



## **OPTIMA MEDICARE HMO**

**HOW TO MAKE A COMPLAINT,  
REQUEST A COVERAGE DECISION,  
OR  
FILE AN APPEAL  
ABOUT COVERED MEDICARE  
PART C MEDICAL CARE AND SERVICES  
OR  
COVERED PART D PRESCRIPTION DRUGS**

Optima Medicare is an HMO plan with a Medicare contract. Enrollment in Optima Medicare depends on contract renewal.

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## DEFINITIONS OF COMPLAINTS, COVERAGE DECISIONS AND APPEALS

**A complaint** is a problem or concern you have about something such as:

- The service you receive from Optima Medicare HMO Member Services.
- You feel that you are being encouraged to leave (disenroll from) our Plan.
- We don't give you a decision within the required time frame or give you the required notices.
- We don't forward your case to the Independent Review Organization if we do not give you an appeal decision on time.
- The quality of the medical care or Part D prescription drugs you receive, including quality of care during a hospital stay.
- How long you have to wait on the phone, in the waiting room or the exam room, or for prescriptions to be filled.
- Getting doctor appointments when you need them or waiting too long for them.
- Rude behavior by doctors, nurses, receptionists, pharmacists or other staff.

**A coverage decision** is a decision we make about your benefits and coverage or about the amount we will pay for your medical services or prescription drugs. The following situations are coverage decision examples:

- Your network doctor recommends a procedure or piece of medical equipment or prescription drug that requires prior authorization from us. Optima Medicare will review the request and determine if it is a covered benefit and medically necessary.
- You or your doctor contact us to ask for a coverage decision if your doctor is unsure whether we will cover a particular medical service or Part D prescription drug.
- You are not getting certain medical care or services you want, and you believe that this care is covered by Optima Medicare.
- We make a coverage decision whenever we decide what is covered and how much we pay.
- You ask us to pay for a medical service or prescription drug you have already received.
- You are being told that medical care you are getting will be reduced or stopped, and you believe that this could harm your health.

If we make a coverage decision and you are not satisfied with this decision, you can file **an appeal** of our decision. An appeal is a formal way of asking us to review and change a coverage decision we made.

## WHO MAY MAKE A COMPLAINT, REQUEST A COVERAGE DECISION OR FILE AN APPEAL?

You or someone you choose may make a complaint, request a coverage decision, or file an appeal for Part C medical care or services or Part D prescription drugs. You may choose a relative, friend, lawyer, advocate, doctor, or someone else to act for you as your appointed representative. Other persons may already be authorized under State law to act for you. If you want to appoint 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. Your doctor can request a coverage decision or a Level 1 Appeal on your behalf.

To appoint a representative, you and the person accepting the appointment must complete and sign an *Appointment of Representative* form (this form is included on this web page) or a written notice with all of the same information and send it to us. You can also call Optima Medicare Member Services at the phone number below and we will send this form to you.

For medical and prescription drug complaints and medical coverage decisions and appeals, mail or fax the completed and signed *Appointment of Representative* form or written notice to:

Optima Medicare HMO  
Appeals Department  
P. O. Box 62876  
Virginia Beach, VA 23466-2876  
Fax: 757-687-6232 or Toll-free Fax: 1-866-472-3920

For prescription drug coverage decisions and appeals, mail or fax the completed and signed *Appointment of Representative* form or written notice to:

OptumRx  
c/o Prior Authorization Clinical Guidelines  
P.O. Box 25183  
Santa Ana, CA 92799  
Fax: 1-877-239-4565

## **HOW TO MAKE A COMPLAINT ABOUT COVERED PART C MEDICAL CARE AND SERVICES OR COVERED OUTPATIENT PART D PRESCRIPTION DRUGS**

You can always speak to one of our Optima Medicare Member Services Representatives about a complaint, coverage decision, or appeal. Member Services can be reached at 1-800-927-6048. TTY users can call the Virginia Relay Service at 1-800-828-1140 or 711.

Calls to these numbers are free. From October 1 through March 31, you can call us 7 days a week from 8:00 a.m. to 8:00 p.m. ET. From April 1 through September 30, you can call us Monday through Friday from 8:00 a.m. to 8:00 p.m. ET. Outside of these times, our interactive voice response system allows you to obtain information on many topics related to your plan. If you need more information, you can leave a message including your name, phone number, the time you called, and your questions. A Member Services Representative will return your call the next business day.

You can also call Medicare for help with a complaint, coverage decision, or an appeal as follows:

- Call 1-800-MEDICARE (1-800-633-4227), 24 hours a day, 7 days a week. TTY users should call 1-877-486-2048.
- Visit the Medicare website (<https://www.medicare.gov>).

More information about making a complaint, requesting a coverage decision, or making an appeal is included later in this document.

### **Making a complaint**

If you have a complaint, you or your representative should call or write to Optima Medicare Member Services as soon as possible but at least within 60 days of the occurrence. If you call us, we will try to resolve your complaint over the phone. If we cannot resolve your complaint over the phone, we will thoroughly investigate your complaint and notify you once we complete our review. You can also send us a written complaint.

