Chapter 3: Using the plan’s coverage for your health care and other covered services

Introduction

This chapter has specific terms and rules you need to know to get health care and other covered services with <plan name>. It also tells you about your care coordinator [Plans should replace the terms “care coordinator” with the term they use], how to get care from different kinds of providers and under certain special circumstances (including from out-of-network providers or pharmacies), what to do when you are billed directly for services covered by our plan, and the rules for owning Durable Medical Equipment (DME). Key terms and their definitions appear in alphabetical order in the last chapter of the *Member Handbook*.

[Plans should refer members to other parts of the handbook using the appropriate chapter number, section, and/or page number. For example, "refer to Chapter 9, Section A, page 1." An instruction [plans may insert reference, as applicable] is listed next to each cross reference throughout the handbook.]

[Plans must update the Table of Contents to this document to accurately reflect where the information is found on each page after plan adds plan-customized information to this template.]

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# Information about “services,” “covered services,” “providers,” and “network providers”

Services are health care, long-term services and supports, supplies, behavioral health services, prescription and over-the-counter drugs, equipment and other services. **Covered services** are any of these services that our plan pays for. Covered health care, behavioral health, and long-term services and supports (LTSS) are listed in the Benefits Chart in Chapter 4 [plans may insert reference, as applicable].

Providersare doctors, nurses, and other people who give you services and care. The term providers also include hospitals, home health agencies, clinics, and other places that give you health care services, behavioral health services, medical equipment, and certain long-term services and supports (LTSS).

Network providersare providers who work with the health plan. These providers have agreed to accept our payment as full payment. [Plans may delete the next sentence if it is not applicable.] Network providers bill us directly for care they give you. When you use a network provider, you usually pay nothing for covered services.

# Rules for getting your health care, behavioral health, and long-term services and supports (LTSS) covered by the plan

<Plan name> covers all services covered by Medicare and Medi-Cal. This includes behavioral health and long-term services and supports (LTSS).

<Plan name> will generally pay for the health care services, behavioral health services, and LTSS you get if you follow the plan’s rules. To be covered by our plan:

* The care you get must be a **plan benefit.** This means that it must be included in the plan’s Benefits Chart. (The chart is in Chapter 4 [plans may insert reference, as applicable] of this handbook).
* The care must be determined **medically necessary.** By medically necessary, wemean you need services to prevent, diagnose, or treat your condition or to maintain your current health status. This includes care that keeps you from going into a hospital or nursing home. It also means the services, supplies, or drugs meet accepted standards of medical practice. [Plans may revise the state-specific definition of “medically necessary” as appropriate and ensure that it is updated and used consistently throughout member material models.]
* [Plans may omit or edit the PCP-related bullets as necessary, including modifying the name of the PCP.] For medical services, you must have a network **primary care provider (PCP)** who has ordered the care or has told you to use another doctor**.** As a plan member, you must choose a network provider to be your PCP.
  + In most cases, [insert as applicable: your network PCP **or** our plan] must give you approval before you can use someone that is not your PCP or use other providers in the plan’s network. This is called a **referral**. If you don’t get approval, <plan name> may not cover the services. You don’t need a referral to use certain specialists, such as women’s health specialists. To learn more about referrals, refer to page <page number>.
* [Insert if applicable: Our plan’s PCPs are affiliated with medical groups. When you choose your PCP, you are also choosing the affiliated medical group. This means that your PCP will be referring you to specialists and services that are also affiliated with their medical group. A medical group is [insert definition].]
  + You do not need a referral from your PCP for emergency care or urgently needed care or to use a woman’s health provider. You can get other kinds of care without having a referral from your PCP. To learn more about this, refer to page <page number>.
  + To learn more about choosing a PCP, refer to page <page number>.
* **You must get your care from network providers** [insert if applicable: **that are affiliated with your PCP’s medical group**]. Usually, the plan will not cover care from a provider who does not work with the health plan [insert if applicable: and your PCP’s medical group]. Here are some cases when this rule does not apply:
  + The plan covers emergency or urgently needed care from an out-of-network provider. To learn more and to find out what emergency or urgently needed care is, refer to Section H, page <page number>.
  + If you need care that our plan covers and our network providers cannot give it to you, you can get the care from an out-of-network provider. [Plans may specify whether authorization should be obtained from the plan prior to seeking care.] In this situation, we will cover the care [insert as applicable: as if you got it from a network provider **or** at no cost to you]. To learn about getting approval for an out-of-network provider, refer to Section D, page <page number>.
  + The plan covers kidney dialysis services when you are outside the plan’s service area for a short time. You can get these services at a Medicare-certified dialysis facility.
  + When you first join the plan, you can ask to continue to use your current providers. With some exceptions, we are required to approve this request if we can establish that you had an existing relationship with the providers (refer to Chapter 1, page <page number>). If we approve your request, you can continue using the providers you use now for up to 12 months for services. During that time, your care coordinator will contact you to help you find providers in our network [insert if applicable:that are affiliated with your PCP’s medical group]. After 12 months, we will no longer cover your care if you continue to use providers that are not in our network [insert if applicable: and not affiliated with your PCP’s medical group].
* [Plans should add additional exceptions as appropriate.]

