

## **POLICY**

In any service system there will be disagreements and complaints. Each person has a right to have such disagreements taken seriously and dealt with in a consistent, fair and timely manner. The following procedures will be used in order to comply with requirements set forth in 10 CCR 2505-10 Section 8.605, regarding resolution of disputes.

## **DISPUTE RESOLUTION PROCEDURE**

If you use the Dispute Resolution Procedure, you will not be coerced, intimidated, threatened, or retaliated against for having a dispute. It will not negatively affect future services and, if enrolled, you will continue to receive services during the dispute resolution process unless the department determines an emergency situation as outlined in 8.605.4.

### **WHEN YOU CAN USE THE DISPUTE RESOLUTION PROCEDURE:**

1. You can use the Dispute Resolution Procedure if you are receiving or pursuing any of the following developmental disabilities services:
  - a. State Funded Supported Living Services Program (“State SLS”)
  - b. Family Support Services Program (“FSSP”).

### **AND**

#### **The action that has been or will be taken is one of the following:**

- c. A decision that you were not eligible for services or supports.
  - d. A decision that your services or supports are to be terminated.
  - e. A decision to provide, modify, reduce, or deny the services or supports set forth in your service plan.
  
2. You can also use the Dispute Resolution Procedure if you are on the wait list for one or more of the following developmental disabilities services:
  - a. State Funded Supported Living Services Program (“State SLS”)
  - b. Family Support Services Program (“FSSP”).

### **AND**

#### **The action that has been or will be taken is one of the following:**

- c. A decision that you are to be terminated from the wait list for reasons other than eligibility (for example, no contact, moved out of state, moved out of service area).

## **STEPS OF THE DISPUTE RESOLUTION PROCEDURE**

### **1. Step 1: Informal Review**

Generally, you should receive a written notice 15 calendar days prior to the proposed action being taken. That notice, or letter, gives an effective date. You or your representative need to

contact the Case Manager, in writing, no later than the effective date indicating you dispute the proposed action.

The Case Manager will set up a meeting with you and the person responsible for the decision with which you disagree. The meeting will be held within 15 calendar days of the time you make the contact.

The informal review is your opportunity to talk directly to the person responsible for the decision to express your disagreement, present additional information and see if the matter can be resolved. The informal review can be done either in person or by phone.

You will receive written notification of the agency's decision within 15 calendar days of the conclusion of the informal review.

If the decision does not work out to your satisfaction and you still disagree, you may request a formal review. The Case Manager can help set up a formal review.

The informal review may be waived, or bypassed, when both you and Developmental Pathways agree to do so. When that occurs, the process moves forward to Step 2.

## 2. Step 2: Formal Review

Within 15 calendar days of receipt of written notification of the agency decision from the informal review, you must send a letter to the Chief Executive Officer of Developmental Pathways, Inc., 14280 E Jewell Ave, STE A, Aurora, CO 80012, saying what you disagree with and that you want a formal review. When the letter is received by Developmental Pathways, the Case Manager will help schedule a formal review with you and the Chief Executive Officer or someone the Chief Executive Officer chooses who is not involved in your complaint.

It is important that the formal review take place as soon as possible. Developmental Pathways will set a date and time which is no longer than 20 calendar days after receiving your letter, unless you and the agency both agree on a later date.

You may have someone with you at that meeting, including your authorized representative, counsel, or others who you want to help you. You and your representatives will be given a notice in writing about the date, time, and location of the formal review, at least 10 calendar days prior to the meeting. You are entitled to receive copies of agency documents relevant to your dispute upon your request.

### At formal review:

- What is said at this meeting will be tape recorded or written down.
- The party responsible for the decision will explain the reason(s) for it; you may present evidence, and respond to or question the opposing position.

### After this review:

- The Chief Executive Officer or designee will provide a formal written decision to you within 15 calendar days of the end of the formal review meeting. This letter will tell you the reasons for the decision.
- If you disagree with the decision, you may appeal to the Colorado Department of Human Services.

### 3. Step 3: Appeal to The Director Of The Colorado Department Of Human Services

You or your representative must request, in writing, a review of your dispute by the Director of the Colorado Department of Human Services. This request should contain copies of your appeal including a statement of the matters in the dispute and all information or evidence which is deemed relevant to a thorough review. This needs to be done within 15 working days from which the written decision was postmarked. Your Case Manager can help make the arrangements. Please provide copies of your appeal to the Director of the Colorado Department of Human Services to your Case Manager. Developmental Pathways will likewise provide information to the Director of Colorado Department of Human services within fifteen working days.

The Director of the Colorado Department of Human Services may request additional information, a discussion, or a hearing if necessary, in order to make a decision. A review and decision will be made within 10 working days of the submission of all relevant information and shall constitute a final agency decision on the dispute.

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*Resources to assist you in resolving disputes that you have with Developmental Pathways include the following advocacy agencies: ARC/Arapahoe-Douglas County (303-220-9228), ARC of Aurora (720-213-1420) or The Legal Center for People with Disabilities and Older People (303-722-0300).*

**When a Program Approved Service Agency, and not the Community Centered Board, makes a decision that you disagree with, you or your authorized representative will use the written procedures of that service agency rather than these procedures.**

This document can be made available in your native language or other modes of communication as necessary and upon request.