

OPERATING PROCEDURE

CUMBERLAND COUNTY MENTAL HEALTH CENTER		Section No. 14.4 Page 1 of 6
Subject: Client Grievance/Reporting Client Rights Violations Effective Date: February 7, 2003 Responsible Official: Managed Care Director		Supersedes: Section 14.4 Dated: June 10, 2002
Implements Area Board Policy #: 14.4 Dated: June 5, 2002	Approved: _____ Hank Debnam, Area Director	

SECTION 14.4 – CLIENT GRIEVANCE/REPORTING CLIENT RIGHTS VIOLATIONS

A. CLIENT COMPLAINTS/GRIEVANCES

1. At the time of admission or entry into a program clients will be advised of their rights, and the procedures for submitting a complaint or grievance arising out of the provision of services or the perceived failure to provide services by an employee of CCMHC or one of its contract agency affiliates. Each client will be provided a copy of the Client Grievance/Complaint Form contained in the back of the Client Rights at the Mental Health Center brochure during Intake. Complaints and grievances must be submitted in writing and may be submitted on this form or by letter. Its completion and submission will be thoroughly explained. Additionally, each time a client submits a grievance/complaint, he/she will be provided a copy of the Client Grievance Policy and Procedure.
2. A client who is dissatisfied with a service delivered by CCMHC or a contract agency affiliate, has the right to state a complaint or file a grievance at any time. The client is encouraged to surface the complaint or grievance with his/her therapist and try to resolve it at that level or the supervisory level. Those complaints or grievances that cannot be resolved at this level will be sent to the Consumer Relations Officer in writing via the CCMHC Complaint/Grievance Form, or by letter.
 - a. The Consumer Relations Officer will log the complaint or grievance, and forward it to the appropriate Senior Management Team member within 16 working hours for resolution.
 - b. The Senior Management Team Member will investigate the complaint or grievance. Appropriate staff should meet with the client to resolve the problem or explain why their request cannot be accommodated. In addition to the meeting, the complainant will be provided a written response within 15 days of the date the complaint or grievance was received from the Consumer Relations Officer. A copy of the written response to the client will be provided the Consumer Relations Officer for file.

- c. The Consumer Relations Officer will provide the date of the complaint, the date of resolution, and file number to the Health Information Management Office (HIM) for filing in the client's medical chart.
3. Should the response/resolution of the Senior Management Team Member be unsatisfactory, the complainant may appeal it to the Area Director. The appeal will be made in writing, contain the reason(s) for dissatisfaction, and be sent to the Consumer Relations Officer, who will send it to the Area Director or designee for evaluation and decision. The Area Director or designee will render a written decision within 15 days of its receipt.
 4. If the decision by the Area Director or designee is not satisfactory, the complainant may appeal to the Program Services and Finance Committee of the Area Board. The appeal will be made in writing, contain the reason(s) for dissatisfaction, and be sent to the Consumer Relations Officer, who will send it to the Area Director. The Appeal will be forwarded to the Program Services and Finance Committee by the Area Director. The Committee will consider the Appeal at its first regularly scheduled meeting that allows at least 10 days notice, and will render a written decision within 15 days.
 5. If the decision by the Program Services and Finance Committee is not satisfactory, it may be appealed to the full Area Board. The appeal will be made in writing, contain the reason(s) for dissatisfaction, and be sent to the Consumer Relations Officer, who will send it to the Area Director. The Area Director will forward the Appeal to the full Area Board who will consider it at its next regularly scheduled meeting which allows at least 10 days notice. The Area Board will, within 15 days, render a written decision that is final and may not be further appealed.
 6. Program Directors will post a copy of the grievance policy, and procedures in a conspicuous area, which is available to all clients, in each of their facilities.

B. CLIENT RIGHTS: REPORTING CLIENT RIGHTS VIOLATIONS

These procedures constitute fundamental and critical client care and safety issues and must be carried out at all times. Failure of any staff person to comply with them may result in disciplinary action.

