DAUPHIN COUNTY MH/MR PROGRAM
POLICY AND PROCEDURE

Department  _X_ MH  Policy No.  98-06  Page 1 of 6

_X_ MR  Effective Date  May 1, 1998

_Admin

_Crisis  Approved [Signature]

Policy: All contracted service providers and individuals as independent contractors must have a complaint and grievance process which incorporates the following key elements: access, documentation, timeliness, access to independent advocacy, identification of responsible staff, and notification of MH/MR Program involvement.

Definitions:

Complaint - A complaint is an issue from a consumer, family member or service provider, in either written or oral form, which is subject to review and resolution at an informal level within three (3) business days. Failure to render a decision within this time frame automatically results in the upgrade of the complaint to a grievance.

Consumer - A consumer is an individual registered with the Dauphin County MH/MR Program and receiving services that are under a contractual agreement with the MH/MR Program.

Grievance - A grievance is a complaint which cannot be resolved to the consumer’s satisfaction by informal means or an issue presented by the consumer for formal grievance consideration. All grievances must be in written form for formal action prior to processing. If written on behalf of the consumer by a service provider or any other party, the grievance must be signed and dated by the consumer.

Individuals as Independent Contractors: An individual in private practice, not an agency or organization, that has a service contract with the Dauphin County MH/MR Program. This also includes individuals who are reimbursed by Dauphin County MH/MR Program for services to registered consumers. Individuals as independent contractors may choose to use the Dauphin County MH/MR Complaint and Grievance Policy and Procedure as their grievance policy.

Independent Advocate - An individual or organization selected by the consumer to assist in reviewing information, discussing options, and identifying resources with the consumer and supporting the consumers’ decisions and choices by participating in the grievance process.
Key Elements:

1. ACCESS:
   a. The consumer must have access to the written complaint and grievance policy and procedure.
   b. The service provider must review the policy and procedure with the consumer.
   c. The policy and procedure must be written and reviewed in a manner which accommodates the consumer’s comprehension of the information.
   d. The service provider must describe in their policy and procedure the points of access in time and place.

2. DOCUMENTATION:
   a. The review of the policy and procedures between the consumer and service provider must be documented in the consumer’s record.
   b. The consumer has the right to receive a copy of the written policy and procedure.
   c. When a complaint or grievance is presented, it must be documented in the consumer’s record.
   d. Resolution of a complaint must be documented in a consumer’s record.
   e. All communication with a consumer regarding a grievance must be in written form and documented in the consumer’s record.
   f. Written notification of summaries of discussions, meetings and hearings regarding a grievance must be made to the consumer and documented in the consumer’s record.
   g. Resolution of grievances must be documented in a consumer’s record and written notification made to the consumer.
3. TIMELINESS:
   a. The policy and procedures must identify a time frame for each stage of the complaint and grievance process at the agency level.
   b. The final resolution of all grievances at the agency level must not exceed a forty (40) calendar day period.
   c. Additional requirements may be contained in contracts between MH/MR and service provider (example: Early Intervention Services).

4. ACCESS TO INDEPENDENT ADVOCACY:
   a. The policy and procedure must recognize the consumer’s right to have an independent advocate of their own choosing.
   b. The information must include a description of the service; agency name, address and telephone number; and any other pertinent information which assists the consumer in using an independent advocate of their choosing.

5. IDENTIFICATION OF RESPONSIBLE STAFF:
   a. An agency administrator must be identified with oversight responsibility for the complaint and grievance policy and procedure.
   b. Each step of the process must identify a responsible staff person to carry out that particular action or activity.

6. NOTIFICATION ON COUNTY MH/MR PROGRAM AND OTHER RELATED RESOURCES:
   a. Consumers must be informed of their right to have a grievance addressed by the Dauphin County MH/MR Program Administrator and provided with the address and telephone number to contact the Administrator.
b. Consumers must be informed in writing of their right to communicate their concerns to other funding or regulatory entities. Attachment A is sample listing of some related funding and regulatory agencies.
Sample Listing of Related Funding and Regulatory Agencies in MH/MR System for Service Agency

Consumers in the MH/MR system have the right to complain to other funding and regulatory agencies. Service providers must notify consumers of these options in their policy and procedure. This listing may include, but not be limited to:

1. Department of Public Welfare, Office of Mental Health and Substance Abuse Services - Bureau of Operations and Quality Management, Harrisburg Field Office, Shamrock Building P.O. Box 2675 Harrisburg, PA 17105-2675 ATTN.: Community Mental Health Services Area Manager
   Telephone: 717-772-7160

2. Department of Public Welfare, Office of Mental Retardation - Central Region, Willow Oak Building Room 430, P.O. Box 2675 Harrisburg, PA 17105-2675 ATTN.: Director
   Telephone: 717-772-6507

3. Department of Public Welfare, Office of Mental Health and Substance Abuse Services - Bureau of Family and Consumer Affairs, Beechmont Building P.O. Box 2675 Harrisburg, PA 17105-2675 ATTN.: Director
   Telephone: 717-772-7860

4. Department of Public Welfare, Office of Medical Assistance Programs, Division of Program Integrity, Bureau of Quality Management P.O. Box 2675 Harrisburg, PA 17105-2675 ATTN.: Chief
   Telephone: 717-772-4609
5. Department of Public Welfare, Office of Vocational Rehabilitation, Uptown Plaza Office Building, 2971 North 7th Street Harrisburg, PA 17110 ATTN.: Director
   Telephone: 717-787-7834

6. Area Agency on Aging, Dauphin County Human Services Building, 25 South Front Street Harrisburg, PA 17101 ATTN.: Long-Term Care Ombudsman
   Telephone: 717-255-2790

7. Department of Public Welfare, Bureau of Equal Opportunity, Health & Welfare Building, Room 521 P.O. Box 2675 Harrisburg, PA 17105 ATTN.: Director
   Telephone: 717-787-9695

8. Pennsylvania Protection and Advocacy, 116 Pine Street Harrisburg, PA 17102 ATTN.: Director
   Telephone: 717-236-8110