


Contra Costa County Health Services Department Behavioral Health Division	POLICY NO. 804
POLICY:	Date Reviewed/Revised: September 9, 2016 Date Initially Approved: February 1999 Next Review Date: September 9, 2019
<u>MENTAL HEALTH CONSUMER GRIEVANCE PROCEDURES</u>	By:  Cynthia Belon, LCSW Behavioral Health Director

POLICY: MENTAL HEALTH CONSUMER GRIEVANCE PROCEDURES

I. PURPOSE:

The purpose of this Consumer Grievance Policy is to:

- A. Promote consumers' access to medically necessary, high-quality, consumer-centered mental health services by responding to consumers' concerns in a sensitive and timely manner.
- B. Provide consumers with an easily accessible problem resolution process for resolving issues whenever possible.
- C. Provide consumers with an easily accessible grievance resolution process.
- D. Protect the rights of consumers during the grievance process.
- E. Monitor, track and analyze consumer grievances.

II. REFERENCES:

- CFR, Title 42, Chapter IV, Subchapter C, Part 438, subpart F
- CCR, Title 9, Section 1850.205
- Contra Costa Health Plan, *Guide to Medi-Cal Mental Health Services*

III. POLICY:

- A. The Behavioral Health Division shall maintain written procedures for tracking, addressing and resolving consumers' grievances.
- B. All consumers receiving or seeking mental health services shall be informed of the procedures for grievance resolution.
- C. All consumers receiving mental health services shall be informed of their rights to access Grievance Advocate assistance during the grievance process.

IV. AUTHORITY/RESPONSIBILITY:

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Quality Improvement Coordinator
 Mental Health Program Chiefs
 Mental Health Program Managers/Supervisors
 Contracted Practitioner Providers
 Grievance Advocates

V. PROCEDURE:

A. Informing the Consumer of the Grievance Processes

1. A consumer of mental health services shall be informed, via the *Guide to Medi-Cal Mental Health Services* and posted notices, of the process for the reporting and resolution of grievances.
 - a. Every effort shall be made to provide the written procedures for reporting and resolving grievances to each consumer during the initial assessment.
 - b. Consumers shall receive grievance procedure information through written or verbal means upon request during the provision of services.
 - c. Each county direct service provider facility (inclusive of contracted organizational providers) shall exhibit all of the following in a visible, public area:
 - i) Signs describing consumer grievance procedures;
 - ii) An easily accessible suggestion box;
 - iii) *Guide to Medi-Cal Mental Health Services*;
 - iv) Grievance Request and Change of Provider forms;
 - v) Self-addressed Contra Costa Mental Health Plan envelopes for consumers to use for submitting grievances.
 - d. All private individual and group providers are required to distribute to consumers the following:
 - i) *Guide to Medi-Cal Mental Health Services*
 - ii) Print copies of Suggestion, Request for Change of Provider, and Consumer Grievance forms for consumer use;

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iii) Self-addressed Contra Costa Mental Health Plan envelopes for consumers to use for submitting grievances.

e. Although consumers may be encouraged to pursue an informal process for resolving issues, they shall be informed of their option to file a grievance at any time they are dissatisfied about any matter other than those covered by an Appeal, as defined below. Consumers shall be informed of their option to file a grievance if they are dissatisfied with the result of their informal attempts to resolve the issue. Consumers are not required to pursue any informal process for resolving issues before filing a grievance.

An appeal is defined as a request for review of an action, which denies, reduces, suspends or terminates a previously authorized service. The appeal process is described in Policy 804.1.

f. Consumers shall be informed of their right to request and receive, at no charge, assistance from a Grievance Advocate at each step in the grievance process:

Grievance Advocate
925-293-4942 (collect calls accepted)

g. Twenty-four (24) hour a day telephone access to grievance information and assistance shall be provided to consumers by calling:

Mental Health Access Line
1-888-678-7277

h. In addition to English, consumer grievance information shall be posted and made available and utilized for additional language and translation needs.

