



BEHAVIORAL HEALTH CLIENT RIGHTS AND GRIEVANCE & APPEAL PROCEDURE

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This document delineates the procedure to accompany the Client Rights and Grievance & Appeal Policy (5010.05)

1.1 Purpose

CONCERN's Client Rights and Grievance Policy includes provisions required by the Mental Health Procedure Act, PA Code 5100. PA state regulations, which govern mental health services, require that every client has certain rights and responsibilities, including the right to file a grievance and appeal a grievance determination.

1.2 Policy

It is CONCERN's policy that all clients have certain rights and responsibilities and the right to express grievances regarding the behavioral health services that they are receiving or have received through CONCERN without interference or retaliation **CR 1.05 a**

1.3 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 through CONCERN

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

1.4 Attachments

There are two attachments to the Procedure:

- 1) CONCERN Behavioral Health Grievance Tracking Form
- 2) CONCERN Behavioral Health Grievance Appeal Tracking Form

1.5 Acknowledgement:

- Client rights and responsibilities are signed at the time of intake for each client receiving services through CONCERN
- The Grievance and Appeal Policy is signed at the time of intake for each client receiving services through CONCERN.
- The signed form is kept in each client's file and a copy is given to the client.

1.6 Client Rights

Clients are informed of their rights and responsibilities and sign off on the Behavioral Health Client handbook, which includes the client rights and responsibilities. Clients are then provided with a copy of the Behavioral Health Client Handbook that includes the Client's rights and responsibilities.

1.7 Filing a Grievance

Clients are encouraged to file a grievance when they have already attempted to informally address the issue and it has not been addressed. The process is as follows:

- a) First attempts need to be made to resolve the issue through informal methods.
- b) If the issue is not resolved, the client may file a grievance either orally or in writing directly to CONCERN staff.
- c) The grievance will be provided to or communicated to the Supervisor of the program, or the Region Director if the grievance involves the supervisor, as soon as possible or within one business day. **CR 1.05c**
- d) Upon receipt of the grievance, the Supervisor or Region Director will begin tracking the grievance on the Grievance Tracking Form.
- e) The Supervisor or Region Director will investigate the issue to attempt to find a resolution.
 - The investigation may include phone or in person discussions with all persons involved, review of progress notes and other file documentation, and/or supervision.
 - All pieces of the investigation will be documented on the Grievance Tracking Form.
- f) A decision will be rendered to you within 48 business hours. **CR 1.05b**
 - The completed Grievance Tracking Form will be delivered in client or sent in the mail to the client as well as filed in your CONCERN file.

1.8 Filing an Appeal CR 1.05b

An appeal is a request for a higher level of administration review the grievance decision. Clients are encouraged to file an appeal if they are not in agreement with the grievance decision. The process is as follows:

- a) Client files the appeal within ten working days of receiving the grievance decision. They may file an appeal either orally or in writing directly to CONCERN staff.
- b) The appeal will be forwarded to the Region Director as soon as possible or within one business day.
- c) Upon receipt of the appeal, the Region Director will begin tracking the appeal on the Appeal Tracking Form.
- d) The Region Director will investigate the appeal situation to attempt to find a resolution. The investigation may include phone or in person discussions with all

persons involved, review of progress notes and other file documentation, review of the grievance decision, supervision, and/or a group meeting.

- All pieces of the investigation will be documented on the Appeal Tracking Form.
- e) A resolution will be provided to the client within 48 business hours.
- The completed Appeal Tracking Form will be delivered in person or sent in the mail to the client as well as filed in our CONCERN file.
 - In addition, a copy will be provided to CONCERN's Vice President for Behavioral Health Services.

1.9 Right to Assistance

Clients "have the right to the assistance of an independent person and witnesses in presenting his complaint" (PA Code § 5100.54, Article VII.)

- The client can contact their local Mental Health program office, the managed care organization or insurance company that provides coverage for their mental health treatment, or an advocacy agency at any time to help them articulate their grievance or appeal.
- The client may also contact the Office of Mental Health and Substance Abuse Services (OMHSAS) at:

P.O. Box 2675
Harrisburg, PA 17105
Phone: 717-787-6443
Toll Free: 855-284-2494

2 Signature

There is a signature line at the bottom of the policy which serves as the acknowledgment of their right to file a Grievance and Appeal.

- The policy needs to be signed by the Client or Parent or Guardian
- The policy needs to be signed by the CONCERN staff presenting it to the client.