

PROCEDURE

Series:	Operating Procedures	COA: CR 3 CFOP: NA
Procedure Name:	Client Inquiries, Complaints, Grievances & Appeals	
Procedure Number:	OP-1125	
Review Date:	7/3/12, 8/11/2014, 9/22/16, 01/30/2020	
Revision #/Date:	(1)8/9/10 (2) 9/22/16	
Effective Date:	1/31/09	
Applicable to:	All BFP Family of Agencies (BFP FOA) Staff and Contracted Providers	

PURPOSE: To provide a clear and concise Complaint and Grievance protocol to clients, families, community stakeholders, and network providers.

PROCEDURE:

References: BFP Policies/Procedures: GOV203, RQ502, RQ506

Definitions:

1. An **“Inquiry”** is a request by a client for information regarding services or dependency related information that is not case or person specific.
2. A **“Complaint”** is an informal verbal or written report of dissatisfaction with a program, service, decision or staff member of the BFP FOA or network provider agencies.
3. A **“Grievance”** is a formal verbal or written report of dissatisfaction with the Complaint process or its’ resulting findings, decisions or resolutions.
4. An **“Appeal”** is a formal verbal or written request to a higher administrative body for reconsideration or review of a Grievance (a case) due to dissatisfaction with the final outcome.
5. A **DCF Tracker** is a formal written client Complaint forwarded to the BFP FOA Client Relations Specialist for resolution according to specified timelines.

Overview:

1. This Inquiry, Complaint, Grievance and Appeal procedure is designed to provide clients with a user-friendly process that is supportive, trauma informed, culturally sensitive, and solution oriented. It is the intent of this procedure to provide the client with a central point-of-contact, the Client Relations Specialist (CRS) or designee, within the BFP FOA who will receive, review, document, coordinate and investigate in order to achieve a satisfactory resolution of reported client, stakeholder or provider Inquiries, Complaints, Grievances and Appeals. The CRS’s primary responsibility is to serve as a “Client Resource”.
2. This procedure will promote the health, safety, permanency and well-being of children and families served in addition to ensuring the guarantee of rights and privacy of all children and

families served through the BFP FOA and network of providers. It is also intended that this procedure will ensure that best practices are utilized by BFP FOA staff and that network providers are in full compliance with all state regulations, BFP contract requirements and the BFP System of Care values and principles. This procedure provides a systematic and non-biased approach intended to ensure the effective and qualitative utilization of the organization's System of Care by children, families, and community stakeholders served.

3. All client related Inquiries, Complaints and Grievances will be assessed by the CRS. The client Inquiry, Complaint, Grievance and Appeals process has been established to address a concern a client may perceive has not been successfully addressed through other methods including but not limited to: Standing Teams, Family Team Conferences, Permanency Review, and Multi-Disciplinary Team Staffing. The CRS will ask the client if they wish to resolve the matter using one of the aforementioned methods. If the client chooses not to use one of the aforementioned methods and the concern remains unaddressed or unresolved the CRS will elevate the concern to a Complaint with the clients' approval.
4. The BFP FOA's priority is providing the highest quality service delivery system to the children and families of Brevard County. Our system is designed to be trauma-informed, family-centered, strength-based, culturally sensitive and inclusive. To provide superior satisfaction, the BFP FOA's has a process for clients to raise concerns through an informal Inquiry, make Complaints, as well as provide positive customer service feedback and support. This is a vital component to ensure the organization monitors and maintains its continuous quality improvement process.
5. A client has the right make an Inquiry or file a Complaint or Grievance at any time without interference or fear of retaliation. Client services will be continuous and consistent while a client's resolution of a Complaint or Grievance is being worked on.
6. For the purpose of Risk Assessment and Quality Assurance; clients are provided a variety of communication options which include customer satisfaction surveys, face-to-face meetings, conference calls, web-based access, phone, email, and mail to access the BFP FOA's CRS. This Complaint and Grievance procedure is intended to alleviate barriers that clients may encounter as they navigate the unfamiliar dynamics of a networked System of Care and enable them to resolve concerns when other methods have been ineffective.
7. The assigned BFP FOA Care Manager and/or Care Coordinator provide and review the Client Rights Handbook with each client upon entry into the system of care. A client Inquiry, Complaint and Grievance form is included. The handbook provides basic directives for clients on making an Inquiry and filing a Complaint or Grievance and the Appeal process.
8. Clients are encouraged to utilize this process to provide written and/or verbal documentation of their Inquiries and Complaints, as well as positive feedback to the CRS.
9. Every Inquiry, Complaint or Grievance received from any source will be addressed in a timely manner according to established procedure.
10. Where applicable the CRS will document progress and actions taken on Inquiries, Complaints, Trackers, Grievances and Appeals in FSFN.
11. DCF Trackers will be addressed using the Complaint process outlined below.

