



## **POLICY**

Developmental Pathways, as a Community Centered Board (CCB) and Case Management Agency (CMA), shall have procedures setting forth processes for the timely resolution of grievances, complaints, and disputes. These procedures will apply to administrative and case management/service coordination as well as the provision of local programming.

Grievances and complaints may be made by:

1. The person receiving services (the client);
2. The parent(s) of a minor receiving services;
3. The client's guardian;
4. And/or the client's advocate or authorized representative, if within the scope of their duties (then delete this verbiage: as appropriate).
5. Provider and agency representatives working with our agency

Disputes regarding State General Funded (SGF) supports such as Family Support, State Supported Living Services, and OBRA Specialized Services (OBSS) can be made by:

1. The person receiving services (the client);
2. The parent(s) of a minor receiving services;
3. The client's guardian;
4. And/or the client's advocate or authorized representative, if within the scope of their duties (then delete this verbiage: as appropriate).

Use of the grievance/complaint and/or dispute processes shall not prejudice the future provision of appropriate services or supports.

## **PURPOSE**

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 guidelines for hearing and responding to complaints, grievances, and disputes will be used to support our clients and families and to comply with requirements set forth by the State for Community Centered Boards and Case Management Agencies.

This policy does not apply to Early Intervention, direct service providers such as Program Approved Service Agencies (PASAs), or other organizations; for complaints related to those programs and providers, clients and families will need to follow their complaint procedures.

This policy does not apply to the denial, reduction, or approval of either eligibility for or receipt of long-term care home and community based services; those decisions can be appealed through Medicaid using the established appeal process.



## GUIDELINES

- I. Clients and families will not be forced to do anything, be intimidated or threatened, and no one will retaliate, or 'get back at you' if complaints are made.

Disagreeing with decisions or policy will not negatively affect your services. If you disagree with certain things Developmental Pathways does (or does not do) or wants you to do, or treats you in a way you don't like, you have a right to complain about it. Developmental Pathways will work with you to try to solve the problem.

- II. We request clients and families and others tell the person who is part of the complaint what is wrong and escalate complaints to our supervisory team as needed.
- III. We shall offer and provide interpretation or translation services in languages other than English, and through other modes of communication as may be necessary.
- IV. We will accept complaints verbally (by phone or in person) and in writing (by letter, fax, or email).
- V. We commit to addressing complaints in a timely manner.
- VI. We commit to providing escalation options by publishing our organizational chart(s) and providing supervisory contact information to clients and families and others.
- VII. We commit to offering virtual and/or in-person meeting options to discuss open complaints and grievances.
- VIII. We commit to continuous improvement and welcome feedback which allows us to identify operational and customer service gaps.
- IX. We commit to our role as mandatory reporters as defined under Colorado Revised Statutes and will escalate complaints related to mistreatment, abuse, and neglect.

## RELATED POLICIES AND PROCEDURES

Authorization for Release and Exchange of Information

Complaint/Grievance Procedure

State Dispute Resolution Procedure

Confidentiality Policy

Conflict-Free Case Management Policy

MANE Reporting and Investigation Policy

Nondiscrimination Policy

Person-Centered Policy



## **AUTHORITY**

10 CCR 2505-10 Section 8.605.5

10 CCR 2505-10 Section 8.519.7.E

## **DEFINITIONS**

Authorized Representative: means an individual designated by a Client or by the parent or guardian of the Client, if appropriate, to assist the Client in acquiring or utilizing services and supports, this does not include the duties associated with an Authorized Representative for Consumer Directed Attendant Support Services (CDASS) as defined in 8.510.1.

Case Management Agency (CMA) means a public or private not-for-profit or for-profit agency that meets all applicable state and federal requirements and is certified by the Department to provide case management services for Home and Community-Based Services waivers pursuant to Section 25.5-10-209.5, C.R.S. and pursuant to a provider participation agreement with the state department.

Case manager or Service Coordinator: means a person who assists with case management services and supports for individuals.

Client means an individual who 1) meets long-term services and support eligibility requirements and has been approved for and agreed to receive Home and Community-Based Services (HCBS) and/or State-General Funded Services and is receiving case management or service coordination from Developmental Pathways and/or 2) is pursuing access to those services and/or 3) is waiting for those services 4) and/or is receiving support via local funding/programming with Developmental Pathways.

Client Representative means a person who is designated by the Client to act on the Client's behalf. A Client Representative may be: (A) a legal representative including, but not limited to a court-appointed guardian, a parent of a minor child, or a spouse; or (B) an individual, family member or friend selected by the Client to speak for or act on the Client's behalf

Complaint or Grievance means a situation that is unsatisfactory or unacceptable; a dispute means a disagreement with an outcome.

Community Centered Board (CCB): means a private corporation, for-profit or not-for-profit that is designated pursuant to Section 25.5-10-209, C.R.S., responsible for, but not limited to conducting Developmental Disability determinations, waiting list management Level of Care Evaluations for Home and Community Based Service waivers specific to individuals with intellectual and developmental disabilities or delays, and management of State Funded programs for individuals with intellectual and developmental disabilities or delays.