

***COLORADO ACCESS
POLICY AND PROCEDURE***

ADM205 _____
POLICY #

8/3/15 _____
Date Approved by CPT

Revision/Review Date(s): 8/00, 4/01, 10/02, 10/03
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9/13, 8/14, 8/15

Reviser Name: Brenda Mientka

Origination Date: 11/99

Originator Name: Claudine McDonald

Date Retired: _____

**Originals on file within the company's compliance software*

Subject: Nondiscrimination – ADM205

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Policy Statement: As a recipient of federal funds under government contracts, Colorado Access is required to comply with federal and state non-discrimination laws.^{1 2 3 4 5 6 7 8 9 10 11 12 13 14 15} Colorado Access does not exclude or deny or limit benefits to, condition the coverage, or otherwise discriminate against, any member on the grounds of health status, development of End Stage Renal Disease (ESRD) after enrollment, race, color, national origin, sex, religion, creed, sexual orientation, mental or physical disability or illness, age, genetic information, claims information, source of payment, evidence of insurability, including conditions arising out of acts of domestic violence, or participation in, or receipt of services and benefits under any Colorado Access program or activity.¹⁶ This includes all programs and activities administered by Colorado Access or through a contractor or any other entity with whom Colorado Access arranges to carry out its programs and activities.

Justification: Contractual, Operational and Regulatory

Attachments: None

Departments: All

LOBs Involved: All

Referenced Policies:

- ADM203 Member Grievance Process
- ADM219 Member Appeal Process
- ADM229 Member Disability Rights Request and Complaint Resolution
- CMP201 Problem Reporting and Non-Retaliation

Definition of Terms:

None

¹ 28 CFR §35.107(b)

² 45 CFR §156.125

³ 42 USC §18116

⁴ ABC Denver Contract, Contract Routing Number 15-68383, §20(A), page 20 of 27

⁵ ABC NE Contract, Contract Routing Number 15-68387, §20(A), page 20 of 27

⁶ CHP+ HMO Contract, Contract Routing Number 13-42057, §21.A., page 21 of 28

⁷ CHP+ASO Contract, Contract Routing Number 3109-0102, §III.Z., page 36 of 43

⁸ RCCO Region 2 Contract , Contract Routing Number 2016ACCMMP02, §20.A., page 19 of 27

⁹ RCCO Region 3 Contract , Contract Routing Number 2016ACCMMP03, §20.A., page 19 of 27

¹⁰ RCCO Region 5 Contract, Contract Routing Number 2016ACCMMP05, §20.A., page 19 of 27

¹¹ AHC Carrier Contract, § 6(a)(vi), page 7 of 33

¹² AA Contract, Contract Routing Number 13-45713, §X, page 10 of 30

¹³ AMES Contract, Contract Routing Number 14-64593, §21.A, page 19 of 25

¹⁴ SEP Contract, Contract Routing Number 14-55334, §20.A, page 21 of 29

¹⁵ 45 CFR §156.200(e)

¹⁶ 42 CFR §422.110 (a)

Procedure:

- I. The Colorado Access Director of the Office of Member and Family Affairs (OMFA) has primary responsibility for implementing methods for effective coordination and dissemination of non-discrimination policies and procedures. The OMFA Director will:
 - A. Provide training and education to providers, members, and other interested parties, as determined by the Vice President of Administrative Services, the Staff ADA/Section 504 Coordinator, and the Member ADA Coordinator, of their rights under federal non-discrimination laws as it relates to the provision of care or normal company business operations.
 - B. Assist the Human Resources Department in coordinating any necessary trainings or education to staff as it relates to non-discrimination laws.
 - C. Coordinate with the Chief Compliance Officer, or designee as needed, so that this policy and procedure is posted on the Colorado Access Intranet and company websites.
 - D. Ensure that members are informed of their rights and the resources available to them under this policy and procedure that providers and other interested parties, as appropriate, understand those member rights and are knowledgeable about resources available to members.
- II. Colorado Access will not tolerate any form of retaliation. Colorado Access has established a problem resolution process and a strict non-retaliation policy to protect employees, members, providers, and others who report problems and concerns in good faith (see policy and procedure CMP201 Problem Reporting and Non-Retaliation).
- III. Any member or other interested person's complaint or allegation of discrimination or violation of a person's civil rights on behalf of a member submitted to Colorado Access must follow policies and procedures ADM203 Member Grievance Process and ADM219 Member Appeal Process. For any member or other interested person's complaint or allegation of discrimination or retaliation under the Americans with Disabilities Act of 1990, as amended ("ADA"), Colorado Access will follow policy and procedure ADM229 Member Disability Rights Request and Complaint Resolution. Any allegations, complaints, investigations, charges of discrimination or violation of a member's civil rights, outside of the ADA, received from a state or federal regulatory body, or agency having jurisdiction over Colorado Access, will be referred to the Legal Department in person or to legal@coaccess.com.
- IV. The company Staff ADA/Section 504 Coordinator for staff allegations of discrimination or violation of civil rights is the Vice President of Administrative Services, or designee. The Staff ADA/Section 504 Coordinator's duties are outlined in the company Employee Policy/Benefits Handbook. Contact information for the Staff ADA/Section 504 Coordinator is Colorado Access, 10065 East Harvard Avenue, Suite 600, Denver, CO 80231; (720) 744-5100; fax (303) 369-0429.