

Policy Title: Beneficiary Freedom of Choice			
Department Responsible: THN ACO Operations	Policy Number: CPE-100	THN's Effective Date: January 1, 2022	Next Review/Revision Date: September 30, 2024
Title of Person Responsible: THN Assistant Director ACO Operations	THN Approval Council: THN Operations Committee	Date Approved: June 8, 2023	

- I. **PURPOSE.** The purpose of CPE-100 is to provide (1) a statement of Triad HealthCare Network's (THN) guidance on protecting Beneficiary's freedom to choose a health care provider and, (2) procedures to ensure that THN's practices are consistent with its stated policies.
- II. **POLICY.** Neither THN nor any Participant, Preferred Provider or other THN Related Individuals or entities performing functions or services, related to THN activities or Marketing Activities, shall commit any act or omission, nor adopt any policy that inhibits Beneficiaries from exercising their freedom to obtain health services from providers and suppliers who are not Participants or Preferred Providers.
- III. **PROCEDURE.**
 - A. THN shall not require the Beneficiaries to be referred only to Participant Providers or Preferred Providers or to any other provider or supplier.
 - B. This prohibition shall not apply to referrals made by employees or contractors who are operating within the scope of their employment or contractual arrangement with the employer or contracting entity, provided that the employees and contractors remain free to make referrals without restriction or limitation if a Beneficiary expresses a preference for a different provider or supplier, or the referral is not in the Beneficiary's best medical interests in the judgment of the referring party.
 - C. THN may communicate to Beneficiaries the benefits of receiving care with THN. All such communications shall be deemed Marketing Materials or Marketing Activities. To ensure that Beneficiaries are not misinformed or misled about the Model, CMS may provide THN with scripts, talking points or other materials explaining these benefits.
 - D. THN shall not take any action to limit the ability of a Participant Provider or Preferred Provider to make decisions in the best interests of a Beneficiary, including the selection of devices, supplies and treatments used in the



care of the Beneficiary and shall impose this requirement on its Participant Providers, and Preferred Providers.

Date	Reviewed	Revised	Notes
January 1, 2022			Originally Published
August 2022	X		No changes
May 2023		X	Reviewed for REACH – no changes