# Information about your care coordinator

[Plans should provide applicable information about care coordination, including explanations for the following subsections. Plans should replace the terms “care coordinator” and “care team” with terms they use.]

## C1. What a care coordinator is

[Example text: A care coordinator is a clinician or other trained person who works for our plan to provide care coordination services for you.]

## C2. How you can contact your care coordinator

## C3. How you can change your care coordinator

# Care from primary care providers, specialists, other network medical providers, and out-of-network medical providers

## D1. Care from a primary care provider

[**Note:** Insert this section only if your plan uses PCPs. Plans may edit this section to refer to a Physician of Choice (POC) instead of a PCP.]

You must choose a primary care provider (PCP) to provide and manage your care. [Insert if applicable: Our plan’s PCPs are affiliated with medical groups. When you choose your PCP, you are also choosing the affiliated medical group.]

**Definition of a “PCP,” and what a PCP does do for you**

[Plans should describe the following in the context of their plans:

What a PCP is

If applicable, what is a medical group/IPA?

What types of providers may act as a PCP [California allows specialists, including obstetricians-gynecologists, to act as a PCP. Plans must inform members of this and under what circumstances a specialist may be a PCP.]

The role of a PCP in

* Coordinating covered services
* Making decisions about or obtaining prior authorization, if applicable

When a clinic can be your primary care provider (RHC/FQHC)]

**Your choice of PCP**

[Plans must describe how to choose a PCP. Plans that assign members to medical groups/IPAs must include language that explains how the choice of PCP will impact the member’s access to specialists and hospitals. For example:

If there is a particular specialist or hospital that you want to use, it is important to find out whether they are affiliated with your PCP’s medical group. You can look in the Provider and Pharmacy Directory, or ask <plan name> Member Services to find out if the PCP you want makes referrals to that specialist or uses that hospital.]

**Option to change your PCP**

You may change your PCP for any reason, at any time. Also, it’s possible that your PCP may leave our plan’s network. If your PCP leaves our plan network, we can help you find a new PCP who is within our plan network if the one you now have leaves our network.

[Plans should describe how to change a PCP and indicate when that change will take effect (e.g., on the first day of the month following the date of the request, immediately upon receipt of the request, etc.).]

[Insert if applicable: Remember, our plan’s PCPs are affiliated with medical groups. If you change your PCP, you may also be changing medical groups. When you ask for the change, be sure to tell Member Services whether you are using a specialist or getting other covered services that require PCP approval. Member Services will help make sure that you can continue your specialty care and other services when you change your PCP.]

**Services you can get without first getting approval from your PCP**

[**Note:** Insert this section only if plans use PCPs or require referrals to network providers.]

