covered services and tells what you must pay for each covered service. These are the benefits and coverage you get as a member of our Plan. Later in this section under “General Exclusions” you can find information about services that are not covered.

#### **What do you pay for covered services?**

Copayments are the amounts you pay for covered services.

- A **“copayment”** is a payment you make for your share of the cost of certain covered services you get. A copayment is a set amount per service. You pay it when you get the service.

#### **What is the maximum amount you will pay for “certain” covered medical services?**

There is a limit to how much you have to pay out-of-pocket for “certain” covered health care services each year. Once the total costs for your co-payments reaches \$3,350, then you won’t have to continue paying for these expenses for the remainder of the year.

### **Benefits Chart**

The benefits chart on the following pages lists the services our Plan covers and what you pay for each service. The covered services listed in the Benefits Chart in this section are covered only when all requirements listed below are met:

- Services must be provided according to the Medicare coverage guidelines established by the Medicare Program.
- The medical care, services, supplies, and equipment that are listed as covered services must be medically necessary. Certain preventive care and screening tests are also covered.
- Some of the covered services listed in the Benefits Chart are covered only if your doctor or other network provider gets “prior authorization” (approval in advance) from our Plan. Covered services that need prior authorization are marked in the Benefits Chart in italics.

See Section 2 for information on requirements for using network providers.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Inpatient Services

#### Inpatient hospital care

*For inpatient hospital care to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

You are covered for an unlimited number of days in an acute care hospital. This includes mental health and substance abuse services, but it does not include rehabilitation services.

You are covered for up to 100 days of care in each benefit period in an inpatient rehabilitation facility or rehabilitation unit of an acute care hospital. If you exceed the 100-day limit in a benefit period, you may use your lifetime reserve days for additional coverage. See Section 7 for an explanation of “benefit period.”

Covered services include:

- Semi-private room (or a private room if medically necessary)
- Meals including special diets
- Regular nursing services
- Costs of special care units (such as intensive or coronary care units)
- Drugs and medications
- Lab tests
- X-rays and other radiology services
- Necessary surgical and medical supplies
- Use of appliances, such as wheelchairs
- Operating and recovery room costs
- Physical, occupational, and speech language therapy

You pay a \$175 copayment per day for days one through five of an inpatient admission. You pay a \$0 copayment for additional days each benefit period. This includes medical, surgical, mental health and rehabilitation admissions. There is no copayment for substance abuse inpatient admissions.

If you get authorized inpatient care at a non-plan hospital after your emergency condition is stabilized, your cost is the same cost-sharing you would pay at a plan hospital.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Inpatient hospital care, continued

- Under certain conditions, the following types of transplants are covered: corneal, kidney, kidney-pancreatic, heart, liver, lung, heart/lung, bone marrow, stem cell, and intestinal/multivisceral. If you need a transplant, we will arrange to have your case reviewed by a Medicare-approved transplant center that will decide whether you are a candidate for a transplant.
- Blood - including storage and administration. Coverage begins with the first pint of blood that you need.
- Physician Services

### Inpatient mental health care

*For inpatient mental health care to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Includes mental health care services that require a hospital stay. You are covered for an unlimited number of days of inpatient mental health care in an acute care hospital.

Covered services include mental health care services that require a hospital stay. There is a 190-day lifetime limit on mental health care in a psychiatric hospital. You may use your lifetime reserve days for additional coverage once you have used the initial 90 days, if you have not reached your 190-day limit. See Section 7 for an explanation of “benefit period.”

You pay a \$175 copayment per day for days one through five of each inpatient mental health admission. You pay a \$0 copayment for days six through 90 each benefit period.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Skilled nursing facility (SNF) care

*For skilled nursing facility care to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

You are covered for up to 100 days in each benefit period for skilled nursing facility care. No prior hospital stay is required. See Section 7 for an explanation of “benefit period.”