12. A Complaint or Grievance report alleging personnel performance issues of BFP FOA staff or network provider staff will be reviewed with the Contracts and Compliance Manager or designee and the Human Resource Director if applicable.
13. Resolutions will be handled in the most sensitive and confidential way, but no client should fear retaliation for raising performance concerns about staff.
14. Clients may contact the CRS directly to have their Inquiries and Complaints documented, tracked and addressed. The CRS will determine an appropriate course of action based upon procedures outlined below.
15. This procedure is applicable to:
 - a. All clients and their families who are served and or receiving services by the BFP FOA and or network providers.
 - b. Local Community Stakeholders
16. If a Complaint is regarding Sunshine Health Plan authorizations (Medicaid) it will be forwarded to the BFP Senior Executive of Programs or designee. The Senior Executive of Programs or designee will contact the client and help with navigation of the Sunshine established program Complaint, Grievance, and Appeal procedures.

Inquiry, Complaint, Grievance and Appeal Process:

How to submit an Inquiry

1. A verbal or written Inquiry may be made at any time to the CRS, other BFP FOA staff or network provider.
2. If the Inquiry is made to other BFP FOA staff and it is not resolved, the Inquiry shall be referred to the CRS.
3. The CRS will attempt to resolve the Inquiry in an informal manner. If the client is not satisfied with the results of the Inquiry, the CRS will advise the client about the option to submit a Complaint.

How to submit a Complaint

1. A verbal or written Complaint may be made at any time to the CRS via phone, email, in person or in writing using a Client Complaint Form or client's own format.
2. A Complaint Form can be obtained at www.brevardfp.org or upon request from the CRS or other BFP FOA staff. A Complaint Form can also be found in the Client Handbooks which are provided to each client at the commencement of services and available in all BFP FOA locations.
3. Upon initial review and assessment of a client Complaint the CRS identifies the appropriate course of action, and assigns to the appropriate Case Management Agency, Network Provider, or BFP staff as appropriate within two (2) business days after receipt of the client's verbal or written Complaint.

4. The CRS will track in a database all Inquiries, Complaints and Grievances to ensure appropriate timeframes and follow-up actions are completed.
5. The client will be contacted via phone, email, or mail as appropriate to advise that their Complaint was received and is being addressed. Additionally, the client initiating the Complaint is advised that the review may or may not involve any persons mentioned or directly involved in their Complaint.
6. All Complaints received will be resolved within 20 business days after receipt. Explanations for resolution delays will be documented and tracked on a case-by-case basis. The client will be notified of review delays as appropriate.
7. The CRS will provide the appropriate party with a written resolution decision of the Complaint, not exceeding (20) twenty days from receipt of the Complaint or based on timelines established by the type of Complaint received (e.g. DCF Trackers).
8. If the client is not satisfied with the results of the outcome of the Complaint the client will have the right to request a Grievance.

How to initiate a Grievance:

1. A formal verbal or written Grievance may be filed with the CRS within 30 days from the closure date of a Complaint when a client is dissatisfied with the Complaint process or its' resulting findings, decisions or resolutions. Additional information or documentation may be submitted with the grievance.
2. Requests for Grievance may be filled more than 30 days from the closure date with approval of the Contracts and Compliance Manager or designee. Grievance timelines are subject to modification which is determined by the critical nature of the report and whether a child or client's safety and well-being is a prevailing concern. It is the intent of Brevard Family Partnership to address all Grievances in a timely manner. All Grievances will be closed within (20) twenty business days from the date Grievance status is established.
3. The CRS will track and maintain records about the receipt and disposition of Grievance.
4. The CRS will gather all information necessary and present to Contract and Compliance Manager for a resolution.
5. The Contracts and Compliance Manager will review the documentation and speak to the related parties if needed prior to recommending a resolution.
6. The CRS will respond to client in a written statement of resolution within 20 days.
7. If the Grievance is not resolved and the client remains dissatisfied, the following Grievance Appeal procedure may be initiated.

How to initiate an Appeal:

1. The client's Grievance Appeal is referred to the Brevard Family Partnership Compliance Review Committee for review, assessment and resolution recommendations.

2. The Contracts and Compliance Manager will convene the Compliance review Committee.
3. The Compliance Review Committee Members may include but not be limited to:
 - Chief Legal Officer,
 - Vice President of Operations,
 - Human Resource Director,
 - Senior Executive of Programs,
 - Contracts and Compliance Manager,
 - Client Relations Specialist and
 - other participants as deemed necessary to address specific concerns.

