

Advantages Participant Concern Reporting Administrative Procedure

Purpose: This procedure provides the administrative procedure for reporting and gathering information about complaints regarding services/supports provided by Advantages.

The administrative procedure assures that any participant, employee or community individual, who believe that the rights of the program's participants are not protected or observed, may file a formal grievance against the program or individual employees of the program. The administrative procedure shall assure a fair and thorough hearing for both the accuser(s) and the accused, with the right of legal representative and/or counsel, at one's own expense, throughout the process and shall be directed toward arriving at administrative actions that properly address the complaint. Utilization of the administrative procedure shall not result in any adverse management action against participants filing complaints but shall be viewed by management as an amicable and constructive method for identifying and solving problems.

Nothing herein prohibits an individual's right to complain directly to:

DD Advocate, Governor's Office
Room 238, State Capitol
Little Rock, AR 72201

OR:

Protective Services Division
Arkansas Social Services
7th and Gains Streets
Little Rock, AR 72201

FOR: Privacy Violations of Protected Health Information

Secretary/DHSS
200 Independence Ave. SW
Washington, DC 20201

Scope: Persons who may report service complaints or concerns include, but are not limited to, Advantages employees, volunteers, private organizations licensed by DDS, DDS employees, participants/families/guardians and staff of those services or supports and other interested parties.

This procedure does not include employee/employer grievances or appeals to any other personnel issue unless it affects the services or supports of participants/families as outlined in the service plan.

Definition: a service complaint is any problematic communication regarding services or supports provided to an individual with a developmental disability.

NOTE: in the event the service complaint is an allegation or occurrence covered by Children's or Adult Protective Services it is immediately reported to the proper authorities designated in those statutes/policies.

If the service complaint is an allegation of discrimination under Title VI of the Civil Rights Act of 1964, it will immediately be reported to the DHS EEO Manager who will initiate an investigation and report findings to the DDS Director.

All questions, complaints, concerns and grievances shall be addressed in a direct, timely and expeditious manner with the goal of resolving issues and satisfying all parties to the greatest degree possible. Every effort shall be made to address questions and resolve issues with the direct employee, supervisor, program or office. In the event this is not possible, then the following procedures shall be offered to any and all consumers, family members, advocates, or any other external party.

NOTE: this form is also acceptable to make a complaint about any portion of the Privacy Act known as HIPAA. However, the complaint form must be directed to the Privacy/CC (Corporate Compliance) Officer by placing the complaint in the suggestion/complaint box or by sending to:

Advantages
Privacy/ Corporate Compliance Officer
PO BOX 359
Monticello, AR 71657
Ph. 870-367-4383
Fax: 870-367-0140

Steps for reporting:

The consumer, family member, advocate or other external party:

1. May bring to the attention of and/or request with the respective Department Director/Supervisor any questions, complaints, concerns or grievances. The request may be verbal, in writing, email, telephone or any other form of communication. Such requests should be made as timely as possible; preferably within one week of an initial concern. Individual statements may be taped in lieu of written report, or written report witnessed by third party component.
2. May contact first the Executive Director, and then the Board of Directors utilizing any form of communication if not satisfied with the departmental response. The Advantages Board of Directors may be contacted through the office of the Executive Director, or a letter directly to the President of the Board.
3. May request a review of the Advantages decision and action taken by the relevant funding and/or licensure office.

The Department/Center Director or Supervisor:

1. Shall convene a meeting of all parties involved in the situation to discuss and resolve the issue in a timely manner; preferably within one week after being notified.
2. Shall record the outcome of the meeting and communicate in writing to all parties concerned within 5 working days.
3. Shall share a copy of this procedure with consumers, family members and any other interested party.
4. Shall advise the consumer, parent or guardian of their right to appeal and offer assistance if needed.

Executive Director

1. If contacted by any external party, shall convene a meeting of all parties involved in the situation to discuss and resolve the issue in a timely manner; preferably within one week after being notified.
2. Shall record the outcome of the meeting and communicate in writing to all parties concerned

within 5 working days.

3. Shall advise the consumer, parent or guardian of their right to appeal and offer assistance if needed.

President of the Advantages Board of Directors

1. If contacted by any external party, shall assign an Advantages Board committee to convene a meeting of all parties involved in the situation to discuss and resolve the issue in a timely manner within 10 working days.
2. Shall record the outcome of the meeting and communicate in writing to all parties concerned within 5 working days.
3. The notice of outcome will advise the consumer, parent or guardian of their right to appeal the decision to DDS.

Investigation

Step 1: A preliminary investigation is immediately initiated by the Department and/or Center Director, Program Supervisor or his/her designee. The director may appoint a designee to conduct this investigation, when abuse/neglect is not alleged, to prepare a written report of findings to the director. Five working days from the date the concern is received is allowed to complete an investigation. If, at the end of the preliminary investigation, the Center Director, Program Supervisor or his/her designee determines the allegation is unfounded, the process is ended unless the charging party desires appeal. A formal documented report, outlining the findings must be made within five working days. The report will be kept on file for review. This report must be signed by the Center Director, Program Supervisor or his/her designee, with signatures of all involved participants.

Step 2: Notify and forward documentation to the Executive Director.

Tracking of Consumer Complaints

Advantages will track all service complaints in order to track trends, set agency goals, determine training needs for staff and improve staff, consumer and family relationships.

Complaints regarding unauthorized release of PHI will be recorded and kept by the Privacy Officer and will be investigated by following agency procedures.