



Disability Rights Education & Defense Fund



February 5, 2014

Department of Health Care Services

Delivered via email to info@calduals.org

CC: Jane Ogle, Margaret Tatar

Re: Comments on 60-Day and 30-Day MLTSS Duals Notices

We appreciate the opportunity to comment on the 60-day and 30-day notices directed to dual eligible beneficiaries. We have attached our general comments here and provided more detailed comments through red-lined edits attached.

Targeted Population

These notices are targeted at dual eligibles who cannot participate in Cal MediConnect, who nonetheless will have to choose a Medi-Cal managed care plan. Yet, the notices often refer to being a Medi-Cal only beneficiary or unnecessarily include language like "if you have Medicare." Only beneficiaries who have both Medicare and Medi-Cal should receive this notice. We urge DHCS to provide draft notices directed to seniors and persons with disabilities who will have to choose a Medi-Cal managed care plan for the first time (e.g., individuals with a share of cost and individuals living in a nursing facility) for stakeholder review and comment.

Headings

We urge DHCS to utilize headings that outline the specific change the notice addresses. The use of the generic "Important Information" does little to draw attention to the change. Presumably, every notice mailed out by DHCS to consumers contains "important information." We have provided sample language on the attached draft notices.

Coded Notices

One of the largest challenges of this process is the number and variation of notices being sent to beneficiaries. DHCS has indicated that Cal MediConnect notices will be sent in a blue envelope to draw attention to these notices and make them more identifiable. While hopefully an identifiable envelope color will encourage recipients to open and review the enclosed materials, the envelope is often discarded. We suggest that DHCS also code the notices being sent to beneficiaries with a color, shape, or similar method. That way when a beneficiary calls DHCS, Health Care Options, or community based organizations for assistance, the notices can be easily distinguished from each other and from Cal MediConnect notices.

Readability, Comprehension, and Accessible Formats

In light of the issues recently discovered with obtaining accessible information through Health Care Options, Disability Rights California is drafting a letter outlining accessibility requirements and suggestions for providing accessible formats. We endorse these comments and incorporate them here.

Again, we seek assurances that these notices have been written at a sixth grade level pursuant to Senate Bill 1008. We ask for confirmation that these notices have undergone beneficiary testing and that testing included beneficiaries with limited English proficiency, who are blind and visually impaired, who are deaf, and who have cognitive impairments.

We urge DHCS to insert a tagline on the notices or include an insert with the notice in the Medi-Cal threshold languages informing LEP beneficiaries how to obtain information in their primary language. While we appreciate that the notice directs beneficiaries to call Health Care Options if they need the notice in another language, it is important that the notices give this information to consumers in their primary languages.

Sincerely,

Disability Rights California
Disability Rights Education and Defense Fund
National Health Law Program
National Senior Citizens Law Center
Western Center on Law and Poverty