Covered services include:

- Semi-private room (or a private room if medically necessary)
- Meals, including special diets
- Regular nursing services
- Physical therapy, occupational therapy, and speech therapy
- Drugs administered to you as part of your plan of care (This includes substances that are naturally present in the body, such as blood clotting factors)
- Blood - including storage and administration. Coverage begins with the first pint of blood that you need.
- Medical and surgical supplies ordinarily provided by SNFs
- Laboratory tests ordinarily provided by SNFs
- X-rays and other radiology services ordinarily provided by SNFs
- Use of appliances such as wheelchairs ordinarily provided by SNFs
- Physician services

You pay a \$20 copayment per day for days one through 20 of each skilled nursing facility admission. You pay a \$0 copayment for days 21 through 100 each benefit period.

Generally, you will get your SNF care from plan facilities. However, under certain conditions listed below, you may be able to pay in-network cost-sharing for a facility that isn't a plan provider, if the facility accepts our Plan's amounts for payment.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Skilled nursing facility (SNF) care, continued

- A nursing home or continuing care retirement community where you were living right before you went to the hospital (as long as it provides skilled nursing facility care).
- A SNF where your spouse is living at the time you leave the hospital.

### Inpatient services covered when the hospital or SNF days aren't, or are no longer, covered

*For inpatient services (when the hospital or SNF days aren't or are no longer covered) to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- Physician services
- Tests (like X-ray or lab tests)
- X-ray, radium, and isotope therapy including technician materials and services
- Surgical dressings, splints, casts and other devices used to reduce fractures and dislocations
- Prosthetics and Orthotics devices (other than dental) that replace all or part of an internal body organ (including contiguous tissue), or all or part of the function of a permanently inoperative or malfunctioning internal body organ, including replacement or repairs of such devices
- Leg, arm, back, and neck braces; trusses, and artificial legs, arms, and eyes including adjustments, repairs, and replacements required because of breakage, wear, loss, or a change in the patient's physical condition
- Physical therapy, speech therapy, and occupational therapy

There is no copayment for Medicare-covered inpatient services (when the hospital or SNF days are not or are no longer covered).

## Benefits chart – your covered services

What you must pay when you get these covered services

### Home health agency care

*For home health care to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- Part-time or intermittent skilled nursing and home health aide services (To be covered under the home health care benefit, your skilled nursing and home health aide services combined must total less than eight hours per day and 35 or fewer hours per week)
- Physical therapy, occupational therapy, and speech therapy
- Medical social services
- Medical equipment and supplies

There is no copayment for Medicare-covered home health care.

### Hospice care

You may receive care from any Medicare-certified hospice program. The Original Medicare Plan (rather than our Plan) will pay the hospice provider for the services you receive. Your hospice doctor can be a network provider or an out-of-network provider. You will still be a plan member and will continue to get the rest of your care that is unrelated to your terminal condition through our Plan. Covered services include:

- Drugs for symptom control and pain relief, short-term respite care, and other services not otherwise covered by the Original Medicare Plan
- Home care

Our Plan covers hospice consultation services (one time only) for a terminally ill person who hasn't elected the hospice benefit.

When you enroll in a Medicare-certified Hospice program, your hospice services are paid for by the Original Medicare Plan, not your Medicare Advantage plan.

\$15 office or \$25 specialist visit copayment may apply for hospice consultation services.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Outpatient Services

#### Physician services, including doctor office visits

*For some office visits (other than office visits to your PCP) and outpatient services to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan. For more information, see Section 2.*

Covered services include:

- Office visits, including medical and surgical care in a physician's office or certified ambulatory surgical center
- Consultation, diagnosis, and treatment by a specialist
- Hearing and balance exams, if your doctor orders it to see if you need medical treatment.
- Telehealth office visits including consultation, diagnosis and treatment by a specialist
- Second opinion by another plan provider prior to surgery
- Outpatient hospital services
- Non-routine dental care (covered services are limited to surgery of the jaw or related structures, setting fractures of the jaw or facial bones, extraction of teeth to prepare the jaw for radiation treatments of neoplastic cancer disease, or services that would be covered when provided by a doctor). For information on coverage for routine dental care, see page 67.
- Infertility services (*For infertility services to be covered, your PCP or other plan provider must get prior authorization – approval in advance – from the plan.*)
  - Office visits for the diagnosis and treatment of infertility
  - Diagnostic laboratory and X-ray services
  - Artificial insemination
  - In vitro fertilization and embryo placement
  - Gamete intrafallopian transfer
  - Zygote intrafallopian transfer

You pay a \$15 copayment for each office visit with your PCP for Medicare-covered services.