In most cases, you will need approval from your PCP before using other providers. This approval is called a **referral.** You can get services like the ones listed below without first getting approval from your PCP:

* Emergency services from network providers or out-of-network providers.
* Urgently needed care from network providers.
* Urgently needed care from out-of-network providers when you can’t get to network providers (for example, when you are outside the plan’s service area).
* Kidney dialysis services that you get at a Medicare-certified dialysis facility when you are outside the plan’s service area. (Please call Member Services before you leave the service area. We can help you get dialysis while you are away.)
* Flu shots and COVID-19 vaccinations [insert if applicable: as well as hepatitis B vaccinations and pneumonia vaccinations] [insert if applicable: as long as you get them from a network provider].
* Routine women’s health care and family planning services. This includes breast exams, screening mammograms (x-rays of the breast), Pap tests, and pelvic exams [insert if applicable: as long as you get them from a network provider].
* Additionally, if you are eligible to get services from Indian health providers, you may use these providers without a referral.

[Plans should add additional bullets consistently formatted like the rest of this section as appropriate.]

## D2. Care from specialists and other network providers

A specialist is a doctor who provides health care for a specific disease or part of the body. There are many kinds of specialists. Here are a few examples:

* Oncologists care for patients with cancer.
* Cardiologists care for patients with heart problems.
* Orthopedists care for patients with bone, joint, or muscle problems.

[Plans should describe how members access specialists and other network providers, including:

What the role (if any) of the PCP is in referring members to specialists and other providers

What the process for getting prior authorization is [Plans explain that prior authorization means that the member must get approval from the plan before getting a specific service or drug. Or using an out-of-network provider and including information about which plan entity makes the prior authorization decision (e.g., Medical Director, the PCP, or another entity).]

Who is responsible for getting the prior authorization [Plans explain, for example, if it is the PCP or the member and refer members to the Benefits Chart in Chapter 4 [plans may insert reference, as applicable] for information about which services require prior authorization.]

If selection of a PCP results in being limited to specific specialists or hospitals to which that PCP refers [For example, plans include information about subnetworks or referral or circles.]]

## D3. What to do when a provider leaves our plan

[Plans may edit this section if they are obligated under the state’s Medi-Cal program to have a transition benefit when a doctor leaves the plan.]

A network provider you are using might leave our plan. If one of your providers does leave our plan, you have certain rights and protections that are summarized below:

* Even though our network of providers may change during the year, we must give you uninterrupted access to qualified providers.
* We will make a good faith effort to give you at least 30 days’ notice so that you have time to select a new provider.
* We will help you select a new qualified provider to continue managing your health care needs.
* If you are undergoing medical treatment, you have the right to ask, and we will work with you to ensure, that the medically necessary treatment you are getting is not interrupted.
* If you believe we have not replaced your previous provider with a qualified provider or that your care is not being appropriately managed, you have the right to file an appeal of our decision.

If you find out one of your providers is leaving our plan, please contact us so we can assist you in finding a new provider and managing your care. [Plans should provide contact information for assistance.]

## D4. How to get care from out-of-network providers

[Plans should tell members under what circumstances they may obtain services from out-of-network providers (e.g., when providers of specialized services are not available in network). Include Medi-Cal out-of-network requirements. Describe the process for getting authorization, including who is responsible for getting it.]

If you use an out-of-network provider, the provider must be eligible to participate in Medicare and/or Medi-Cal.

* We cannot pay a provider who is not eligible to participate in Medicare and/or Medi‑Cal.
* If you use a provider who is not eligible to participate in Medicare, you must pay the full cost of the services you get.
* Providers must tell you if they are not eligible to participate in Medicare.

# How to get long-term services and supports (LTSS)

Long-term services and supports (LTSS) consist of Community Based Adult Services (CBAS) and Nursing Facilities (NF). The services may occur in your home, community, or in a facility. The different types of LTSS are described below:

* **Community Based Adult Services (CBAS):** Outpatient, facility based service program that delivers skilled nursing care, social services, occupational and speech therapies, personal care, family/caregiver training and support, nutrition services, transportation, and other services if you meet applicable eligibility criteria.
* **Nursing Facility (NF):** A facility that provides care for people who cannot safely live at home but who do not need to be in the hospital.

Your care coordinator will help you understand each program. To find out more about any of these programs, [insert contact information for care coordinator].

# How to get behavioral health (mental health and substance use disorder) services

You will have access to medically necessary behavioral health services that are covered by Medicare and Medi-Cal. <Plan name> provides access to behavioral health services covered by Medicare. Medi-Cal covered behavioral health services are not provided by <plan name>, but will be available to eligible <plan name> members through [insert the names of the county entity(ies) responsible for delivering certain types of mental health and/or substance use disorder services].