B. Filing Grievances (Consumer Role)

1. Consumers or their representatives may either report a **verbal** or file a **written** grievance.

a. Consumers may report a verbal grievance to the Grievance Advocate, any mental health services staff or direct service provider. They may also report a grievance to Consumer Assistants, who are available at service sites to assist consumers with grievances. Consumer Assistants are designated staff who are familiar with the Problem Resolution Process and who can assist consumers by answering general questions about the process and

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assisting in the completion and/or submission of related forms. Verbal grievances may also be made by calling:

Office of Quality Improvement
925-957-5160

- b. Consumers or their representative may file a written grievance at any time. Consumers file a written grievance by completing the *Consumer Grievance Review Request* form. Assistance in writing the grievance is available through the Consumer Assistants or the Grievance Advocate. Requests for grievance reviews may be deposited in any facility's Suggestion Box or mailed by using the self-addressed envelopes provided at each facility, or may be addressed to:

Quality Improvement Coordinator
 Contra Costa Behavioral Health Division
 1340 Arnold Drive, Suite 200
 Martinez, CA 94553

C. Submission of Grievances (Staff Role)

- 1. Any Consumer Assistant, mental health staff, direct service provider, or private provider shall offer the consumer aid in filing a request for a grievance hearing. Additionally, every attempt will be made to have Consumer Assistants available at each mental health clinic and organizational provider service site. Consumers will be assisted and responded to in their primary language, either through written or verbal communication, as appropriate.
- 2. Requests received by providers or program staff for grievance reviews shall be submitted to the QI Coordinator at:

Quality Improvement Coordinator
 Contra Costa Behavioral Health Division
 1340 Arnold Drive, Suite 200
 Martinez, CA 94553.

D. Processing of Grievances

- 1. A centralized log will be maintained for all grievances. This log shall contain at least the following:
 - a. Name of consumer
 - b. Date of receipt of the grievance

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- c. Date acknowledgment of receipt sent
 - d. Nature of the problem
 - e. Final disposition of a grievance
 - f. Date written decision sent to consumer or
 - g. Documentation of the reason(s) that there has not been final disposition of the grievance.
2. Grievances will be recorded in the log within one working day of the date of receipt of the grievance.
 3. The Quality Improvement Coordinator shall be the primary person responsible for tracking, reporting and monitoring consumer grievances. Responsibilities include:
 - a. Ensuring that procedures are implemented to inform consumers of how to initiate a grievance
 - b. Reviewing grievances for resolution in a timely manner
 - c. Reporting grievances to the Quality Improvement Council and the Quality Management Committee.
 - d. Monitoring actions taken to resolve grievances
- E. Grievance Resolution Procedures and Timeframes:
1. The Quality Improvement Coordinator will provide for a resolution of a consumer's grievance as quickly and as simply as possible.
 2. The Quality Improvement Coordinator will ensure that the individuals making the decision on the grievance were not involved in any previous level of review or decision-making. If the grievance is regarding clinical issues, the Quality Improvement Coordinator will ensure that the decision-maker has the appropriate clinical expertise, as determined by the Mental Health Plan and scope of practice considerations, in treating the beneficiary's condition.
 3. Within sixty (60) calendar days of receipt of a grievance, the Quality Improvement Coordinator will review the grievance and provide a decision on the grievance. This time frame may be extended by up to fourteen (14) days if the consumer requests an extension, or if the Mental Health Plan determines that there is a need for additional information and that the delay is in the consumer's interest.

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4. A letter summarizing the decision on the grievance will be mailed to the consumer or the consumer's representative by the end of the timeframe in the above section. If unable to contact the consumer or his/her representative, documentation of the efforts to contact the consumer will be maintained.

F. Other Operating Principles:

1. Confidentiality: All grievance procedures shall ensure the confidentiality of consumer records as defined by State and Federal laws.
2. Discrimination: Consumers shall not be subject to any discrimination, penalty, sanction, or restriction for filing a grievance.
3. Rights of a direct service provider who is the subject of a grievance: When a concern regarding a direct service provider's practices or performance is identified as a result of a complaint or grievance, the concern shall be addressed in accordance with Contra Costa County Personnel Policies and/or Program or Administrative Procedures.