You pay a \$25 copayment for each office visit with a specialist for Medicare-covered services.

You pay a \$0 to \$100 copayment for each Medicare-covered outpatient surgery in an ambulatory surgical center or hospital outpatient facility.

You do not pay the outpatient surgery copayment in a hospital outpatient facility if you are admitted to the hospital on the same day of the surgery.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Physician services, including doctor office visits, continued

- Sperm, egg and/or inseminated egg procurement and processing, and banking of sperm or inseminated eggs to the extent that such costs are not covered by the donor’s insurer.
- Reconstructive surgery (*For reconstructive surgery to be covered, your PCP or other plan provider must get prior authorization – approval in advance from the plan.*)
  - Surgery for post-mastectomy patients for reconstruction of the breast on which the mastectomy was performed.
  - Surgery and reconstruction of the other breast to produce a symmetrical appearance.
  - Treatment for any physical complications resulting from the mastectomy including lymphedema.

### Chiropractic services

*For chiropractic visits beyond the fifth visit to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- Manual manipulation of the spine to correct subluxation

You pay a \$15 copayment for each Medicare-covered office visit for chiropractic services.

### Podiatry services

*For podiatry services to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- Treatment of injuries and diseases of the feet (such as hammer toe or heel spurs).
- Routine foot care for members with certain medical conditions affecting the lower limbs.

You pay a \$15 copayment for each Medicare-covered office visit for podiatry services.

## Benefits chart – your covered services

### What you must pay when you get these covered services

#### Outpatient mental health care (including Partial Hospitalization Services)

*For partial hospitalization services to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- Mental health services provided by a doctor, clinical psychologist, clinical social worker, clinical nurse specialist, nurse practitioner, physician assistant, or other Medicare-qualified mental health care professional as allowed under applicable state laws. “Partial hospitalization” is a structured program of active treatment that is more intense than the care received in your doctor’s or therapist’s office and is an alternative to inpatient hospitalization.

You pay a \$15 copayment for each Medicare-covered individual or group therapy visit for mental health care.

You pay a \$25 copayment for each Medicare-covered individual or group therapy visit for mental health care with a psychiatrist.

There is no copayment for Medicare-covered partial hospitalization services.

#### Outpatient substance abuse services

You pay a \$15 copayment for each Medicare-covered individual or group visit for substance abuse services.

#### Outpatient surgery (including services provided at ambulatory surgical centers)

*For outpatient surgery to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

You pay a \$0 to \$100 copayment for each Medicare-covered outpatient surgery in an ambulatory surgical center or hospital outpatient facility.

You do not pay the outpatient surgery copayment in a hospital outpatient facility if you are admitted to the hospital on the same day of the surgery.

You pay a \$15 office or \$25 specialist visit copayment for each Medicare-covered office visit for outpatient surgery.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Ambulance services

*For non-emergency ambulance services to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered ambulance services include fixed wing, rotary wing, and ground ambulance services, to the nearest appropriate facility that can provide care only if they are furnished to a member whose medical condition is such that other means of transportation are contraindicated (could endanger the person's health). The member's condition must require both the ambulance transportation itself and the level of service provided in order for the billed service to be considered medically necessary. Non-emergency transportation by ambulance is appropriate if it is documented that the member's condition is such that other means of transportation are contraindicated (could endanger the person's health) and that transportation by ambulance is medically required.

You pay a \$50 copayment for Medicare-covered ambulance transport (one-way).

There is a \$200 maximum out of pocket limit every year.

### Emergency care

Emergency care is covered worldwide.

You pay a \$50 copayment for each emergency room visit or observation room services.

You do not pay the emergency room/observation room copayment if you are admitted to the hospital within 72 hours for the same condition.

If you get inpatient care at a non-plan hospital after your emergency condition is stabilized, your cost is the cost sharing you would pay at a plan hospital.

If you need inpatient care at a non-plan hospital after your emergency condition is stabilized, you must have your inpatient care at the non-plan hospital authorized by the plan and your cost is the cost-sharing you would pay at a plan hospital.”

**Benefits chart – your covered services**

**What you must pay** when you get these covered services

**Urgently needed care**

You pay a \$15 copayment for each urgent care visit.

