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Revised Date: 8/28/2018

Review Date: 8/28/2018

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 Signature:

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

Motion #04-027

Date: 6/29/2004

Date: 8/30/2018

POLICY #1002.00

SUBJECT: GRIEVANCE

PURPOSE

To outline 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, through individual choice, to access the grievance and appeal system to express their concern or dissatisfaction about their rights, services, or treatment. Individuals and/or their authorized representatives may access North Sound BHO grievance and appeal system and initiate grievances directly with their Behavioral Health Agency (BHA) or North Sound BHO. Individuals may initiate grievances in person, by mail, or phone. Ombuds services are available to assist people to initiate grievances with the BHA or North Sound BHO. Grievances may be initiated at any time.

The BHA and North Sound BHO will ensure the following:

1. Other persons, if the individual chooses, are allowed to participate in the grievance process.
2. The individual's right to have currently authorized behavioral health services continued pending resolution of the grievance.
3. A grievance is resolved even if the individual is no longer receiving behavioral health services.
4. The individual will be free from retaliation.
5. The persons who make decisions on a grievance:
 - a. Neither were involved in any previous level of review or decision making nor are subordinates of any person who reviewed or decided on a previous level of the grievance;
 - b. Are mental health or chemical dependency professionals who have appropriate clinical expertise in the type of behavioral health service if deciding a grievance concerning denial of an expedited resolution of an appeal (North Sound BHO) or a grievance that involves any clinical issues; and

- c. Consider all comments, documents, records and other information submitted by the individual or the individual's representative.
6. Staff will attempt to resolve grievances quickly and at the lowest level possible to the individual's satisfaction. Grievance resolution notices will be in easily understood formats following 42 CFR 438.10 which includes requirements that each notice will meet the following requirements:
 - a. Be written in the individual's non-English language, if applicable
 - b. Contains the BHA and BHO toll free and TTY/TTD telephone numbers for BHA level grievances and North Sound BHOs toll free and TTY/TTD telephone numbers for North Sound BHO level grievances; and
 - c. Explains the availability of free written translation, oral interpretation to include any non-English language, auxiliary aids, such as, American sign language, TTY/TTDY telephone services and alternative formats to include large print and Braille.

North Sound BHO Ombuds services are available and are provided independent of NorthSound BHO and the BHAs. Ombuds services are offered to individuals at any time to assist them with resolving issues or problems at the lowest possible level during the grievance. Ombudsservices 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: admin_support_req@northsoundbho.org.

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

BHA Level Grievances

1. Individual or authorized representative files grievance in person, verbally, or in writing to the BHA.
 - a. 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.
 - b. When a grievance is provided in writing, the grievance must be signed by the individual or the individual's authorized representative.
 - c. The BHA will document date and time the grievance is received on the above.

2. The request for the grievance should include:
 - a. The individual's name;
 - b. How the BHA can best contact the individual;
 - c. The individual and/or authorized representatives' phone number(s) and address;
 - d. The specific issues of the grievance and a description of the concerns;
 - e. The individual's desired options for resolution for each concern; and
 - f. Any additional information the individual 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) Grievance Web Portal within five (5) business days of receipt of the grievance.
4. The BHA sends the individual written acknowledgement of the receipt of the grievance within five (5) business days and Ombuds, if involved, retaining a copy in the BHA's grievance file for the individual. The written acknowledgement will include:
 - a. Date grievance was filed;
 - b. Summary of expressed concerns about North Sound BHO funded services;
 - c. Individual's desired options for resolution;
 - d. Notice to the individual or representative previously authorized services will continue or be reinstated during the grievance process at the individual or authorized representative's request; and
 - e. The individual may use Ombuds services free of charge 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, as expeditiously as the individual's health condition requires, no later than 90 calendar days from the date the grievance was received by the BHA. A copy of the written notice will be sent to Ombuds, if involved. The written notification will include:
 - a. The decision on each issue of the grievance;
 - b. The reason for the decision; and
 - c. 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 the BHA when additional information is needed and the BHA can demonstrate it needs additional information and the added timeframe is in the individual's best interest. For extensions not requested by the individual or their representative, the BHA must make reasonable efforts to:
 - a. Give the individual prompt oral notice of the delay;
 - b. Within two (2) calendar days, give the individual written notice of the reason for the decision to extend the timeframe; and
 - c. Inform the individual of the right to file a grievance if the individual disagrees with that decision.

