



Series: Operating Procedures **COA: CR 3, ETH 4**
Procedure Name: Client Grievance and Appeals
Procedure Number: RQ BC 1002
Revision #/Date: (1) 02/05/2013, (2) 06/01/2017
Effective Date: 11/10/2009

Applicable to: Brevard C.A.R.E.S. Staff

SUBJECT: Client Grievance and Appeal Procedure

PURPOSE: To provide a clear and concise complaint and grievance protocol to clients, families, community stakeholders, and network providers.

PROCEDURE:

References

Brevard C.A.R.E.S. Policies and Procedures GOV BC 1014 Risk Management, RQ BC 1004 Risk Assessment and RQ BC Risk Prevention Management and Performance Quality Improvement Subcommittee

Definitions

1. A **“complaint”** is defined as verbal or written report of dissatisfaction with a program, service or staff member of the Agency or provider agencies.
2. A **“grievance”** is defined as a verbal or written report of dissatisfaction with the Complaint and Grievance process or decisions made by Brevard C.A.R.E.S., Inc. staff or Network Provider.
3. An **“appeal”** is to make a request to a higher administrative body for the rehearing or review of a complaint or grievance (a case)

Background

The complaint and grievance procedures are designed to provide clients with a user-friendly process that is supportive, culturally sensitive, and resolution based. These procedures provide the client with a central-point-of-contract; the Brevard Family Partnership Client Relations Specialist (CRS), who will receive, record, review and facilitate documentation and the coordination investigation proceedings in order to achieve resolution of reported client, stakeholder or provider related complaints and/or grievances.

These procedures ensure the health, safety, and well-being of children and families served in addition to ensuring the protection of rights and privacy of all children and families served through Brevard C.A.R.E.S. and Brevard Family Partnership Network of Providers. It is also expected that these procedures will ensure that best practices are utilized by Brevard C.A.R.E.S. staff and that providers are in full compliance with all state regulations, Brevard C.A.R.E.S. contract

Brevard C.A.R.E.S, Inc. Policy and Procedure Manual

requirements and the System of Care values and principles. These procedures provide a systematic and non-biased approach intended to ensure the effective and qualitative utilization of the organization's System of Care by those children, families, and community stakeholders served.

Overview:

1. Brevard C.A.R.E.S. is dedicated to providing the highest quality service delivery system to the children and families of Brevard County. Our system is designed to be family-centered, strength-based, culturally-sensitive and inclusive. In order to provide superior satisfaction, Brevard C.A.R.E.S. has a process for clients to raise concerns and complaints, as well as provide positive customer service feedback. This is a vital component to ensure the organization monitors and maintains its continuous quality improvement process.
2. Brevard C.A.R.E.S. utilizes the Brevard Family Partnership Client Relations Specialist's (CRS) whose primary responsibility is to serve as a "Client Resource". The CRS has the responsibility to address the client's concern on an informal level in order to achieve the best resolution available within agency and state policy, procedures and guidelines.
3. A client has the right to file a complaint or grievance at any time without interference or fear of retaliation. Brevard C.A.R.E.S. ensures that client services are continuous and consistent while a client's resolution of a grievance is formulated.
4. For the purpose of Risk Assessment and Quality Assurance; clients are provided a variety of communication options which include: customer satisfaction surveys, face-to-face meetings, conference calls, web-based access, phone, email and mail to access the Brevard Family Partnership Client Relations Specialist. These complaint and grievance procedures alleviate barriers that clients occasionally encounter as they navigate the unfamiliar dynamics of a networked System of Care and enable them to resolve concerns when typical methods have been ineffective.
5. The assigned Brevard C.A.R.E.S. staff member provides and reviews the Brevard C.A.R.E.S. Client Handbook with each client. A client inquiry, complaint and grievance form is included. The handbook provides basic directives for clients on filing a complaint or grievance and the appeal process.
6. Clients are encouraged to utilize this process to provide written and/or verbal documentation of their complaints, as well as positive feedback to the Client Relations Specialist.
7. Every inquiry, complaint or grievance report received from any source will be addressed in a timely manner according to established policy and procedure.
8. A complaint or grievance report alleging personnel performance issues of Brevard C.A.R.E.S. staff will be reviewed with the Brevard Family Partnership Senior Executive of Compliance and in conjunction with the Human Resource Manager. The Human Resource Manager will evaluate the concerns raised, work with other appropriate management staff and provide direction to the Client Relations Specialist. Depending on the nature of the complaint, an investigation may be required.

Resolutions will be handled in the most sensitive and confidential nature, but no client should fear retaliation for raising performance concerns about staff.

Complaint and Grievance Thresholds

All client related complaint or grievance reports will be assessed by the Client Relations Specialist. A client complaint or grievance report is a formal process that has been established to address a particular concern a client may perceive has not been successfully resolved through specific informal method the Client Relations Specialist will ask the Client if they wish to resolve the matter using one of the informal methods. If the Client chooses not to use an informal method the Client Relations Specialist will process the complaint or grievance.