**Outpatient rehabilitation services**

*For physical, occupational and speech and language therapy visits beyond the sixth visit to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include: physical therapy, occupational therapy, speech language therapy, and cardiac rehabilitative therapy

You pay a \$15 copayment for each Medicare-covered physical, occupational or speech and language therapy visit.

There is no copayment for Medicare-covered cardiac rehabilitation therapy.

**Durable medical equipment and related supplies**

*For durable medical equipment and related supplies to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered items include: wheelchairs, crutches, hospital bed, IV infusion pump, oxygen equipment, nebulizer, and walker. (See definition of “durable medical equipment” in Section 7.)

There is no copayment for Medicare-covered durable medical equipment and related supplies (with the exception of prescription drugs).

**Prosthetic devices and related supplies –** (other than dental) that replace a body part or function. These include colostomy bags and supplies directly related to colostomy care, pacemakers, braces, prosthetic shoes, artificial limbs, and breast prostheses (including a surgical brassiere after a mastectomy). Includes certain supplies related to prosthetic devices, and repair and/or replacement of prosthetic devices. Also includes some coverage following cataract removal or cataract surgery – see “Vision Care” later in this section for more detail.

*For prosthetic devices and related supplies to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

There is no copayment for Medicare-covered prosthetic devices and related supplies.

## Benefits chart – your covered services

### What you must pay when you get these covered services

**Diabetes self-monitoring, training and supplies** – for all people who have diabetes (insulin and non-insulin users).

There is no copayment for diabetes self-monitoring training and supplies.

*For diabetes self-monitoring supplies to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

\$15 office or \$25 specialist visit copayment applies.

Covered services include:

- Blood glucose monitor, blood glucose test strips, lancet devices and lancets, and glucose-control solutions for checking the accuracy of test strips and monitors
- One pair per calendar year of therapeutic shoes for people with diabetes who have severe diabetic foot disease, including fitting of shoes or inserts
- Self-management training is covered under certain conditions
- As needed for persons at risk of diabetes: Fasting plasma glucose tests.

Note: Syringes and insulin (unless used with an insulin pump) are not covered.

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**Medical nutrition therapy** – for people with diabetes, renal (kidney) disease (but not on dialysis), and after a transplant when referred by your doctor.

You pay a \$15 copayment for each Medicare-covered visit for medical nutrition therapy.

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## Benefits chart – your covered services

What you must pay when you get these covered services

### Outpatient diagnostic tests and therapeutic services and supplies

*For CT scans, PET scans, MRIs and nuclear studies to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- X-rays
- Radiation therapy
  - CT scans
  - PET scans
  - MRIs
  - Nuclear studies
- Surgical supplies, such as dressings
- Supplies, such as splints and casts
- Laboratory tests
- Blood - including storage and administration.  
Coverage begins with the first pint of blood that you need.
- Other outpatient diagnostic tests

There is no copayment for the following Medicare-covered services:

- clinical/diagnostic lab services
- radiation therapy

\$15 office or \$25 specialist visit copayment applies.

You pay a \$50 copayment for diagnostic CT scans, PET scans, MRIs and nuclear studies.

There is a \$150 maximum out of pocket limit every year for diagnostic CT scans, PET scans, MRIs and nuclear studies.

### Vision care

*For treatment of diseases or injuries of the eye to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- Outpatient physician services for eye care.
- For people who are at high risk of glaucoma, such as people with a family history of glaucoma, people with diabetes, and African-Americans who are age 50 and older: glaucoma screening once per year
- One pair of eyeglasses or contact lenses after each cataract surgery that includes insertion of a monofocal intraocular lens. Corrective lenses/frames (and replacements) needed after a cataract removal without a lens implant. Note: Multifocal or presbyopia-correcting intraocular lenses are not covered.

You pay a \$15 office or \$25 specialist visit copayment for each Medicare-covered office visit for eye care.

You pay a \$15 to \$25 copayment for each routine eye exam.

There is no copayment for:

- Medicare-covered standard lenses and frames following cataract surgery
- Standard lenses and frames

**Benefits chart – your covered services**

**What you must pay** when you get these covered services

**Vision care, continued**

- Routine eye exam, once in each 24-month period. (As explained in Section 2, you can get this service on your own, without a referral from your PCP, as long as you get it from a plan provider.)
- One pair of eyeglasses (frames and lenses) in each 24-month period, including fitting, adjustment and repair. Limited to designated designs.