## F1. What Medi-Cal behavioral health services are provided outside of <plan name> through [insert the names of the county entity(ies) responsible for delivering mental health and substance use disorder services]

Medi-Cal specialty mental health services are available to you through the county mental health plan (MHP) if you meet Medi-Cal specialty mental health services medical necessity criteria. Medi-Cal specialty mental health services provided by [insert the names of the county entity(ies) responsible for delivering mental health and substance use disorder services] include:

* Mental health services (assessment, therapy, rehabilitation, collateral, and plan development)
* Medication support services
* Day treatment intensive
* Day rehabilitation
* Crisis intervention
* Crisis stabilization
* Adult residential treatment services
* Crisis residential treatment services
* Psychiatric health facility services
* Psychiatric inpatient hospital services
* Targeted case management

Drug Medi-Cal services are available to you through [insert the name of the county entity responsible for delivering substance use disorder services] if you meet the Drug Medi-Cal medical necessity criteria. Drug Medi-Cal services provided by [insert the name of the county entity responsible for delivering SUD services] include:

* Intensive outpatient treatment services
* Residential treatment services
* Outpatient drug free services
* Narcotic treatment services
* Naltrexone services for opioid dependence

In addition to the Drug Medi-Cal services listed above, you may have access to voluntary inpatient detoxification services if you meet the medical necessity criteria.

[Plans must insert language about the availability of behavioral health services, processes to determine medical necessity, referral procedures between the plan and county entity, problem resolution processes, etc.]

# How to get transportation services

[Plans should provide information about getting transportation services applicable under both Medi-Cal and Cal MediConnect.]

# How to get covered services when you have a medical emergency or urgent need for care, or during a disaster

## H1. Care when you have a medical emergency

**Definition of a medical emergency**

A medical emergency is a medical condition with symptoms such as severe pain or serious injury. The condition is so serious that, if it does not get immediate medical attention, you or anyone with an average knowledge of health and medicine could expect it to result in:

* Serious risk to your health or to that of your unborn child; **or**
* Serious harm to bodily functions; **or**
* Serious dysfunction of any bodily organ or part; **or**
* In the case of a pregnant woman in active labor, when:
  + there is not enough time to safely transfer you to another hospital before delivery.
  + a transfer to another hospital may pose a threat to your health or safety or to that of your unborn child.

**What to do if you have a medical emergency**

If you have a medical emergency:

* **Get help as fast as possible.** Call 911 or go to the nearest emergency room or hospital. Call for an ambulance if you need it. You do **not**need to get approval or a referral first from your PCP.
* [Plans add if applicable: **As soon as possible, make sure that you tell our plan about your emergency.** We need to follow up on your emergency care. You or someone else [plans may replace “someone else” with “your care coordinator” or other applicable term] should call to tell us about your emergency care, usually within 48 hours. However, you will not have to pay for emergency services because of a delay in telling us.] [Plans must either provide the phone number and days and hours of operation or explain where to find the number (e.g., on the back of the plan’s Member ID Card).]

**Covered services in a medical emergency**

[Plans that cover emergency medical care outside the United States or its territories through Medi-Cal may describe this coverage based on the Medi-Cal program coverage area. Plans must also include language emphasizing that Medicare does not provide coverage for emergency medical care outside the United States and its territories.]

[Plans may modify the following sentence to identify whether this coverage is within the United States and its territories or world-wide emergency/urgent coverage:]You may get covered emergency care whenever you need it, anywhere in the United States or its territories. If you need an ambulance to get to the emergency room, our plan covers that. To learn more, refer to the Benefits Chart in Chapter 4 [plans may insert reference, as applicable].

[Plans that offer a supplemental benefit covering world-wide emergency/urgent coverageor ambulance services outside of the United States or its territories, mention the benefit here and then refer members to Chapter 4 [plans may insert reference, as applicable] for more information.]

[Plans may modify this paragraph as needed to address the post-stabilization care for your plan.] After the emergency is over, you may need follow-up care to be sure you get better. Your follow-up care will be covered by us. If you get your emergency care from out-of-network providers, we will try to get network providers to take over your care as soon as possible.

