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## North Sound Behavioral Health Organization Section 1000 – Administrative: Grievance

Authorizing Source: WAC 388-877-0660; See references Policy 1001

Cancels:

See Also:

Providers must comply with this policy and may develop individualized implementation guidelines as needed

Responsible Staff: Operations Manager

Executive Director

Approved by: County Authorities Executive Committee (formerly known as the Board of Directors)

Motion #04-027

Signature:

Date: 6/29/2004

Date: 5/23/2017

### **POLICY #1002.00**

### **SUBJECT: GRIEVANCE**

### **PURPOSE**

To outline the North Sound Behavioral Health Organization (North Sound BHO) grievance processes and requirements.

### **DEFINITIONS**

See North Sound BHO Policy 1001 for definitions.

### **POLICY**

North Sound BHO offers individuals applying for, eligible for, or receiving behavioral health services authorized by North Sound BHO the right to access the grievance system to express their concern or dissatisfaction about their rights, services, or treatment. Individuals and/or their authorized representatives may access the North Sound BHO grievance system and initiate grievances directly with their Behavioral Health Care Provider (BHCP), Behavioral Health Agency (BHA) grievance contact, other BHA staff, BHO contracted entity, Ombuds, or North Sound BHO. Individuals may initiate grievances in person, by mail or phone.

The BHA and North Sound BHO will ensure the following:

- A. That other persons, if the individual chooses, are allowed to participate in the grievance process;
- B. The individual's right to have currently authorized behavioral health services continued pending resolution of the grievance;
- C. That a grievance is resolved even if the individual is no longer receiving behavioral health services;
- D. That the individual will be free from retaliation; and
- E. That the persons who make decisions on a grievance:
  1. Were not involved in any previous level of review or decision making; and
  2. Are Mental Health Professionals (MHP) or Chemical Dependency Professionals (CDP) who have appropriate clinical expertise if the grievance involves clinical issues.

- F. Staff will attempt to resolve grievances quickly and at the lowest level possible to the individual's satisfaction.

North Sound BHO Ombuds services are available and are provided independent of NorthSound BHO and the BHAs. The Ombuds is offered to individuals at any time to assist them with resolving issues or problems at the lowest possible level during the grievance. Ombuds services are provided free of charge and are confidential.

Each BHA will identify a grievance contact to receive grievances and provide a Toll-Free telephone number to North Sound BHO for contact. Should a BHA grievance contact information change, the BHA will notify North Sound BHO and provide updates.

Individuals will be encouraged to first file their grievance directly with the BHA or other BHO contracted entities to seek a decision. BHO contracted entities and Ombuds will be available to provide support for individuals to address the grievance directly with the BHA provider and North Sound BHO can provide contact information.

If an individual decides not to file a grievance with the BHA, once the individual receives a decision on a grievance from North Sound BHO, the individual cannot file the same grievance with the BHA.

## **GRIEVANCE PROCEDURE**

### **A. Behavioral Health Agency (BHA) Level Grievances**

1. Individual or authorized representative files grievance in person, verbally, or in writing to BHA provider.
  - i. When the grievance is filed in person or verbally, the specific issues of the grievance and a description of concerns shall be documented in writing by the BHA.
  - ii. When a grievance is provided in writing, the grievance must be signed by the individual or the individual's authorized representative.
  - iii. The BHA will document date and time the grievance is received on the above.
2. The request for the grievance should include:
  - i. The individual's name;
  - ii. How the provider can best contact the individual;
  - iii. The individual and/or authorized representatives' phone number(s) and address;
  - iv. The specific issues of the grievance and a description of the concerns;
  - v. The individual's desired options for resolution; and
  - vi. Any additional information individuals or others wish to submit.

3. The BHA will notify North Sound BHO of the grievance by entering required data elements into the Consumer Information System (CIS) Web Portal within five (5) business days of receipt of the grievance (See Attachments for CIS Web Portal Access and Data Entry Instructions).
4. The BHA sends the individual written acknowledgement of the receipt of the grievance within five (5) business days, retaining a copy in the individual's grievance file. The written acknowledgement will include:
  - i. Date grievance was filed;
  - ii. Summary of expressed concerns about North Sound BHO funded services;
  - iii. Individual's desired options for resolution;
  - iv. Notice to the individual or representative that previously authorized services will continue or be reinstated during the grievance process at the individual or representative's request; and
  - v. That the individual may use Ombuds services to assist them with their submission.
5. The BHA investigates the grievance request.
6. The BHA sends a written notice to the individual describing the resolution decision regarding the grievance within 90 calendar days from the date the grievance was received with the BHA. The written notification will include:
  - i. The decision on each issue of the grievance and
  - ii. The reason for the decision and the right to file a grievance with North Sound BHO.
7. The timeframe for the grievance at the BHA can be extended up to an additional 14 calendar days, if requested by the individual or the individual's authorized representative or by the BHA when additional information is needed and the BHA can demonstrate that it needs additional information and that the added time frame is in the individual's best interest. If extended by the BHA, the BHA must send a written notice of the reason for the delay to the individual.
8. The BHA will complete the CIS Web Portal entry by entering the required data elements and uploading required documentation into the CIS Web Portal within 10 business days of the resolution or by the end of the calendar month in which the grievance was resolved, whichever comes first.
9. If the individual is not satisfied with the BHA's written decision on the grievance or if the individual does not receive a copy of the decision from the BHA within the 90 calendar days, the individual may then choose to file the grievance with North Sound BHO.