**Preventive Care and Screening Tests**

**Abdominal Aortic Aneurysm Screening**

A one-time screening ultrasound for people at risk. Medicare only covers this screening if you get a referral for it as a result of your “Welcome to Medicare” physical exam.

There is no copayment for abdominal aortic aneurysm screening.

\$15 office or \$25 specialist visit copayment applies.

**Bone-mass measurements**

For qualified individuals (generally, this means people at risk of losing bone mass or at risk of osteoporosis), the following services are covered every 2 years or more frequently if medically necessary: procedures to identify bone mass, detect bone loss, or determine bone quality, including a physician's interpretation of the results.

There is no copayment for Medicare-covered procedures to measure bone mass.

**Colorectal screening**

For people 50 and older, the following are covered:

- Flexible sigmoidoscopy (or screening barium enema as an alternative) every 48 months
- Fecal occult blood test, every 12 months

There is no copayment for colorectal screening procedures.

\$15 office or \$25 specialist visit copayment applies.

For people at high risk of colorectal cancer, we cover:

- Screening colonoscopy (or screening barium enema as an alternative) every 24 months

For people not at high risk of colorectal cancer, we cover:

- Screening colonoscopy every 10 years, but not within 48 months of a screening sigmoidoscopy

## Benefits chart – your covered services

What you must pay when you get these covered services

### Immunizations

*For immunizations (other than the pneumonia vaccine, flu shots and Hepatitis B vaccines) to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan*

Covered services include:

- Pneumonia vaccine
- Flu shots, once a year in the fall or winter
- Hepatitis B vaccine if you are at high or intermediate risk of getting Hepatitis B
- Other vaccines if you are at risk

There is no copayment for Medicare-covered immunizations.

\$15 office or \$25 specialist visit copayment applies.

### Mammography screening

Covered services include:

- One baseline exam between the ages of 35 and 39
- One screening every 12 months for women age 40 and older

There is no copayment for Medicare-covered screening mammography.

### Pap tests, pelvic exams, and clinical breast exam

Covered services include:

- For all women, Pap tests, pelvic exams, and clinical breast exams are covered once every 12 months
- If you are at high risk of cancer, Pap tests, pelvic exams, and clinical breast exams, are covered more frequently when ordered by a plan provider.

There is no copayment for Pap smears, pelvic exams and clinical breast exams.

\$15 office or \$25 specialist visit copayment applies.

### Prostate cancer screening exams

For men age 50 and older, covered services include the following - once every 12 months:

- Digital rectal exam
- Prostate Specific Antigen (PSA) test

There is no copayment for digital rectal exams or PSA tests.

\$15 office or \$25 specialist visit copayment applies.

### Cardiovascular disease testing

Blood tests as needed for the detection of cardiovascular disease (or abnormalities associated with an elevated risk of cardiovascular disease).

There is no copayment for Medicare-covered cardiovascular screening blood tests.

\$15 office or \$25 specialist visit copayment applies.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Physical exams

Includes routine physical exams for the prevention and detection of disease. Services may include measurement of height, weight, body mass index and blood pressure; end-of-life planning; an electrocardiogram, education, counseling and referral with respect to covered screening and preventive services. Doesn't include lab tests.

Note: See "Outpatient diagnostic tests and therapeutic services and supplies" for coverage of labs and X-rays

You pay a \$15 copayment for each routine physical exam.

## Other Services

### Dialysis (Kidney)

*For home dialysis equipment to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

Covered services include:

- Outpatient dialysis treatments (including dialysis treatments when temporarily out of the service area, as explained in Section 2)
- Inpatient dialysis treatments (if you are admitted to a hospital for special care)
- Self-dialysis training (includes training for you and anyone helping you with your home dialysis treatments)
- Home dialysis equipment and supplies
- Certain home support services (such as, when necessary, visits by trained dialysis workers to check on your home dialysis, to help in emergencies, and check your dialysis equipment and water supply)

There is no copayment for Medicare-covered inpatient or outpatient dialysis.

There is no copayment for Medicare-covered training and support services.

