

# Washington state's Patients' Bill Of Rights

## What is the Patients' Bill of Rights?

The Patients' Bill of Rights is a state law created to ensure that enrollees in health plans receive quality care. This includes sufficient and timely access to care, an adequate choice of health care providers, and a process by which you may appeal a health care decision made by your insurance company.

Under the Patients' Bill of Rights, you:

- Are guaranteed that health-care decisions providers make are based on medical standards.
- Have better access to information about your health insurance plans.
- Have access to a quick and impartial process for appealing denials of health coverage.
- Have the right to independent third-party reviews when your insurer denies coverage.
- Are protected from unneeded invasions of privacy.
- Can ask for damages that result when managed care insurers withhold or deny you appropriate care.

## Your specific rights under Washington's Patients' Bill of Rights

### Accessing providers

Your health insurer must allow you to choose a primary health care provider from a list of participating providers, and allow you to change providers. Insurers must provide you with prompt and appropriate referrals to specialists.

If you have a complex or serious condition, your insurer may even give you a standing referral to a specialist. Also, if your plan covers chiropractic care, your insurer must allow you direct access to a chiropractor.

### Ensuring your privacy

Health insurers and providers cannot disclose your personal information, including your health records, unless you give them explicit authority in writing to do so.

### Receiving health plan benefits, including exclusions

Before you buy any health plan, insurers must disclose to you a list of covered benefits, including prescription drug coverage. They also must disclose any

exclusions, limitations, or reductions in coverage. This includes any factors they consider when determining what is a covered service. Before you buy a health plan, insurers also must disclose:

- Their policies to protect your confidentiality.
- The premium and other enrollee costs.
- A summary of grievance procedures.
- An explanation of the amount you need to pay for services, such as copays, deductibles, or coinsurance.
- A list of participating providers.

The insurer also must make additional information describing the plan and its operations available to you upon request — whether you are a prospective enrollee or a current enrollee.

### Filing a grievance

Health insurers must have in place a grievance process so you may appeal any denial of coverage. This process must meet standards established by the Insurance Commissioner and state law. The process must be prompt, fair, and impartial. Your insurer should send you timely notice of the outcome, and information about further appeals or independent third-party reviews.

### Obtaining independent third-party review of appeals

If you are an enrollee and your insurer denies you health coverage, you may seek an independent third-party review. Insurers must develop a process to allow this. The results of this review are binding on the insurer.

### Seeking damages that result from denial of care

Health insurers and their employees and agents must follow accepted standards of care when they make health care treatment decisions. If they fail to follow accepted standards of care, in some cases, you can sue for damages, depending upon the type of coverage you have. However, prior to any legal action against an insurer, you must obtain an independent review. Generally, if you are covered by individually purchased health plans, you can sue under Washington state law. If you are enrolled in a group employee benefit plan, these are often subject to other laws that restrict suing.

For more information on insurer liability and group health plans, contact either the Washington State Office of the Insurance Commissioner at 1-800-562-6900 or the U.S. Department of Labor at 1-866-444-3272.

**The Office of the Insurance Commissioner can help you!**

If you have any questions or need additional information about your rights, call our Insurance Consumer Hotline at

**1-800-562-6900**

or visit our Web site at

**<http://www.insurance.wa.gov/>**