1. The Consumer Relations Officer and appropriate Program Director or designee will jointly investigate all client rights allegations/complaints.
 - a. A report of findings and recommendations will be provided the Area Director or designee.
 - b. The Consumer Relations Officer will present a report of the alleged violation, and investigation findings and recommendations to the Program Services/Finance Committee. The Program Director; Consumer Relations Officer, and Case Manager for the specific client will be present for the Program Services/Finance Committee meeting to provide additional information. Other individuals may be invited as deemed appropriate.
 - c. CCMHC and its contract agencies will comply with the Health Care Personnel Registry Act. Allegation(s) of client abuse, neglect, extortion, and fraud will be reported to the Health Care Personnel Registry Section within 24-hours (one business day) of first learning of it. A 5-day report will be submitted to the Health Care Personnel Registry Section as soon as the investigation is completed, but no later than 5 business days after the 24-hour report has been submitted. If the investigation cannot be completed in time to meet the 5-day reporting

requirement, an interim report will be submitted and will include an explanation of the delay in completing the investigation and the projected completion date. The Consumer Relations Officer will prepare and submit these reports for allegations in CCMHC operated facilities. Contract agencies will prepare and submit these reports for allegations concerning the facilities they operate.

2. A Client Rights Management Conference will be held with the Area Director and/or his designee one week prior to the Program Services/Finance Committee to review the investigative report. In this conference will be the Consumer Relations Officer; appropriate Program Director or designee, and the client's Case Manager. The Client Rights Committee Chair or designee will be invited to attend this meeting. Other individuals may be invited as deemed appropriate.
3. Alleged client rights violations reported to CCMHC staff by clients of contract agencies:
 - a. Shall be reported immediately to the immediate supervisor and appropriate Program Director.
 - b. The Program Director shall report the alleged violation(s) within eight (8) working hours to the following:
 - (1) Consumer Relations Officer
 - (2) Assistant Area Director of Clinical Services or other Senior Manager, as appropriate
 - c. The Consumer Relations Officer shall formally inform the chairman of the appropriate governing board of the alleged client rights violation(s) in writing within eight (8) working hours.
 - (1) The formal notification shall be hand delivered or mailed by certified return receipt mail to the chairman of the governing board.
 - (2) The notice shall inform the chairman of the governing board that:
 - (a) An investigation of the alleged client rights violation(s) is to be conducted and;
 - (b) The investigation, facts of the incident and the action, if any, made by the contract agency shall be reported to the Area Director within 30 days of the receipt of the official notice of the incident and;
 - (c) The governing board's report will be reviewed by the Client Rights Committee and forwarded to the Area Board for review within 90 days of the initial report of the incident(s).
 - d. Upon receipt of the formal written report from the chairman of the governing board, the Area Director shall: provide a copy of the report to the Consumer Relations Officer.
 - e. The Consumer Relations Officer shall forward the report provided by the Area Director to the appropriate Client Rights Committee within 16 working hours for review, action

and subsequent report to the Area Board within 90 days of the initial report of the incident.

4. Alleged client rights violations reported to CCMHC staff by clients of the Mental Health Center:
 - a. Shall be reported immediately to the immediate supervisor and appropriate Program Director.
 - b. The Program Director shall report the alleged violation(s) within eight working hours to the following:
 - (1) Consumer Relations Officer;
 - (2) Assistant Area Director of Clinical Services.
 - c. The Consumer Relations Officer shall formally inform the Area Director, or other senior manager as appropriate, of the alleged client right violation(s) in writing within eight working hours.
 - d. The formal notification shall be hand delivered.
 - e. The notice shall inform the addressee that an investigation of the alleged client rights violation(s) is to be conducted and;
 - f. The investigation, facts of the incident and the action, if any, shall be reported to the Area Director within 30 days of the receipt of the official notice of the incident.
 - g. Upon receipt of the formal written report from the appropriate Senior Manager, the Area Director shall provide a copy of the report to the Consumer Relations Officer.
 - h. The Consumer Relations Officer shall forward the report provided by the Area Director to the appropriate Client Rights Committee within 16 working hours for review, action and subsequent report to the Area Board within 90 days of the initial report of the incident.
5. Once the Area Board has accepted the finding, actions and recommendations, contained in the investigative report, the following actions will be accomplished:
 - a. The Area Director will ensure any action required by the Area Board is taken in a timely manner.
 - b. A report of findings, actions taken, if any, and Area Board actions/ recommendations, will be sent to the complainant, if known, and to the contract agency governing board. The reports will be prepared by the Consumer Relations Officer.
6. Reports of alleged client rights violations should be made in writing, signed by the client, and dated. Should a client make a verbal allegation and refuse to put it in written form, the staff member receiving the allegation shall prepare a written report, within eight (8) working hours, stating the allegation, name of client making it, date and time it was made and a statement that the client refused to sign a formal complaint. The procedures in paragraphs 1 and 2 above shall be followed, as applicable.