1. The Client Relations Specialist's (CRS) primary responsibility is to serve as a "Client Advocate". The CRS has the responsibility to review, coordinate, determine appropriate course of action in order to address the client's concerns on an informal basis and work to achieve the best resolution within established agency and state guidelines, policy, and procedures.
2. Clients may contact the Client Relations Specialist directly in order to have their verbal reports documented and addressed. The Client Relations Specialist will record, review and determine an appropriate course of action based upon established organizational policies and thresholds outlined above.
3. This procedure is applicable to: All clients and their families who are customers of the Brevard C.A.R.E.S. Program (Coordination, Advocacy, Resources, Education and Support).

Client Resource Information: If the complaint is regarding Sunshine Health Plan authorizations (Medicaid) it will be forwarded to the BFP Senior Director of Programs or designee. The Senior Director or designee will contact the client and provide assistance with navigation of the Sunshine established program complaint, grievance, and appeal procedures.

4. If a client perceives a service issue or is dissatisfied with any decision regarding services provided through Brevard C.A.R.E.S. or a network provider, he or she is encouraged to meet with the appropriate Brevard C.A.R.E.S. staff and/or the community partner currently providing the services.
5. All low risk complaint reports whether verbal or written that a client perceives as unresolved after working directly with the service provider are elevated to **Moderate Risk** to the CRS for review, investigation, and resolution recommendations. If the client's complaint or grievance is related to a decision made by:
 - Brevard C.A.R.E.S. staff regarding eligibility and/or denial of services,
 - Appropriateness of provided services by Brevard C.A.R.E.S. staff
 - Timeliness of service decision by Brevard C.A.R.E.S. staff
 - Provision of services provided by Brevard C.A.R.E.S.
 - Other issues regarding Brevard C.A.R.E.S.
6. Upon initial review of a client complaint or grievance report allegation(s) the CRS identifies the appropriate course of action, and assigns to the Brevard C.A.R.E.S. Executive Director or Designee as appropriate within two (2) business days after receipt of the client's verbal or written complaint or grievance.

7. The client will be contacted via phone, email or mail to advise that his or her complaint was received and is being addressed. Additionally, the client initiating the complaint or grievance is advised that the review may or may not involve any persons mentioned or directly involved in their complaint.
8. The complaint is then assigned to the respective Supervisor or Manager. As mentioned above that individual will have 5 business days to provide a written recommendation for the resolution of the complaint or grievance to the Client Relations Specialist. The nature of the complaint and the intended response will be reviewed with the Client Relations Specialist prior to contacting client.
9. The Client Relations Specialist (CRS) will provide the appropriate party with a written resolution decision of the complaint or grievance, not exceeding twenty days from receipt of the complaint or based on timelines established by the type of complaint received (e.g. DCF Trackers).
10. Grievance timelines are subject to modification which is determined by the critical nature of the report and whether a child or client's safety and well-being is a prevailing concern. It is the intent of Brevard C.A.R.E.S. to address all complaints in a timely manner. All grievances will be closed within 20 business days from the date received by the CRS.
11. If the complaint is not resolved and the client remains dissatisfied, the following appeal procedure is followed:
 - a. The client's grievance appeal is referred to the Brevard Family Partnership Compliance Committee for, review, assessment and resolution recommendations.
 - b. The Compliance Review Committee Members may include: Chief Executive Officer, the Senior Executive of Administration, Senior Executive of Compliance, Human Resource Manager, Senior Executive of Programs, Senior Executive of Compliance, Client Relations Specialist, Brevard C.A.R.E.S. Executive Director and other participants as deemed necessary to address specific concerns. Depending on the nature of the complaint the Chief Executive Officer may be included as part of this level of review. The Compliance Review Committee will have 15 business days to respond upon review of the grievance appeal.
 - c. Upon the receipt of the grievance appeal recommendations from the Compliance Review Committee, if the client remains dissatisfied they have 5 business days to request a face-to-face meeting with the Compliance Review Committee or a written review of their appeal by the Chief Executive Officer.
 1. It is the responsibility of the Client Relations Specialist to facilitate meeting arrangements at the earliest available date for all parties involved, if applicable. The Compliance Review Committee or the Chief Executive Officer has 15 days to render their final appeal decision.
 2. The Client Relations Specialist will provide the client with a written summary of the Compliance Review Committee investigative findings if any and resolutions and/or CEO's resolution within 5 business days of receipt.

How to Submit: A Complaint, a Grievance or An Appeal at Brevard Family Partnership

The Brevard Family Partnership Client Complaint or Grievance Form is available at www.brevardfamilypartnership.org by selecting the Finding Help option on the agency website. As previously mentioned, the client complaint form is also available in the Brevard C.A.R.E.S. The Client Handbook is provided to each client receiving care coordination services through Brevard C.A.R.E.S.

