

Carolina Family Health Centers, Inc.
Region 8 Network

Concerns/Complaints & Grievance Process Policy

Concerns and Complaints Process

It is the policy of the Region 8 Network to consistently respond with diligence to concerns and complaints voiced by clients, and other interested parties about the administration of the Region 8 Network program or policy issues regarding the program. Any person is free to raise any concerns or complaints and may do so without fear of retribution. Persons lodging complaints are entitled to the complaint being handled in an expedient, confidential, sensitive and non-judgmental manner.

All clients accessing Ryan White Part B or HOPWA services will be given a copy of the **Concerns/Complaints & Grievance Process Policy** at the time of the client's intake and assessment. Network member will also be given a copy of the policy to distribute. Any subcontractor will be asked to post a copy of the policy at their place of business for clients accessing services through their agency. All Network partners have copies available at their agencies.

Whenever possible, verbal complaints will be resolved informally. Concerns and complaints will be resolved in the least formal manner using a variety of approaches, including meetings and telephone conversations.

1. If possible, the person making the complaint should speak to their Housing Coordinator or Medical Case Manager first. Concerns and complaints regarding Region 8 Network policy issues or if a person does not feel comfortable speaking to the case manager or Housing Coordinator they should be directed to the Program Coordinator. The person voicing the concern should clearly explain their complaint and communicate what they feel needs to occur for the complaint to be resolved. The complaint and any agreed resolution must be documented in writing.
2. If the person feels uncomfortable discussing the complaint with the Program Coordinator, they are encouraged to lodge their complaint directly with the Region 8 Network Planning Board. The planning board meets monthly. This can be done in writing and sent to the Ryan White Part B, Administrative Assistant at 303 East Green St., Wilson, NC 27893. The Administrative Assistant will bring the complaint to the attention of the committee.
3. The staff member involved will take all reasonable steps to bring a satisfactory resolution of the concern or complaint without undue delay. Where resolution is not immediate, the staff member will keep those involved updated via verbal or written progress reports. The Program would expect to have most complaints resolved within 10 working days.

4. Documented complaints regarding the Region 8 Network program will be filed and kept by program management. A brief summary of the complaint, its resolution and the date of resolution will be documented in writing by the program director.

Grievance Process

Grievances are those regarding decisions which affect a client's eligibility, amount, length of time of assistance, and/or termination of assistance for program violations. Grievances must be in writing and must be directed to the Program Coordinator.

The Grievance Process applies to any decision by the Region 8 Network, which may adversely affect the client's eligibility for assistance, including denial of re-certification or program termination. Grievances may only be filed for:

- a. Denial of listing on a Region 8 Network Housing Program TBRA waiting list.
- b. Denial of eligibility to participate in the Region 8 Network Ryan White HOPWA or Part B programs (services include Emergency Financial Assistance (EFA), medical case management, medical nutrition therapy, mental health services, psychosocial support)
- c. Denial of a request for program assistance.
- d. Denial of a request for reasonable accommodation.
- e. Termination of assistance for program violations.

Region 8 Network requires that the client be provided with access to a formal process that recognizes the client's right to appeal and the client's right to due process of law.

Regulations further specify that this process, at a minimum, must consist of:

- a. Serving the client with a written notice containing a clear statement of the reasons for the determination.
- b. Allowing the client to examine the case file, and all accompanying documentation and evidence upon request.
- c. Permitting the client to have a review of the decision, with the opportunity to present written objections before a person, other than the person (or a subordinate of that person) who made or approved the termination decision.
- d. Providing prompt written notification of the final decision to the client.

Grievance Procedure

In order to initiate a Grievance, the client must complete the Region 8 Network Grievance Form. A completed Grievance Form must be postmarked, or received by the Region 8 Network Program Director within thirty (30) days of the date of the decision being grieved. If filed after that time, the grievance must be accompanied by a written explanation for the delay. The Region 8 Network Planning Board, at its sole discretion, will decide whether the client had good cause for filing the grievance late. Good cause consists of hospitalization, serious illness, or other circumstances beyond the client's control, which significantly impaired their ability to file the grievance in a timely manner.

For grievances in relation to the Region 8 Network Housing Program for TBRA, during the period of time in which the client is involved in a grievance of a termination decision, his/her assistance shall not be discontinued or reduced. However, if the client no longer resides in the R8NHP assisted rental unit (e.g. the client was terminated for abandonment of the unit, moved without authorization or has been evicted concurrent to the R8NHP program termination), the R8NHP program will not provide rental assistance at the client's new residence during the grievance period.

