

StarDent

"RESOLVING COMPLAINTS FOR HMO MEMBER/MEDICAL CONSENTER OR CAREGIVER PARENT OR THEIR REPRESENTATIVES"

COMPLAINT PROCESS

"Complainant" is defined as a Member/Medical Consenter or Caregiver, their designated representative or a treating dentist, treating provider or other individual designated to act on behalf of the Member/Medical Consenter or Caregiver child who files a complaint.

StarDent has established a process for receiving and handling complaints from Member/Medical Consenter or Caregiver Parent or their representatives.

A "Complaint" is a Member/ Member/Medical Consenter or Caregiver or their representative's written or oral dissatisfaction about an aspect of StarDent's operation including, but not limited to, dissatisfaction with StarDent's plan administration, the procedures, denial, reduction or termination of a service for reasons not related to medical necessity, dis-enrollment decisions, or the way a service is provided.

A Complaint does not include (a) a misunderstanding or problem of misinformation that can be promptly resolved by StarDent by clearing up the misunderstanding or by supplying the correct information to the Member/Medical Consenter or Caregiver Parent or their representative's satisfaction.

Complaint Resolution Procedures

If the Member/Medical Consenter or Caregiver Parent or their representative notifies StarDent orally or in writing of Member/Medical Consenter or Caregiver Parent or their representative's complaint, no later than the 5th business day after StarDent receives the complaint, StarDent will send Member/Medical Consenter or Caregiver Parent or their representative a letter acknowledging the date StarDent received the complaint. If StarDent is notified orally, StarDent will send Member a one-page Complaint Form that must be returned to StarDent for prompt resolution of the complaint.

If Member/Medical Consenter or Caregiver Child/parent's complaint involves an emergency, StarDent will resolve the complaint no later than one business day after StarDent receives the complaint. If the complaint does not involve an emergency, StarDent will resolve the complaint no later than 30 business days after StarDent receives the complaint. StarDent will send Complainant a letter notifying Complainant of StarDent's resolution of the complaint.

Appeals to StarDent

If StarDent does not resolve the complaint to the satisfaction of the Member/Medical Consenter or Caregiver Parent or their representative, the Member/Medical Consenter or Caregiver Parent or their representative has the right to appeal StarDent's decision to the StarDent complaint appeal panel. The Member/Medical Consenter or Caregiver Parent or their representative may appeal by: (a) appearing in person before the complaint appeal panel where Member/Medical Consenter or Caregiver child normally receives dental services or at a different location to which Member/Medical Consenter or Caregiver Parent or their representative agrees; or (b) presenting a written appeal to the complaint appeal panel. When Member/Medical Consenter or Caregiver Parent or their representative appeals a complaint:

- (a) StarDent will send an acknowledgement letter to Member/Medical Consenter or Caregiver Parent or their representative within 5 business days after the date StarDent receives Member/Medical Consenter or Caregiver Parent or their representative's request for an appeal.
- (b) StarDent will appoint Member/Medical Consenter or Caregiver Parent or their representatives to the complaint appeal panel, which advise StarDent on the resolution of the appeal. The members of the complaint appeal panel cannot have been involved with the Member's complaint in the past. The complaint appeal panel will include an equal number of StarDent's staff, dentists or other providers and enrollees.
- (c) Not later than the 5th business day before the complaint appeal panel meets, StarDent will provide to Member/Medical Consenter or Caregiver Parent or their representative:
 - (1) Any documentation which will be presented by StarDent to the complaint appeal panel;
 - (2) The specialization of any Dentist or provider consulted during the investigation of Member/Medical Consenter or Caregiver Parent or their representative's appeal; and
 - (3) The name and affiliation of each of the members of the StarDent complaint appeal panel.

Member/Medical Consenter or Caregiver Parent or their designated representative, if Member is a minor or disabled, has the right to:

- (a) appear in person before the complaint appeal panel;
- (b) present alternative expert testimony; and
- (c) request the presence of, and to question, any person that was involved in making the prior determination that resulted in Member's appeal.

StarDent will complete the appeals process not later than the 30th calendar day after StarDent receives Member/Medical Consenter or Caregiver Parent or their representative's appeal. StarDent's final decision will include a statement of the specific medical determination, clinical basis, and contractual criteria used to reach the final decision.

Investigation and resolution of appeals involving ongoing emergencies will be concluded in accordance with the medical immediacy of the case but no later than 1 business day after Member/Medical Consenter or Caregiver Parent or their representative's request for appeal. At Member/Medical Consenter or Caregiver Parent or their representative's request, StarDent will provide, instead of a complaint appeal panel, a review by a dentist or provider who has not previously reviewed the case and who is of the same or similar specialty as ordinarily manages the dental condition, procedure, or treatment under appeal. The dentist or provider reviewing the appeal may interview Member/Medical Consenter or Caregiver Parent or their representative or Member's designated representative and will make a decision on the appeal. Initial notice of the decision on the appeal may be delivered orally to Member/Medical Consenter or Caregiver Parent or their representative but will be followed by a written notice of the determination within 3 days.

Filing Complaints with the Appropriate Department of Insurance

Any person, including persons who have attempted to resolve complaints through StarDent's complaint process and who are dissatisfied with the resolution, may report an alleged violation to the Appropriate Department of Insurance, PO Box 149091, Austin, Texas 75714-9091.

The Commissioner of Insurance will investigate a complaint against StarDent to determine compliance with insurance laws within 60 days after the Appropriate Department of Insurance receives Member/Medical Consenter or Caregiver Parent or their representative's complaint and all information necessary for the Department to determine compliance. The commissioner may extend the time necessary to complete an investigation in the event any of the following circumstances occur:

1. Additional information is needed
2. An on-site review is necessary
3. StarDent the dentist or provider, or Member do not provide all documentation necessary to complete the investigation; or
4. Other circumstances beyond the control of the department occur.

RELEASE OF MEDICAL RECORDS

Any Member/Medical Consenter or Caregiver Parent or their representative who files a complaint or appeal thereby authorizes, as permitted by law, StarDent or its authorized designee, to review or disseminate, as necessary to the resolution of the complaint or appeal, such Member/Medical Consenter or Caregiver child's individual medical/dental records, without notice to the Member/Medical Consenter or Caregiver Parent or their representative or any other person.

NO RETALIATION

StarDent will not take any retaliatory action such as refusing to renew or canceling Coverage against the Member/Medical Consenter or Caregiver Parent or their representative or the Group because the Member/Medical Consenter or Caregiver Parent or their representative, the Group or any personal action on the Member/Medical Consenter or Caregiver Parent or their representative's or the Group's behalf, has filed a complaint against StarDent or appealed a decision by StarDent.

StarDent will not engage in any retaliatory action, including termination or refusal to renew a contract, against a Dentist or provider, because the Dentist or provider has, on behalf of a Member/Medical Consenter or Caregiver child, reasonably filed a complaint against StarDent or has appealed a decision of StarDent.