- A complaint may be submitted in writing by utilizing the client complaint form.
- A complaint may be submitted in person at the Brevard C.A.R.E.S. Site Facility
- A complaint may be submitted via telephone to Brevard C.A.R.E.S. staff or a Network Provider.
- A complaint may be submitted by electronic mail
- A complaint may be submitted by written correspondence to the Agency.

The Client Relations Specialist within 2 business days of receipt of an unresolved client complaint from any source is required to:

- a.) Record, review, assess level of complaint and disseminate to appropriate internal personnel
- b.) All complaints are tracked in a database to ensure appropriate timeframes and follow-up actions are completed.
- c.) Make verbal or written contact with the complainant as appropriate, to provide information on BFP's administrative review process, timelines, and information.
- d.) All complaints received will be resolved within 20 business days after receipt. Explanations for resolution delays will be documented and tracked on a case-by-case basis. The client will be notified of review delays as appropriate.
- e.) If a complaint fails to be resolved to the satisfaction of the complainant upon completion of established guidelines for complaints, the grievance and appeal procedures are initiated.

Complaint and Grievance Reports Received by Brevard C.A.R.E.S. Staff

A Brevard C.A.R.E.S. employee receiving a complaint from an assigned client will work to resolve the client's concern promptly and effectively to maintain performance expectations of quality care, support and services.

All employees are required to comply with the following guidelines:

1. Within two (2) business days of receiving a direct service related complaint the employee is obligated to:
 - a. Complete a Client Complaint Form.
 - b. Speak with the complainant regarding their concerns and document conversation.
 - c. Provide available resolution options that are within Agency guidelines.
 - d. Provide a summary of actions taken to resolve the complaint including barriers, which prevented resolution.

- e. Ensure the Client Complaint Form is completed including appropriate demographic and supporting documentation attached.
 - f. Forward the client complaint information to the immediate supervisor for review and approval.
2. Within three (3) business days after receiving the Client Complaint Form the Brevard C.A.R.E.S. Program Manager is required to:
- a. Review the complaint information and determine if any additional actions are required.
 - b. Approve the complaint resolution, sign and date (assumes there is resolution).
 - c. Forward to CRS for tracking, recording and filing.
 - d. All complaint forms must be forwarded to the Client Relations Specialist within five (5) business days after receipt for review, tracking, follow-up and filing.

Tracking and Data Collection of Complaints and Grievances

1. The Client Relations Specialist is responsible for monitoring and tracking the timely resolution/completion of reviews, and responses to complaints and grievances.
2. Tracking non-compliant, incomplete responses and inadequate follow-up to client concerns will be continually monitored by the Client Relations Specialist, Risk Management Subcommittee and the BFP Compliance Committee through the utilization of the Client Relations Tracking Database.
3. The Client Relations Specialist will prepare a monthly report summarizing an analysis of the complaints and grievances received for the previous month for the Compliance Committee.
4. Complaint and Grievance data collected will include but limited to: number of complaints, category of complaint, origination of complaint, successful resolution of complaints, average days to closure, and closed within established time frames, open complaints, number of grievances or appeals, executive decisions, complaints closed unfounded and complaints assigned to Community Partners.
5. The data collected will be utilized to monitor the effectiveness of the BFP System of Care. The data will isolate areas in need of improvement and identify successful components, detect trends and indicate strategic improvement training.

Final Complaint or Appeal Resolution Authority

1. The Chief Executive Officer or designee is designated as the final authority to address concerns that were not resolved through the Grievance and Appeal Resolution Process.
2. The Chief Executive Officer and/or designee will review all documentation including: prior complaint responses, proposed, and implemented actions prior to the final executive decision.
3. The Chief Executive Officer and/or designee may take such actions as are deemed necessary in order to completely review the actions and concerns in order to determine the final resolution to be implemented and communicated.

Brevard C.A.R.E.S, Inc. Policy and Procedure Manual

Within five (5) business days of the final Executive Decision a written summary will be provided to all parties as appropriate.

Reference Note:

There may be extenuating circumstances where Brevard C.A.R.E.S. and Brevard Family Partnership initially agreed to conduct an investigation on the allegations of a complaint or grievance report. However the investigation may be placed on hold due to legal or due process issues such as: staff disciplinary issues and Criminal Investigations. If this occurs, the complainant will be notified of the delay.

Discrimination Complaints

All clients who perceive discrimination are required to file a written complaint of discrimination within 180 days of the alleged discriminatory act with:

- a. Assistant Staff Director for Civil Rights
Office of Civil Rights
1317 Winewood Blvd.
Building 1 Room 110
Tallahassee, FL 32399-0700
(850) 487-1901

OR

- b. United States Department of Health and Human Service (HHS)
Attention: Office for Civil Rights
Atlanta Federal Center
61 Forsyth Street S. W. Suite 5B95
Atlanta, GA 30303-8909
(800) 368-1019- Toll Free
Office: (404) 562-7888
Fax: (404) 562-7899

BY DIRECTION OF THE EXECUTIVE
DIRECTOR



PHEBE POWELL
Executive Director
Brevard C.A.R.E.S., Inc

Signature Date: 06/06/2017