Determination of Merit

Region 8 Network Planning Board will determine the merit of the grievance based on review of client records; case notes; discussion with the Housing Coordinator, Program Coordinator and the client's HIV case manager; and/or any other pertinent information necessary to determine if the grievance has validity. If the grievance is determined to have no merit, a written notification of this finding will be sent to the client, the client's Housing Coordinator and/or case manager via certified mail within ten business days of the determination.

Program Grievance Examination

If the grievance is determined to have merit and no decision can be made based on the documentation alone, the Region 8 Network Planning Board will schedule a date and time to hear the grievance. The grievance examination meeting will be scheduled no later than fifteen (15) days after the determination of merit.

Written notification of the time and place of meeting, accompanied by a copy of the grievance, shall be sent to the client's Housing Coordinator and/or to their case manager and certified mail to the complainant and the complainant's representative, if any identified.

1. Venue: The grievance hearing will be convened at Carolina Family Health Centers, Inc. office building unless otherwise stated.
2. Panel: The panel will consist of the members of the Region 8 Planning Board. The client's Housing Coordinator and/or case manager will not sit on the panel but will be invited to attend.

3. Due Process: The client will be afforded a fair and impartial examination of the information, which provides the basic safeguards of due process. Such due process must include:
 - a. The opportunity to examine, before the hearing, all of the documents, records, and region 8 Network program rules relevant to the grievance
 - b. The right to present evidence and arguments in support of the grievance
 - c. The right to dispute evidence presented in support of the determination of eligibility, assistance, or termination under appeal
 - d. The right to reasonable accommodations for persons with disabilities to participate in the hearing
 - e. The right to language translation if necessary
 - f. The right to request the support of an independent advocate who may be a friend, family member, or other supporter, to assist the client in the grievance process and attend the meeting with the client
 - g. The right to a decision within ten (10) business days based only on the evidence presented at the grievance meeting; unless additional information is requested by the panel (such requests shall be made in writing and copied to all parties unless such request is made during the grievance meeting)
 - h. Written notification to the client of the final decision by the hearing panel to be sent certified mail, return receipt requested to the client and copied by regular mail to the client's Housing Coordinator and/or case manager. A decision will not be made at or during the meeting. Whenever possible, the Program will make the final written decision available in the client's preferred language.
 - i. If the client wishes to appeal the Region 8 Network Planning Board's decision they will be referred to North Carolina AIDS Care Unit regional consultant. This should be done within 30 days of receiving Region 8 Networks final decision.

Representation

The client may elect to be represented by an advocate. If the client seeks legal representation, the Region 8 Network will be required to involve legal council, which may delay, alter or end proceedings described in this section.

Failure to Appear

Should the client fail to appear for the scheduled grievance meeting he/she will be in automatic default, leaving the challenged program termination or action to stand.

Conduct of Hearings

The Program Coordinator will conduct the grievance meeting. The grievance meeting will be conducted in an orderly fashion.

Request for Reasonable Accommodation

Any special accommodations required by the client, including translators, should be designated on the Grievance Form.

Requests not specified on the Grievance Form must be submitted in writing and received by the Region 8 Network program director no less than three (3) business days prior to the meeting.

Grievance Meeting Decisions

After the meeting, the panel will deliberate and make a final decision. The decision will be made in writing and will include the reasons for the decision cited by the grievance panel. The decision will be sent to the client via certified mail, return receipt requested, within ten business days. In addition, a copy will be sent to the client's Housing Coordinator and/or case manager. A copy of the decision will be maintained in the central R8NHP grievance file and the client's file.

The outcome of the grievance hearing will not in affect any rights the client may have to a trial or other review in any judicial proceedings, which may be brought in the matter.

The complainant will have the right to withdraw his/her complaint at any time. The withdrawal will be presented in writing to the Region 8 Network program director. The client must be notified in writing, via return receipt US Mail, of the date that the withdrawal was received by the Region 8 Network. A copy of the withdrawal will be kept in the central Region 8 Network grievance file, along with a copy in the client's file.

The parties may at any time, before, during or after the grievance hearing, enter into a written stipulation, which resolves the issues being grieved.