There is no copayment for Medicare-covered equipment and supplies used for home dialysis (with the exception of prescription drugs).

## Benefits chart – your covered services

What you must pay when you get these covered services

### Medicare Part B Prescription Drugs

These drugs are covered under Part B of the Original Medicare Plan. Members of our plan receive coverage for these drugs through our plan. Covered drugs include:

- Drugs that usually aren't self-administered by the patient and are injected while you are getting physician services
- Drugs you take using durable medical equipment (such as nebulizers) that was authorized by the plan
- Clotting factors you give yourself by injection if you have hemophilia
- Immunosuppressive Drugs, if you were enrolled in Medicare Part A at the time of the organ transplant
- Injectable osteoporosis drugs, if you are homebound, have a bone fracture that a doctor certifies was related to post-menopausal osteoporosis, and cannot self-administer the drug
- Antigens
- Certain oral anti-cancer drugs and anti-nausea drugs
- Certain drugs for home dialysis, including heparin, the antidote for heparin when medically necessary, topical anesthetics, and erythropoiesis-stimulating agents (such as Epogen®, Procrit®, Epoetin Alfa, Aranesp®, or Darbepoetin Alfa)
- Intravenous Immune Globulin for the home treatment of primary immune deficiency diseases

There is no copayment for drugs that are administered by a health care professional.

\$15 office or \$25 specialist visit copayment applies.

#### **For prescription drugs that are covered under Original Medicare you pay:**

*Retail pharmacy and mail-order:*  
Tier 1: \$5 copayment for up to a 30-day supply; \$10 copayment for up to a 60-day supply; \$15 for up to a 90-day supply

Tier 2: \$20 copayment for up to a 30-day supply; \$40 copayment for up to a 60-day supply; \$60 for up to a 90-day supply

Tier 3: \$40 copayment for up to a 30-day supply; \$80 copayment for up to a 60-day supply; \$120 for up to a 90-day supply

There is no benefit limit on drugs covered under Original Medicare.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Additional Benefits

#### Dental Services

As explained in Section 2, you can get routine dental services on your own, without a referral from your PCP as long as you get the services from a plan dentist:

- Preventive dental care including exam, cleaning, fluoride treatment and X-rays. Limited to once every six months.
- Minor restorative dental care such as metal or composite fillings.
- Out-of-area dental care for minor ailments such as a toothache or loose filling occurring while you are out of the plan service area. Coverage is provided for up to \$50 per incident. Go to the closest provider, you do not need a referral from your PCP.
- Emergency medical care, such as to relieve pain or stop bleeding as a result of injury to the sound natural teeth or tissue, provided in the office of a physician or dentists as soon as possible after the injury. This does not include restorative or other dental care. Go to the closest provider, you do not need a referral from your PCP.

*For oral surgery services (with the exception of the removal or exposure of impacted teeth) to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan:*

- Services by a dentist are limited to surgery of the jaw or related structures, setting fractures of the jaw or facial bones, extraction of teeth to prepare the jaw for radiation treatments of neoplastic disease, or services that would be covered when provided by a doctor.
- Removal or exposure of impacted teeth, including hard and soft tissue impactions, or an evaluation for this procedure.
- Surgical treatments of cysts affecting the teeth or gums
- Evaluation and surgery for the treatment of temporomandibular joint disorder when a medical condition is diagnosed

You pay a \$10 copayment for each preventive dental visit.

You pay copayments varying from \$19 to \$51 for minor restorative dental care. See your “Covered dental services” addendum for more information.

You pay a \$10 copayment for out-of-area dental care

You pay a \$15 copayment for emergency medical care of the sound natural teeth or tissue.

You pay a \$25 copayment for each office visit for oral surgery services.

## Benefits chart – your covered services

What you must pay when you get these covered services

### Hearing Services

*For diagnostic hearing exams to be covered, your doctor or other plan provider must get prior authorization (approval in advance) from the plan.*

- Diagnostic hearing exams.

You pay a \$15 office or \$25 specialist visit copayment for each Medicare-covered diagnostic hearing exam.

Note: Routine hearing exams and hearing aids are not covered.