#### **B. Behavioral Health Organization (BHO) Level Grievances**

1. Individual or authorized representative files grievance in person, verbally, or in writing to North Sound BHO:

- i. When the grievance is filed in person or verbally the specific issues of the grievance and a description of concerns shall be documented in writing by North Sound BHO.
  - ii. When a grievance is provided in writing, the grievance must be signed by the individual and/or the individual's authorized representative.
  - iii. North Sound BHO will document the date and time the grievance is received on the above.
2. The request for the grievance should include:
  - i. The individual's name;
  - ii. How the North Sound BHO can best contact the individual;
  - iii. The individual and/or authorized representatives' phone number(s) and address;
  - iv. The specific issues of the grievance and a description of the concerns;
  - v. Individual's desired options for resolution; and
  - vi. Any additional information individuals or others wish to submit.
3. North Sound BHO will enter grievance information into the CIS Web Portal within five (5) business days of receipt of the grievance.
4. North Sound BHO sends the individual written acknowledgement of the receipt of the grievance within five (5) business days. A copy of the written acknowledgement will be sent to the BHA (and Ombuds if involved). The written acknowledgement will include:
  - i. Date grievance was filed;
  - ii. Summary of expressed concerns about North Sound BHO funded services;
  - iii. Individual's desired options for resolution;
  - iv. Notice to the individual and/or authorized representative that previously authorized services will continue or be reinstated during the grievance process at the individual or representative's request; and
  - v. That the individual may use Ombuds services to assist them with their submission.
5. North Sound BHO investigates grievance.
6. North Sound BHO sends a written notice to the individual describing the decision regarding the grievance within 90 calendar days from the date the grievance received by North Sound BHO. A copy of the written notice will be sent to the BHA (and Ombuds if involved). The written notification includes:
  - i. The decision on each issue of the grievance;
  - ii. The reason for the decision; and
  - iii. The right to request a Fair Hearing and the required time frame to request the hearing.

7. Once the decision has been made, North Sound BHO will complete the CIS Web Portal entry, with the required data elements, and upload required documentation into the CIS Web Portal within 10 business days or by the end of the calendar month in which the grievance was resolved, whichever comes first.
8. The timeframe for the grievance can be extended up to an additional 14 calendar days if requested by the individual or the individual's authorized representative or by the North Sound BHO when additional information is needed and North Sound BHO can demonstrate that it needs additional information and that the added time frame is in the individual's best interest. If extended by the BHO, the BHO must send a written notice of the reason for the delay to the individual.
9. If the individual is not satisfied with the North Sound BHO written decision on the grievance, or if the individual does not receive a copy of the decision from North Sound BHO within the 90 calendar days, the individual may then choose to file for a fair hearing.
10. Quality improvement inquiries made by the BHO to the BHA may require response by the BHA within 30 calendar days of the date of the inquiry.

### **RECORDS REQUIREMENTS**

Full records of all grievances and materials received or compiled in the course of processing and attempting to resolve the grievance are maintained and;

- A. Kept for six (6) years after the completion of the grievance process;
- B. Made available to the department upon request as part of the state quality strategy;
- C. Kept in confidential files separate from the individual's clinical record; and
- D. Not disclosed without the individuals written permission, except to the department as necessary, to resolve the grievance.

### **REPORTING REQUIREMENTS**

- A. Information entered by the BHA and North Sound BHO into the CIS Web Portal regarding grievances will be utilized by North Sound BHO to complete Department of Behavioral Health and Recovery (DBHR) required Quarterly Grievance reports.
- B. BHAs are required to participate in North Sound BHO Quarterly reporting to the State.
- C. The North Sound BHO will distribute a request for the Quarterly Grievance report with instructions, a category list, a writeable narrative form and deadline for submission. Forms can also be found on the BHO website at: <http://northsoundbho.org/forms>.

### **ATTACHMENTS**

None