

The AAADs and the MCO are the only two entities with the authority to accept CHOICES referrals and complete the screening and intake processes. Home and Community Based Service (HCBS) providers may not recruit or solicit potential or actual CHOICES members to choose them as their CHOICES service provider.

HCBS providers are not allowed to solicit and recruit potential or actual CHOICES Members by doing the following:

- Visiting provider offices and hospital discharge planners and indicating that CHOICES referrals should be made to the HCBS provider agency and not to an MCO or AAAD.
- Augmenting CHOICES brochures so that HCBS provider information appears on the brochure or creating marketing materials that indicate that the provider is a point of contact for the CHOICES program.
- Referring people for CHOICES intake and screening and requesting to be present during the assessment; requesting updates on the status of the referral; or expecting the member to select the agency as their provider if enrolled in CHOICES.
- HCBS providers “screening and assessing” people for CHOICES enrollment.

The Contractor Risk Agreement (CRA) includes requirements for provider agreements prohibiting these activities (see below).

CRA References:

2.12.12.8 Prohibit CHOICES HCBS providers from requiring a member to choose the provider as a provider of multiple services as a condition of providing any service to the member;

2.12.12.9 Prohibit CHOICES HCBS providers from soliciting members to receive services from the provider including:

2.12.12.9.1 Referring an individual for CHOICES screening and intake with the expectation that, should CHOICES enrollment occur, the provider will be selected by the member as the service provider; or

2.12.12.9.2 Communicating with existing CHOICES members via telephone, face-to-face or written communication for the purpose of petitioning the member to change CHOICES providers;

2.12.12.9.3 Communicating with hospitals, discharge planners or other institutions for the purposes of soliciting potential CHOICES members that should instead be referred to the person's MCO or AAAD, as applicable;

2.12.12.12 Prohibit CHOICES providers from altering in any manner official CHOICES or MFP brochures or other CHOICES or MFP materials unless the CONTRACTOR has submitted a request to do so to TENNCARE and obtained prior written approval from TENNCARE in accordance with Section 2.17 of this Agreement; and

2.12.12.13 Prohibit CHOICES providers from reproducing for its own use the CHOICES or MFP logos unless the CONTRACTOR has submitted a request to do so to TENNCARE and obtained prior written approval from TENNCARE in accordance with Section 2.17 of this Agreement.