### Health and wellness education programs

- SilverSneakers<sup>®</sup> Fitness Program – specialized classes focused on improving strength and flexibility, taught by certified SilverSneakers<sup>®</sup> fitness instructors at participating health clubs.
- Weight Watchers<sup>®</sup> - members are eligible for one 12-consecutive-week membership, including registration fee, per calendar year.
- *Healthy Communities* – published quarterly by Fallon Community Health Plan, our member magazine contains feature articles and information on plan-sponsored events, classes and programs.
- Health education classes. Fees for these programs vary.
- Nutritional training, smoking cessation.
- Disease management services provided by Fallon Community Health Plan.
- *Nurse Connect* – phone and online access to registered nurses and other health care professionals who serve as health coaches which is available 24 hours a day, seven days a week.

You pay:

- \$0 for SilverSneakers<sup>®</sup> Fitness Program
- \$0 for Weight Watchers<sup>®</sup>
- \$0 for *Healthy Communities*
- \$0 to \$15 for health education classes
- \$0 to \$15 for nutritional training
- \$0 smoking cessation
- \$0 for disease management services
- \$0 for *Nurse Connect*

For more information on any of these health and wellness education programs, call Customer Service at the number on the cover of this booklet.

## Benefits chart – your covered services

What you must pay when you get these covered services

### U.S. Travel Program

There is unlimited coverage, and there are no referrals or authorizations required for certain services received from a provider that accepts Medicare when you are traveling in any State within the continental U.S. (including Hawaii and Alaska) except: Connecticut, District of Columbia, Delaware, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont.

\$15 office or \$25 specialist visit copayment applies.

Diagnostic Tests, X-Rays, and Lab Services are covered for routine services for the above mentioned copayment.

Doctor Office Visits are covered excluding the following preventive services:

- Abdominal Aortic Aneurysm Screening
- Bone-mass measurements
- Colorectal screening
- Immunizations
- Mammography screening
- Pap tests, pelvic exams, and clinical breast exam
- Prostate cancer screening exams
- Cardiovascular disease testing
- Physical exams

Chiropractic Services, Outpatient Mental Health Care, Outpatient Substance Abuse Care, Outpatient Rehabilitation Services, and Routine Vision and Hearing Services are not covered.

Diagnostic Tests, X-Rays, and Lab Services are covered for routine services. This excludes the following services:

- Diagnostic radiological services for nuclear studies, CAT scans, PET scans, and MRIs
- Therapeutic radiological services

All other services, except emergency or urgently needed care, or out-of-area dialysis services, must be given or arranged by a network provider.

## Sample plan membership card

Here is an example of what your plan membership card looks like. See Section 1 for more information on using your plan membership card.

fallon senior plan™ Fallon Senior Plan (HMO)		CVS CAREMARK	
OV\$	PE\$	SPEC\$	
RX Bin: 610468	PCN: MDFCHP	GRP: FCHP	
ERS	SDS\$		
NAME		MedicareRx Prescription Drug Coverage	
ID#	HCO	DB	
Issuer 80840	CMS H9001 001		

In an emergency, go to the nearest emergency room for care or call 911. For post-stabilization care, the treating hospital should call us immediately after stabilization for further care or to make other appropriate arrangements.  
 Customer Service 1-800-868-5200 TDD/TTY: 1-877-608-7677  
 www.fchp.org  
 Behavioral health care: 1-888-421-8861 or TDD/TTY: 1-781-994-7660  
 Rx mail order: 1-800-346-9113 or TDD/TTY: 1-800-365-4155  
 Providers: Rx help desk: 1-800-777-1023  
 Bin#: 610468/PCN: MDFCHP Grp: FCHP  
 Post-stabilization care or eligibility verification: 1-866-ASK-FCHP (1-866-275-3247)  
 Claim forms to: Fallon Community Health Plan, P.O. Box 15121, Worcester, MA 01615

### Field Key:

- OV = Office visit copay
- PE = Physical exam copay
- SPEC = Specialist visit copay
- Rx = Y or N indicator for rx coverage
- ER = Emergency room copay
- SDS = Same-day surgery copay
- HCO = Internal code (physician code)
- DB = Dental indicator

## General Exclusions

### Introduction

The purpose of this part of Section 10 is to tell you about medical care and services, items, that aren't covered ("are excluded") or are limited by our Plan. The list below tells about these exclusions and limitations. The list describes services, items, that aren't covered under any conditions, and some services that are covered only under specific conditions. (The Benefits Chart earlier also explains about some restrictions or limitations that apply to certain services).