**Getting emergency care if it wasn’t an emergency**

Sometimes it can be hard to know if you have a medical or behavioral health emergency. You might go in for emergency care and have the doctor say it wasn’t really an emergency. As long as you reasonably thought your health was in serious danger, we will cover your care.

However, after the doctor says it was not an emergency, we will cover your additional care only if:

* You go to a network provider, **or**
* The additional care you get is considered “urgently needed care” and you follow the rules for getting this care. (Refer to the next section.)

## H2. Urgently needed care

**Definition of urgently needed care**

Urgently needed care is care you get for a sudden illness, injury, or condition that isn’t an emergency but needs care right away. For example, you might have a flare-up of an existing condition and need to have it treated.

**Urgently needed care when you are in the plan’s service area**

In most situations, we will cover urgently needed care only if:

* You get this care from a network provider, **and**
* You follow the other rules described in this chapter.

However, if you can’t get to a network provider, we will cover urgently needed care you get from an out-of-network provider.

[Plans must insert instructions for how to access urgently needed services (e.g., using urgent care centers, a provider hotline, etc.).]

**Urgently needed care when you are outside the plan’s service area**

When you are outside the plan’s service area, you might not be able to get care from a network provider. In that case, our plan will cover urgently needed care you get from any provider.

[Plans that cover urgently needed care outside the United States or its territories through Medi-Cal may describe this coverage based on the Medi-Cal program coverage area.]

Our plan does not cover urgently needed care or any other [insert if plan covers emergency care outside of the United States and its territories: non-emergency] care that you get outside the United States.

[Plans with world-wide emergency/urgent coverage as a supplemental benefit, modify this section.]

## H3. Care during a disaster

If the Governor of your state, the U.S. Secretary of Health and Human Services, or the President of the United States declares a state of disaster or emergency in your geographic area, you are still entitled to care from <plan name>.

Please visit our website for information on how to obtain needed care during a declared disaster: <web address>. [In accordance with 42 CFR 422.100(m), plans are required to include on their web page, at a minimum, information about coverage of benefits at non-contracted facilities at network cost sharing without required prior authorization; terms and conditions of payment for non-contracted providers; and each declared disaster’s start and end dates.]

During a declared disaster, if you cannot use a network provider, we will allow you to get care from out-of-network providers at [insert as applicable: the in-network cost-sharing rate **or** no cost to you]*.* If you cannot use a network pharmacy during a declared disaster, you will be able to fill your prescription drugs at an out-of-network pharmacy. Please refer to Chapter 5 for more information.

# What to do if you are billed directly for services covered by our plan

[Plans with an arrangement with the State may add language to reflect that the organization is not allowed to reimburse members for Medi-Cal-covered benefits.]

If a provider sends you a bill instead of sending it to the plan, you should ask us to pay [plans with cost sharing, insert: our share of] the bill.

**You should not pay the bill yourself. If you do, the plan may not be able to pay you back.**

[Insert as applicable: If you have paid for your covered services **or** If you have paid more than your share for covered services] or if you have gotten a bill for [plans with cost sharing, insert: the full cost of] covered medical services, refer to Chapter 7 [plans may insert reference, as applicable]to learn what to do.

## I1. What to do if services are not covered by our plan

[Plans may add language to reflect that the organization is not allowed to reimburse members for Medi-Cal-covered benefits.]

<Plan name> covers all services:

* That are determined medically necessary, **and**
* That are listed in the plan’s Benefits Chart (refer to Chapter 4 [plans may insert reference, as applicable]), **and**
* That you get by following plan rules.

If you get services that are not covered by our plan, **you must pay the full cost yourself.**

If you want to know if we will pay for any medical service or care, you have the right to ask us. You also have the right to ask for this in writing. If we say we will not pay for your services, you have the right to appeal our decision.

Chapter 9 [plans may insert reference, as applicable] explains what to do if you want us to cover a medical item or service. It also tells you how to appeal our coverage decision. You may also call Member Services to learn more about your appeal rights.

We will pay for some services up to a certain limit. If you go over the limit, you will have to pay the full cost to get more of that type of service. Call Member Services to find out what the limits are and how close you are to reaching them.

