

Section 6

SECOND OPINION

Members/guardians/ Designated Client Representatives (DCR) have the right to a Second Opinion regarding a clinical decision of their treating provider including recommendations about a member's diagnosis, need for treatment or the need for a specific service, at no cost to the member. Providers are required to inform members and legal guardians of this right initially and any time the member/guardian/DCR expresses disagreement with a particular clinical decision or recommendation. The member/guardian /DCR may choose any network provider to obtain a Second Opinion, as long as the provider has the identified appropriate expertise and is able and willing to provide a Second Opinion.

Note that disagreement with a BHO decision to deny a service request is handled through the Appeal Process (see Section IX) and not through a second Opinion.

A member/guardian/DCR may request assistance from the Behavioral Health Organization Office of Member and Family Affairs (OMFA) in obtaining a referral to an appropriate provider for a Second Opinion. The OMFA staff will also inform members of the right to a Second Opinion during the course of helping the member with any grievance concerning a provider's diagnosis or treatment recommendation.

If a member/guardian/DCR disagrees with a treating provider regarding a diagnosis or treatment recommendation, the member may seek a Second Opinion and transition their treatment to a different network provider.

If the member/guardian/DCR wishes to continue treatment with the first provider and the first and Second Opinions differ, the member/guardian/DCR may express their preference as to which opinion they wish to follow and may request assistance from the OMFA in resolving the disagreement with the first provider. If the Second Opinion and recommendations are clinically acceptable to both the member and the treating provider, the recommendations are implemented. If not, the treating provider may choose to terminate treatment with the member and assist with a referral to another network provider. No provider is obligated to provide a diagnosis or treatment which he/she believes to be ineffective or inappropriate. If the member/guardian/DCR is not satisfied with the results of the Second Opinion, they may seek a third opinion at their own expense.

Any clinical decision, diagnosis, or treatment recommendation made by a provider is subject to the quality and medical review of the BHO in the process of authorization, payment and utilization review. A recommendation from a network provider is not a guarantee of medical necessity or authorization by the BHO.

For Colorado Health Partnerships contact the CHP Office of Member and Family Affairs at **1-800-804-5040**.

For **Northeast Behavioral Health Partnership** contact the NBHP Office of Member and Family Affairs at **1-970-347-2367**.

For Foothills Behavioral Health Partners, contact the FBHPartners Office of Member and Family Affairs at **303-432-5956 or 1-866-245-1959**.