The Contracts and Compliance Manager shall ensure the committee meeting is documented. Depending on the nature of the Grievance Appeal the Chief Executive Officer may be included as part of this level of review. The Compliance Review Committee will have 15 business days to review and respond to the Grievance Appeal. Written recommendations of the Compliance Review Committee will be provided to the CRS. The CRS will provide the written recommendations and findings of the Compliance Review Committee to the client and other related parties as applicable.

4. Upon the receipt of the Grievance Appeal recommendations from the Compliance Review Committee, if the client remains dissatisfied, client has 5 business days to request a face-to-face meeting with the Compliance Review Committee or a written review of their Appeal.

Final Complaint or Appeal Resolution Authority

1. BFP FOA's Chief Executive Officer and/or designee is designated as the final authority to address concerns that were not resolved through the Grievance and Appeal Process.
2. The Chief Executive Officer and/or Designee will review all documentation including prior Complaint responses, proposed, and implemented actions prior to the final executive decision.
3. The Chief Executive Officer and/or Designee may take such actions as are deemed necessary to completely review the actions and concerns to determine the final resolution to be implemented and communicated.
4. Within five (5) business days of the final Executive Decision, a written summary will be provided to all parties as appropriate.

Brevard Family Partnership Network Provider Complaint Procedure

BFP is the Lead Agency responsible for administration, development, monitoring, and management of a comprehensive network of quality child welfare services for Brevard County. Brevard Family Partnership strives to ensure client (or consumer) satisfaction and mandates timely resolution of all concerns raised by our consumers.

1. Each BFP Network Provider is required to have a written Complaint and Grievance procedure that is transparent and easily accessible by their clients. BFP believes that each Network Provider should monitor their client service and satisfaction and actively implement policies,

procedures, and staff training to address any identified customer service trends for continued quality assurance.

2. A client may make an Inquiry or submit a Complaint to their network provider for resolution according to the network providers' written procedure.
3. The network provider shall notify the CRS in writing within 5 business days of all BFP client Complaints submitted to the network provider.
4. It is expected that a written resolution or outcome summary be generated by the network provider and will be provided to the CRS within 5 business days of resolution.
5. The CRS is required to follow-up with the client and or Network Provider if a resolution summary of the Complaint is not provided within 15 business days.
6. The CRS will follow-up with the client to ensure their satisfaction with the resolution outcomes.
7. If a resolution is not satisfactory to the client or if the client does not want to work through the network provider Complaint procedure a client may submit an Inquiry, Complaint or Grievance regarding a Network Provider to the CRS.
8. The CRS will first consult with BFP Contracts and Compliance Manager or designee before contacting the network provider.
9. The CRS will follow the same Complaint process outlined above to resolve the Complaint.
10. The CRS will share the Complaint resolution summary with the BFP Contracts and Compliance Manager or designee for review and approval.
11. Once approved a written response will be generated and sent to the client and network provider.

Data Collection of Complaints and Grievances

1. The CRS is responsible for monitoring the timely resolution/completion of reviews, and responses to Inquiries, Complaints, Grievances and Appeals.
2. The CRS will provide Inquiry, Complaint, Grievance, Appeal and DCF Tracker data that is quantified and categorized to the Risk Management Committee monthly and to the Compliance Review Committee upon request.
3. The data collected will be utilized to monitor the effectiveness of Brevard Family Partnership System of Care. The data will isolate areas in need of Performance Quality Improvement (PQI) and identify successful components, detect trends, and indicate strategic improvement training. Data will be reviewed monthly as part of the Risk Committee meetings.

Reference Note:

There may be extenuating circumstances where Brevard Family Partnership initially agreed to conduct an investigation on the allegations of a Complaint or Grievance report; however, the

investigation may be placed on hold due to legal or due process issues such as: staff disciplinary issues and Criminal Investigations. If this occurs, the complainant will be notified of the delay.

Reference Note:

Final legal authority and decision-making resides with the Court in dependency cases.

Reference Note:

All clients are advised that they can contact the Florida Department of Children and Families at any time during the Brevard Family Partnership Complaint, Grievance and Appeal Process at www.myflorida.com and click on the find agency tab then select Children and Families.

Discrimination Complaints

All clients who perceive discrimination are required to file a written Complaint of discrimination within 180 days of the alleged discriminatory act with:

- a. Office of Civil Rights
1317 Winewood Blvd.
Building1 Room 110
Tallahassee, FL 32399-0700
(850) 487-1901

OR

- b. United States Department of Health and Human Service (HHS)
Attention: Office for Civil Rights
Atlanta Federal Center
61 Forsyth Street S. W. Suite 5B95
Atlanta, GA 30303-8909
(800) 368-1019- Toll Free
Office: (404) 562-7888
Fax: (404) 562-7899

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:



PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 7/30/2020