# Coverage of health care services when you are in a clinical research study

## J1. Definition of a clinical research study

A clinical research study (also called a clinical trial) is a way doctors test new types of health care or drugs. They ask for volunteers to help with the study. This kind of study helps doctors decide whether a new kind of health care or drug works and whether it is safe.

Once Medicare [plans that conduct or cover clinical trials that are not approved by Medicare, insert: or our plan]approves a study you want to be in, someone who works on the study will contact you. That person will tell you about the study and find out if you qualify to be in it. You can be in the study as long as you meet the required conditions. You must also understand and accept what you must do for the study.

While you are in the study, you may stay enrolled in our plan. That way you continue to get care from our plan not related to the study.

If you want to participate in a Medicare-approved clinical research study, you do *not* need to get approval from us [plans that do not use PCPs may delete the rest of this sentence] or your primary care provider. The providers that give you care as part of the study do *not* need to be network providers.

**You do need to tell us before you start participating in a clinical research study.**

If you plan to be in a clinical research study, you or your care coordinator should contact Member Services to let us know you will be in a clinical trial.

## J2. Payment for services when you are in a clinical research study

If you volunteer for a clinical research study that Medicare approves, you will pay nothing for the services covered under the study and Medicare will pay for services covered under the study as well as routine costs associated with your care. Once you join a Medicare-approved clinical research study, you are covered for most items and services you get as part of the study. This includes:

* Room and board for a hospital stay that Medicare would pay for even if you weren’t in a study.
* An operation or other medical procedure that is part of the research study.
* Treatment of any side effects and complications of the new care.

[Plans that conduct or cover clinical trials that are not approved by Medicare insert: We will pay any costs if you volunteer for a clinical research study that Medicare does not approve but that our plan approves.] If you are part of a study that Medicare [plans that conduct or cover clinical trials that are not approved by Medicare, insert: or our plan]has **not approved**, you will have to pay any costs for being in the study.

## J3. Learning more about clinical research studies

You can learn more about joining a clinical research study by reading “Medicare & Clinical Research Studies” on the Medicare website ([www.medicare.gov/Pubs/pdf/02226-Medicare-and-Clinical-Research-Studies.pdf](http://www.medicare.gov/Pubs/pdf/02226-Medicare-and-Clinical-Research-Studies.pdf)). You can also call 1-800-MEDICARE (1-800-633-4227), 24 hours a day, 7 days a week. TTY users should call 1-877-486-2048.

# How your health care services are covered when you get care in a religious non-medical health care institution

## K1. Definition of a religious non-medical health care institution

A religious non-medical health care institution is a place that provides care you would normally get in a hospital or skilled nursing facility. If getting care in a hospital or a skilled nursing facility is against your religious beliefs, we will cover care in a religious non-medical health care institution.

You may choose to get health care at any time for any reason. This benefit is only for Medicare Part A inpatient services (non-medical health care services). Medicare will only pay for non-medical health care services provided by religious non-medical health care institutions.

## K2. Getting care from a religious non-medical health care institution

To get care from a religious non-medical health care institution, you must sign a legal document that says you are against getting medical treatment that is “non-excepted.”

* “Non-excepted” medical treatment is any care that is voluntary and not required by any federal, state, or local law.
* “Excepted” medical treatment is any care that is not voluntary and is required under federal, state, or local law.

To be covered by our plan, the care you get from a religious non-medical health care institution must meet the following conditions:

* The facility providing the care must be certified by Medicare.
* Our plan’s coverage of services is limited to non-religious aspects of care.
* If you get services from this institution that are provided to you in a facility, the following applies:
  + You must have a medical condition that would allow you to get covered services for inpatient hospital care or skilled nursing facility care.
  + [Omit this bullet if not applicable] You must get approval from us before you are admitted to the facility or your stay will not be covered.

[Plans must explain whether Medicare Inpatient Hospital coverage limits apply (include a reference to the Benefits Chart in Chapter 4 [plans may insert reference, as applicable]) or whether there is unlimited coverage for this benefit.]