8. The BHA will complete the CIS Grievance Web Portal entry by entering the required data elements and uploading required documentation into the CIS Grievance 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 90 calendar days, the individual may then choose to file the grievance with North Sound BHO.

Behavioral Health Organization (BHO) Level Grievances

1. Individual or authorized representative files a grievance in person, verbally, or in writing to North Sound BHO.
 - a. 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.
 - b. When a grievance is provided in writing, the grievance must be signed by the individual or the individual's authorized representative.
 - c. North Sound BHO will document date and time the grievance is received on the above.
2. The request for the grievance should include:
 - a. The individual's name;
 - b. How North Sound BHO can best contact the individual;
 - c. The individual and/or authorized representatives' phone number(s) and address;
 - d. The specific issues of the grievance and a description of the concerns;
 - e. The individual's desired options for resolution for each concern; and
 - f. Any additional information the individual or others wish to submit.
3. North Sound BHO will enter grievance information into the CIS Grievance 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 and (Ombuds, if involved) retaining a copy in the BHO's grievance file for the individual. The written acknowledgement will include:
 - a. Date grievance was filed;
 - b. Summary of expressed concerns about North Sound BHO funded services;
 - c. Individual's desired options for resolution for each concern, if applicable;
 - d. Notice to the individual or representative that previously authorized services will continue or be reinstated during the grievance process at the individual or authorized representative's request; and
 - e. The individual may use Ombuds services free of charge to assist them with their submission.

5. North Sound BHO investigates the grievance.
6. North Sound BHO sends a written notice to the individual describing the resolution decision regarding the grievance, as expeditiously as the individual's health condition requires, no later than 90 calendar days from the date the grievance was received by North Sound BHO. A copy of the written notice will be sent to Ombuds, if involved. The written notification will include:
 - a. The decision on each issue of the grievance;
 - b. The reason for the decision; and
 - c. The right to file a grievance with North Sound BHO.

If the individual does not receive a copy of the written decision from North Sound BHO within 90 calendar days, or 105 days, if extended (see 7 below), the individual may then choose to file for an Administrative (Fair) Hearing.

7. 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 North Sound BHO when additional information is needed and North Sound BHO can demonstrate it needs additional information and the added timeframe is in the individual's best interest. For extensions not requested by the individual or their representative North Sound BHO must:
 - a. Make reasonable efforts to give the individual prompt oral notice of the delay; and
 - b. Within two (2) calendar days, give the individual written notice of the reason for the decision to extend the timeframe and inform the individual of the right to file a grievance if the individual disagrees with that decision.
8. Once the decision has been made, North Sound BHO will complete the CIS Grievance Web Portal entry by entering the required data elements and uploading required documentation into the CIS Grievance 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. Quality improvement inquiries made by North Sound BHO to the BHA may require response by the BHA within 30 calendar days of the date of the inquiry.

RECORDS REQUIREMENTS

North Sound BHO must ensure full records of all grievances and materials received and compiled in the course of processing and attempting to resolve grievances are maintained by the BHA and/or North Sound BHO and:

1. Kept for a period of no less than 10 years after the completion of the grievance process;
2. Made available to the department upon request as part of the state quality strategy and made available upon request to the Centers for Medicare and Medicaid Services (CMS);
3. Kept in confidential, locked files separate from the individual's clinical record;
4. Not disclosed without the individuals written permission, except to the department as necessary, to resolve the grievance; and
5. Are accurately maintained and contain, at a minimum, all of the following information:

- a. A general description of the reason for the grievance;
- b. The date received;
- c. The date of each review or, if applicable, review meeting;
- d. Resolution at each level of the grievance, if applicable;
- e. Date of resolution at each level, if applicable; and
- f. Name of the covered person for whom the grievance was filed.

REPORTING REQUIREMENTS

1. Information entered by the BHA and North Sound BHO into the CIS Grievance Web Portal regarding grievances will be utilized by North Sound BHO to complete Department of Behavioral Health and Recovery (DBHR) required Grievance and Appeals System reports.
2. BHAs are required by contract to participate in North Sound BHO reporting to the State.
3. North Sound BHO will distribute a request for the 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