

SECOND OPINION

Members/guardians/ Designated Client Representatives (DCR) have the right to a second opinion regarding a clinical decision about a 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. The Behavioral Health Organization Office of Member and Family Affairs (OMFA) staff will also inform member of the right to a second opinion during the course of helping the member with a grievance or appeal.

Second Opinion in a Disagreement with a Treating Provider

If a member/Guardian/DCR disagrees with a treating provider regarding a diagnosis or treatment recommendation, the member may always seek treatment from a different network provider. In the event that the member/guardian/DCR wishes to resolve the disagreement but continue in treatment with the same provider and requests a second opinion, he/she should be referred to the appropriate BHO OMFA who will assist them in identifying a network provider who will offer a second opinion. The member or legal guardian 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.

If the first and second opinions differ, the member/guardian/DCR may express their preference as to which opinion they wish to follow. 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. 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.

Second Opinion in a Disagreement with a Notice of Action

If a member, DCR or legal guardian disagrees with a Notice of Action regarding a diagnosis or treatment recommendation, the member/guardian/DCR must file a formal Appeal (see Section 9). He/she may also seek a second opinion and should be referred to the appropriate BHO OMFA who will assist them in identifying a network provider who possesses the qualifications to offer a second opinion.

The member/guardian/DCR may submit the written results of a second opinion in support of their appeal. If the member or legal guardian is not satisfied with the results of the second opinion, they may seek a third opinion at their own expense.

The BHO Medical Director or designated Peer Reviewer for the Appeal will take the second opinion into consideration in making a determination on the Appeal. Following receipt of the BHO Medical Director's or Peer Reviewer's determination, the member maintains all rights to file a grievance or further appeal an "actionable" item to an Administrative Law Judge if the BHO Peer Reviewer upholds the denial of a requested service or level of service.

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**.