# Durable medical equipment (DME)

## L1. DME as a member of our plan

DME means certain items ordered by a provider for use in your own home. Examples of these items are wheelchairs, crutches, powered mattress systems, diabetic supplies, hospital beds ordered by a provider for use in the home, intravenous (IV) infusion pumps, speech generating devices, oxygen equipment and supplies, nebulizers, and walkers.

You will always own certain items, such as prosthetics.

In this section, we discuss DME you must rent. As a member of <plan name>, you [insert if the plan sometimes allows transfer of ownership to the member: usually] will not own DME, no matter how long you rent it.

[If the plan allows transfer of ownership of certain DME items to members, the plan must modify this section to explain the conditions under which and when the member can own specified DME.]

[If the plan sometimes allows transfer of ownership to the member for DME items other than prosthetics, insert: In certain situations, we will transfer ownership of the DME item to you. Call Member Services to find out about the requirements you must meet and the papers you need to provide.]

[If the plan never allows transfer of ownership to the member (except as noted above, for example, for prosthetics), insert:Even if you had the DME for up to 12 months in a row under Medicare before you joined our plan, you will not own the equipment.]

[Plans should modify this section as necessary to explain any additional Medi-Cal coverage of DME.]

## L2. DME ownership when you switch to Original Medicare or Medicare Advantage

In the Original Medicare program, people who rent certain types of DME own it after 13 months. In a Medicare Advantage plan, the plan can set the number of months people must rent certain types of DME before they own it.

**Note:** You can find definitions of Original Medicare and Medicare Advantage Plans in Chapter 12. You can also find more information about them in the *Medicare & You 2022* handbook. If you don’t have a copy of this booklet, you can get it at the Medicare website ([www.medicare.gov](http://www.medicare.gov)) or by calling 1‑800‑MEDICARE (1‑800‑633‑4227), 24 hours a day, 7 days a week. TTY users should call 1‑877‑486‑2048.

You will have to make 13 payments in a row under Original Medicare, or you will have to make the number of payments in a row set by the Medicare Advantage plan, to own the DME item if:

* You did not become the owner of the DME item while you were in our plan, **and**
* You leave our plan and get your Medicare benefits outside of any health plan in the Original Medicare program or a Medicare Advantage plan.

If you made payments for the DME item under Original Medicare or a Medicare Advantage plan before you joined our plan, **those Original Medicare or Medicare Advantage payments do not count toward the payments you need to make after leaving our plan.**

* You will have to make 13 new payments in a row under Original Medicare or a number of new payments in a row set by the Medicare Advantage plan to own the DME item.
* There are no exceptions to this case when you return to Original Medicare or a Medicare Advantage plan.

## L3. Oxygen equipment benefits as a member of our plan

If you qualify for oxygen equipment covered by Medicare and you are a member of our plan, we will cover the following:

* Rental of oxygen equipment
* Delivery of oxygen and oxygen contents
* Tubing and related accessories for the delivery of oxygen and oxygen contents
* Maintenance and repairs of oxygen equipment

Oxygen equipment must be returned to the owner when it’s no longer medically necessary for you or if you leave our plan.

## L4. Oxygen equipment when you switch to Original Medicare or Medicare Advantage

When oxygen equipment is medically necessary and **you leave our plan and switch to Original Medicare**, you will rent it from a supplier for 36 months. Your monthly rental payments cover the oxygen equipment and the supplies and services listed above.

If oxygen equipment is medically necessary **after you rent it for 36 months**:

* your supplier must provide the oxygen equipment, supplies, and services for another 24 months.
* your supplier must provide oxygen equipment and supplies for up to 5 years if medically necessary.

If oxygen equipment is still medically necessary **at the end of the 5-year period**:

* your supplier no longer has to provide it, and you may choose to get replacement equipment from any supplier.
* a new 5-year period begins.
* you will rent from a supplier for 36 months.
* your supplier must then provide the oxygen equipment, supplies, and services for another 24 months.
* a new cycle begins every 5 years as long as oxygen equipment is medically necessary.

When oxygen equipment is medically necessary and **you leave our plan and switch to a Medicare Advantage plan**, the plan will cover at least what Original Medicare covers. You can ask your Medicare Advantage plan what oxygen equipment and supplies it covers and what your costs will be.