### If you get services/items that are not covered, you must pay for them yourself

We won't pay for the exclusions that are listed in this section (or elsewhere in this EOC), and neither will the Original Medicare Plan, unless they are found upon appeal to be services/items that we should have paid or covered (appeals are discussed in Section 5).

### What services are not covered or are limited by our Plan?

## 2009 Evidence of Coverage (EOC)

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In addition to any exclusions or limitations described in the Benefits Chart, or anywhere else in this EOC, **the following items and services aren't covered under the Original Medicare Plan or by our plan:**

1. Services that aren't covered under the Original Medicare Plan.
2. Services that aren't reasonable and necessary, according to the standards of the Original Medicare Plan, unless these services are otherwise listed by our Plan as a covered service.
3. Experimental or investigational medical and surgical procedures, equipment and medications, unless covered by the Original Medicare Plan or unless, for certain services, the procedures are covered under an approved clinical trial. The Centers for Medicare and Medicaid Services (CMS) will continue to pay through Original Medicare for clinical trial items and services covered under the September 2000 National Coverage Determination that are provided to plan members. Experimental procedures and items are those items and procedures determined by our Plan and the Original Medicare Plan to not be generally accepted by the medical community.
4. Surgical treatment of morbid obesity unless medically necessary and covered under the Original Medicare plan.
5. Private room in a hospital, unless medically necessary.
6. Private duty nurses.
7. Personal convenience items, such as a telephone or television in your room at a hospital or skilled nursing facility.
8. Nursing care on a full-time basis in your home.
9. Custodial care unless it is provided in conjunction with covered skilled nursing care and/or skilled rehabilitation services. This includes care that helps people with activities of daily living like walking, getting in and out of bed, bathing, dressing, eating and using the bathroom, preparation of special diets, and supervision of medication that is usually self-administered.
10. Homemaker services.
11. Charges imposed by immediate relatives or members of your household.
12. Meals delivered to your home.
13. Elective or voluntary enhancement procedures, services, supplies and medications including but not limited to: Weight loss, hair growth, sexual performance, athletic performance, cosmetic purposes, anti-aging and mental performance unless medically necessary.
14. Cosmetic surgery or procedures, unless needed because of accidental injury or to improve the function of a malformed part of the body. All stages of reconstruction are covered for a breast after a mastectomy, as well as for the unaffected breast to produce a symmetrical appearance.
15. Major restorative dental care (such as orthodontia, crowns, root canals or dentures). Certain dental services received at a hospital may be covered.

## 2009 Evidence of Coverage (EOC)

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16. Chiropractic care is generally not covered under the Plan, (with the exception of manual manipulation of the spine,) and is limited according to Medicare guidelines.
17. Routine foot care is generally not covered under the Plan and is limited according to Medicare guidelines.
18. Orthopedic shoes unless they are part of a leg brace and are included in the cost of the brace. Exception: Orthopedic or therapeutic shoes are covered for people with diabetic foot disease.
19. Supportive devices for the feet. Exception: Orthopedic or therapeutic shoes are covered for people with diabetic foot disease.
20. Hearing aids and routine hearing examinations.
21. Radial keratotomy, LASIK surgery, vision therapy and other low vision aids and services.
22. Self-administered prescription medication for the treatment of sexual dysfunction, including erectile dysfunction, impotence, and anorgasmia or hyporgasmia.
23. Reversal of sterilization procedures, sex change operations, and non-prescription contraceptive supplies and devices.
24. Acupuncture.
25. Naturopath services.
26. Services provided to veterans in Veterans Affairs (VA) facilities. However, in the case of emergency services received at a VA hospital, if the VA cost-sharing is more than the cost-sharing required under our Plan, we will reimburse veterans for the difference. Members are still responsible for our Plan cost-sharing amount.
27. Any of the services listed above that aren't covered will remain not covered even if received at an emergency facility. For example, non-authorized, routine conditions that do not appear to a reasonable person to be based on a medical emergency are not covered if received at an emergency facility.

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