If you want to send us a written complaint or you called and were not satisfied, you can mail or fax your complaint to us at:

Optima Medicare HMO  
Appeals Department  
P. O. Box 62876  
Virginia Beach, VA 23466-2876  
Fax: 757-687-6232 or Toll-free Fax: 1-866-472-3920

Effective January 1, 2019, complaints about Optima Medicare Part D prescription drugs will be handled by our pharmacy benefits manager, OptumRx. OptumRx contact information will be included below in late 2018.

### **Making a Fast Complaint**

You can file a fast complaint if:

- You asked for a fast coverage decision for a service or drug, and we decided to process it under our standard (non-expedited) time frame. We will give you a fast decision if you resubmit it with a supporting medical statement from your doctor.
- We said we need up to 14 more days to decide on your coverage decision or appeal for a service or drug.

### **You Can Tell Medicare about Your Complaint**

To submit a complaint about Optima Medicare directly to Medicare, go to [www.medicare.gov/MedicareComplaintForm/home.aspx](http://www.medicare.gov/MedicareComplaintForm/home.aspx). Medicare takes your complaints seriously and will use this information to help improve the quality of the Medicare program. You can also call Medicare 24 hours a day/7 days a week at 1-800-MEDICARE. TTY/TDD users can call 1-877-486-2048.

### **Quality of Care Complaints and Complaints about Certain Medical Services You think are Ending too Soon**

If you have a complaint about the quality of care you have received, if you think your hospital stay is ending too soon, or you think your home health care, skilled nursing facility or Comprehensive Outpatient Rehabilitation Center services are ending too soon, you can contact KEPRO. This organization is a group of practicing doctors and other health care experts paid by the federal government to check on and help improve the care given to Medicare patients. KEPRO is an independent organization and is not connected with our plan. To file a complaint with KEPRO, send it to:

KEPRO  
5201 W. Kennedy Blvd., Suite 900  
Tampa, FL 33609  
Phone: 1-844-455-8708

## **HOW TO REQUEST A COVERAGE DECISION FOR COVERED PART C MEDICAL CARE AND SERVICES**

A coverage decision is a decision Optima Medicare makes about your benefits and coverage or about the amount we will pay for your medical care and services. The decision we make to approve or disapprove a test your doctor wants you to have that requires prior authorization from us in advance is a coverage decision. If you want to know if we will cover a medical service before you receive it, you can ask us to make a coverage decision for you.

Asking us to pay for a covered medical service you have already received is a type of coverage decision. The Optima Medicare HMO Evidence of Coverage has information on how to request that we pay you back for a covered medical service that you have already paid for and received.

To ask for a coverage decision for Part C medical care or service, you, your doctor, or your representative should call, fax or write to us at the following:

Optima Medicare HMO  
Medical Care Services  
4417 Corporation Lane  
Virginia Beach, VA 23462  
1-800-927-6048  
TTY: Virginia Relay Service 1-800-828-1140 or 711  
Fax: 757-552-8844 (local) or 1-844-251-5977 (toll-free)

### **Asking for a fast coverage decision**

You may ask for a fast coverage decision if you or your doctor believe that waiting for a standard decision could seriously harm your health or your ability to function. You cannot get a fast decision if you are asking us to pay you back for a benefit that you already received.

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 that says if you get a doctor's support for a fast decision, we will automatically give you one. The letter will also tell you how to file a fast complaint. You have the right to file a fast complaint if you disagree with our decision to deny your request for a fast coverage decision. See the section on "Fast Complaints" earlier in this document for details. If we deny your request for a fast decision, we will give you a standard decision.

## **HOW TO FILE AN APPEAL ABOUT COVERED PART C MEDICAL CARE & SERVICES**

If you do not agree with the coverage decision we made about your Part C Medical Services, you, your doctor, or representative may file an appeal with us. The appeal must be filed within 60 days from the date included on the letter about our coverage decision. We may give you more time if you have a good reason for missing the deadline.

To file a standard appeal about Part C medical care or services, send or fax a signed, written appeal to:

Optima Medicare HMO  
Appeals Department  
P. O. Box 62876  
Virginia Beach, VA 23466-2876  
Fax: 757-687-6232 or Toll-free fax: 1-866-472-3920

### **Filing a fast appeal**

If you want to appeal a decision we made about giving you Part C medical care or services that you have not received yet, you, your doctor or your representative can decide if you need to file a fast appeal. You can file a fast appeal by calling, faxing, or writing us at:

Optima Medicare HMO  
Appeals Department  
P.O. Box 62876  
Virginia Beach, VA 23466-2876  
Phone: 757-687-6404 or Toll-free Phone: 1-800-927-6048  
TTY: Virginia Relay Service at 1-800-828-1140 or 711  
Fax: 757-687-6232 or Toll-free Fax: 1-866-472-3920

You can also file a fast appeal for Part C medical care or services outside of regular weekday business hours. Please call the Optima Health Appeals Department at 757-687-6404 and leave a detailed message. Your call will receive priority attention the next business day. Be sure to ask for a "fast" or "72-hour" decision.

