

## CONCERN POLICY & PROCEDURES

<b>Policy Name/Subject:</b>	Client Rights and Grievance & Appeal Policy	
<b>Policy Number:</b>	5010.05	
<b>Cross Reference:</b>	PA Code §5100.54; Children in Foster Care Act of 2010; PA Code 3800.31	
<b>Program/Applies to:</b>	All programs	
<b>Original Effective Date:</b>	November 11, 2021	<b>Revised Date:</b>
<b>Purpose:</b>	CONCERN's Client's Rights and Grievance and Appeal Policy ensures that the organization and programs within practice respect for personal dignity, confidentiality, and privacy.	
<b>Attachments:</b>	Behavioral Health, Foster Care, Residential Client Rights and Grievance and Appeal Procedures	

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### POLICY:

It is CONCERN's policy that all clients have certain rights and responsibilities and the right to express grievances regarding any service they are receiving or have received through CONCERN.

### DEFINITIONS:

**Client Rights:** The client's legal assurance of being treated like a person, of being able to make informed choices of the services provided, and of confidentiality.

**Grievance:** A grievance is a complaint or an expressed concern about the quality of services or treatment you receive.

**Appeal:** An appeal is a request for a higher level of administration review of the grievance decision. You are encouraged to file an appeal if you are not in agreement with the grievance decision.

### STANDARDS/PROCEDURES:

1. The Client Rights and Grievance and Appeal Policy and Procedure is intended to protect the legal and ethical rights of all clients by providing the client with information about their rights and responsibilities, including their right to fair and equitable treatment that is provided in a non-discriminatory manner (CR 1.03a), with sufficient information to make an informed choice about using CONCERN's services, with program rules and expectations being enforced consistently (CR 1.03 b), and to be treated respectfully and responded to with cultural and linguistic responsiveness (CR 1.03 c).
2. The Client Rights and Grievance and Appeal Policy is provided to the client at the initial or intake meeting, in writing and is reviewed with them so that they have a clear understanding. If there is a language or communication barrier, efforts are made to translate the document or have it be effectively communicated to persons with special needs. The client is provided a copy of the policy and a signed copy is kept in their file. (CR-1.01-a,b,c,d)
3. The Client Rights and Grievance and Appeal Policy is posted in the reception or common areas of each office. (CR-1.01-e)

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4. The Client Rights and Grievance and Appeal Policy includes basic information and incorporates the regulatory and licensing governance that is specific to each type of service provided. When needed, separate Client Rights and Grievance and Appeal documents will be used (see Procedures) (CR 1.02f) and includes the right to participate in all services, be informed of the benefits, risks, side effects and alternatives (CR1.04b), be offered the most appropriate and least restrictive service alternatives to meet their needs (CR 1.04 c), receive services in a manner that is free from harassment or coercion and that protects their right to self-determination (CR 1.04d). They can refuse any service, treatment or medication unless mandated and be informed about the consequences of that refusal which might include discharge. (CR 1.04e, f)
5. The written client rights and responsibilities include, at minimum, basic information about the services and how to access them (CR 1.02a), rules and behavioral expectations, particularly those that would influence continued participation in the service (CR 1.02c), service that is non-coercive and protects their self-determination (CR 1.02 d) and make allowable decisions for their care (CR-1.02c, d) to not be discriminated against, be treated fairly and to be respected in terms of cultural and linguistic differences. (CR-1.03a, c) When possible, clients will give consent to receive services and participate in decisions regarding the service they receive. (CR-1.02 e, 1.04a) (See specific Client Rights and Responsibilities documents for each service for more detail which include the hours that service is available (CR 1.02b).
6. The Client Rights and Grievance and Appeal Policy supports the client's right to not be retaliated against for filing a grievance and appeal, to receive timely written notification of the resolution and an explanation of further appeal or action.
7. The Client Rights and Grievance and Appeal Policy explains the clients right to file a grievance without interference or retaliation (CR 1.05 a) and how to do so (Specifics for each type of service can be found in the Procedures). Requirements regarding specific timelines, documents, and who completes the inquiry vary from service to service and are clearly outlined in the Procedures. (CR-1.05) and includes timely written notification of the response and an explanation of further appeal rights and a review by staff not involved in the complaint or made the initial determination (CR 1.05 b,c).
8. The client has the right to seek assistance from an independent person or witness when filing a grievance or an appeal. A listing of these resources along with their contact name, address and phone number will be provided to the client. When any of the resource contact information changes, a revised version will be provided to the client.
9. Prior to releasing any confidential client information, CONCERN determines if the request is valid, obtains informed, written authorization from the client or parent or legal guardian and keeps a copy of that authorization in the client file and provides them with a copy, unless they decline to have a copy. (CR 2.01a-c)
10. Clients are informed of their rights under HIPAA/Confidentiality in the agency Notice of Privacy Practices document that is provided to them at the initial of services. The Notice of Privacy Practices outlines circumstances when it may be legally or ethically allowed or required to release confidential information without their consent and notifies the client of this. (CR 2.02)

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11. CONCERN obtains informed, written consent from the client or parent or legal guardian prior to recording, photographing or filming. (CR 2.03)