

DEVELOPMENTAL DISABILITIES ADMINISTRATION
RESIDENTIAL HABILITATION CENTER
STANDARD OPERATING PROCEDURE

TITLE: CLIENT GRIEVANCES PROCEDURE 102.1

PURPOSE

To establish a process for a Residential Habilitation Center (RHC) to address concerns, complaints, and grievances received about a client's care and services.

SCOPE

This policy applies to all RHC employees who serve as a member of a client's Interdisciplinary Team, the RHC Grievance Officer, and the RHC Superintendent.

POLICY

- A. The RHC accepts complaints, concerns, and grievances from:
 - 1. The client;
 - 2. The client's parent or guardian; and
 - 3. Any other person acting on behalf of the client.
- B. The RHC accepts complaints about the client's care, services, and anticipated changes to the client's care or services.
- C. The RHC must try to resolve a complaint through an informal process before initiating the formal grievance process.

PROCEDURE

- A. Informal grievance process
 - 1. If the RHC receives a complaint about a client's care or services, the Interdisciplinary Team must:
 - a. Record the complainant's concerns;
 - b. Address and attempt to resolve the concern; and
 - c. Document in the client's record, any steps taken to resolve the concern.
 - 2. If the Interdisciplinary Team and complainant do not resolve the concern, the

complainant may contact the Grievance Official and initiate the formal grievance process.

B. Formal grievance process

The Grievance Official must:

1. Record the complainant's concern;
2. Acknowledge receipt of the complaint in writing within three business days;
3. Investigate the concern;
4. Within five business days discuss the outcome of the investigation and provide a written report to the complainant; and
5. Send a copy of the investigation to the Superintendent within five business days.

C. Complainant's appeal rights

1. Following the Grievance Official's response, if still not satisfied, the complainant may request a review by the Human Rights Committee.
2. The Human Rights Committee will respond in writing to the complainant and Superintendent within five business days.
3. No more than three business days after the Superintendent receives a response from the Human Rights Committee, the Superintendent must:
 - a. Send a written response to the Grievance Official; and
 - b. Meet with the complainant.

D. The Superintendent is not bound by any recommendations made by the Human Rights Committee.

E. The Superintendent's decision is final.

F. The complainant may waive timeline requirements contained in this policy. To waive timeline requirements, the complainant must submit a signed, written statement to the Grievance Official.

GRIEVANCE OFFICIAL RESPONSIBILITIES

The Grievance Official must:

- A. Receive and track grievances;
- B. Lead the facility's grievance investigations;
- C. Maintain confidential information associated with grievances, such as the identity of the client for those grievances submitted anonymously;
- D. Issue written grievance decisions to the client; and
- E. Coordinate with state and federal agencies as necessary.

AUTHORITY

483.420(a)(3)	<i>Exercise Rights as Clients and Citizens</i>
483.10(J) F585	<i>Grievances</i>
DDA Policy 5.03	<i>Client Complaints</i>

DEFINITIONS

Complainant means an RHC client, the client's parent or guardian, or any other person acting on behalf of the client to submit a concern, complaint, or grievance.

Grievance Official means an RHC employee who oversees the grievance process.

Human Rights Committee means a group of people who proactively protect client rights by monitoring facility practices and programs.

SUPERSESSION

None.

Approved: /s/ Donald Clintsman
Deputy Assistant Secretary
Developmental Disabilities Administration

Date: May 15, 2018