If your doctor provides a written or oral supporting statement explaining that you need a fast appeal due to your health, we will automatically give you a fast decision. If you file a fast appeal 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 appeal, we will send you a letter informing you that if you get a doctor's support for a fast appeal, we will automatically give you a fast decision.

### **HOW TO REQUEST A COVERAGE DECISION FOR COVERED OUTPATIENT PART D PRESCRIPTION DRUGS**

A coverage decision is a decision Optima Medicare makes about your benefits and coverage or about the amount we will pay for your Part D drugs. If you want to know if we will cover a Part D drug before you receive it, you can ask us to make a coverage decision.

Asking us to pay for a prescription drug you have already received is a type of coverage decision. The Optima Medicare Evidence of Coverage has information on how to request that we pay you back for a covered Part D drug that you have already paid for and received.

**An exception** is a type of coverage decision involving a Part D drug. You or your doctor may ask us to make an exception to our Part D coverage rules in different situations.

- You may ask us to cover a Part D drug even if it is not on our formulary (drug list).
- You may ask us to waive coverage restrictions or limits on your Part D drug. For example:
  - For certain Part D drugs, we limit the amount of the drug that we will cover. If your Part D drug has a quantity limit, you may ask us to waive the limit and cover more.

- Since you must receive prior authorization from us before you can get certain covered drugs, you can ask us to waive this requirement.
- You could ask us to waive the step therapy requirement for a certain drug. This means you wouldn't have to try a proven, less expensive drug before using a more expensive one.
- You may ask us to provide a higher level of coverage for your Part D drug. If your Part D drug is contained in our fourth tier, the non-preferred brand Part D drug tier, you may ask us to cover it at the copay amount for drugs in the third tier, the preferred brand Part D drug tier instead. This would lower the copay amount you pay for your Part D drug. This is a request for a "tiering exception."

Your doctor must submit a statement supporting your exception request. To help us make a decision more quickly, the medical information from your doctor should be sent to us with the exception request. If we approve your exception request, our approval is valid for the rest of the Plan calendar year, so long as your doctor continues to prescribe the Part D drug for you and it continues to be safe for treating your condition. If we deny your exception request, you may appeal our decision.

Note: If we approve your exception request for a Part D non-formulary drug, you cannot request an exception to the copay amount we require you to pay for the drug.

To ask for a standard coverage decision for a Part D drug, you, your doctor, or your representative can call (24-hours a day, 7 days a week), fax, or send OptumRx a written request or the completed form located on our website at [www.optimahealth.com/medicare](http://www.optimahealth.com/medicare). You can call Optima Medicare Member Services (contact information is on page 2 of this document) and we will send this form to you. Call, mail or fax your written request or the completed form to:

OptumRx  
 c/o Prior Authorization Clinical Guidelines  
 P.O. Box 25183  
 Santa Ana, CA 92799  
 Phone: 1-866-603-7514; TTY: 711 (24 hours a day/7 days a week)  
 Fax: 1-877-239-4565

### **Asking for a fast coverage decision**

You may ask for a fast coverage decision only if you or your doctor believe that waiting for a standard decision could seriously harm your health or your ability to function. 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. You cannot get a fast decision if you are asking us to pay you back for a Part D drug that you already received.

## **HOW TO FILE AN APPEAL ABOUT COVERED OUTPATIENT PART D PRESCRIPTION DRUGS**

If you do not agree with the coverage decision we made about your Part D drug, you may file an appeal. The appeal must be filed within 60 days from the date included on the letter about our coverage decision. We may give you more time if you have a good reason for missing the deadline.

To ask for a standard appeal about a Part D drug, send or fax a signed, written appeal to:

OptumRx  
c/o Appeals Coordinator  
P.O. Box 25184  
Santa Ana, CA 92799  
Fax: 1-877-239-4565

### **Filing a fast appeal**

If you want to appeal a decision we made about giving you a Part D drug that you have not received yet, you or your doctor need to decide if you need a fast appeal. You, your doctor, or your representative may file a fast appeal by calling, faxing, or writing:

OptumRx  
c/o Appeals Coordinator  
P.O. Box 25184  
Santa Ana, CA 92799  
Phone: 1-866-4603-7514 / TTY: 711  
Fax: 1-877-239-4565

If your doctor provides a written or oral statement explaining that you need a fast appeal due to your health, we will automatically give you a fast appeal. If you ask for a fast appeal without support from a doctor, we will decide if your health requires a fast appeal. If we decide that your medical condition does not meet the requirements for a fast appeal, we will send you a letter informing you that if you get a doctor's support for a fast appeal, we will give you one.

### **FOR MORE INFORMATION**

You can find more information about any of these processes in the Evidence of Coverage (EOC) for your Optima Medicare HMO Plan. The EOC also includes additional appeal steps that can be taken if you are not satisfied with the result of your appeal with Optima Medicare.