

PERMIACARE
ADMINISTRATIVE PROCEDURE NO. 1 AD066

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Revised
3/01/2023

Supersedes
1AD066
7/01/2019

Approved:



Chris Barnhill
Chief Executive Officer

SUBJECT: COMPLAINT/GRIEVANCE PROCEDURE

PURPOSE

To define the grievance procedure for individuals who receive services from PermiaCare programs including programs funded and/or licensed by the Texas Health and Human Services Commission. It is the practice of PermiaCare to provide all individuals served, their legally authorized representatives (LAR) or any other individual, with the person's consent, with a method to express their concerns or dissatisfaction, assistance to do so in a constructive way, and to have those concerns reviewed and resolved.

PROCEDURE

1. All PermiaCare staff are expected ensure our clients receive the best possible service experience. We believe that, to the extent that is reasonable, that our clients should not have to wait on administrative processes to occur in order to have their complaints resolved. If any member of the PermiaCare team is able resolve a complaint on the spot, they should do so.

A complaint may be made by a client at any time. Whenever a client, their legally authorized representative or any other individual with the client's consent expresses dissatisfaction with any aspect of their service experience, the staff member receiving the complaint will take all reasonable action to resolve the complaint immediately. If the complaint is unable to be resolved to the client's satisfaction, the receiving staff member will assist the client in contacting PermiaCare's Client Rights Advocate to file a formal complaint. This contact may occur via any medium preferred by the client including phone, letter, email, etc. All complaints related to client rights are to be forwarded to the Client Rights Advocate for appropriate action and tracking.

2. At the time of admission into services and on an annual basis thereafter, PermiaCare will provide all individuals served and their legally authorized representatives written notification in a language or method understood by the individual of PermiaCare's grievance resolution procedure. This notification shall explain:

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- a. an easily understood process to request a review of their concerns or dissatisfaction
 - b. how the person may receive assistance in requesting the review
 - c. that PermiaCare staff are available to assist throughout the process
 - d. the timeframes for the review; and
 - e. the method by which the person is informed of the outcome of that review.
3. A complaint may include but is not limited to, issues related to:
- a. safety
 - b. rights infringement
 - c. unsatisfactory treatment by a staff member
 - d. the safety service sites
 - e. the functionality service sites
 - f. the cleanliness of service sites
 - g. the accessibility of service sites
 - h. the accessibility of service hours
 - i. concerns about the quality of services provided
 - j. service request denials
 - k. adverse determinations.

Applicable staff including administrators, program directors, or supervisors will be notified immediately when complaints involving abuse, safety, or health issues are received.

4. Complaints involving abuse, neglect, or exploitation will be referred immediately to the Texas Department of Protective and Regulatory Services (TDPRS).
5. Contact information for PermiaCare's Client Rights Advocate and a copy of this procedure will be conspicuously displayed at every service location operated by PermiaCare.
6. When made aware of a complaint, PermiaCare's Client Rights Advocate contact the individual within 24 hours and will inform the complainant about the complaint process, including expected timelines. The Client Rights Advocate will begin their action on the complaint within one business day of receipt. PermiaCare has a target of less than 10 days for the resolution of all complaints. The Client Rights Advocate will remain in communication with the client throughout the complaint resolution process. This Client Rights Advocate may contact the complainant during this

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process in order to gather more information. At the end of the Client Rights Advocate's investigation, the client will be contacted and made aware of disposition of their complaint.

7. In addition to ensuring that client complaints are resolved, the Client Rights Advocate is also responsible for tracking and documenting all complaints through the process, from receipt to final resolution. Resolution in this procedure means making a determination as to whether a complaint is substantiated, not substantiated, or unable to be substantiated. The Client Rights Advocate will work with the client and Center staff to ensure, in every instance where it is possible and reasonable, that the complainant is satisfied with the outcome of their complaint, regardless of the disposition of the resolution. At all times the complainant will maintain the right to contact the appropriate oversight organization directly regarding their complaint.
8. The Client Rights Advocate will aggregate and regularly report on complaints to PermiaCare's Chief Executive Officer. This report will include instances where clients were not satisfied with the outcome of their complaint. The CEO will evaluate these to determine whether or not the issue warrants systemic correction.
9. The complaint resolution process is reviewed with the individual served and/or their legally authorized representative in their primary language at the onset of services and annually thereafter.
10. At any time during this process, the individual served of their LAR may contact the HHS Office of the Ombudsman at (800) 252-8154, by fax at (888) 780-8099 or in writing to:

HHS Office of the Ombudsman
P.O. Box 13247
Austin, Texas 78711-3247
11. PermiaCare staff will not retaliate against clients who exercise their right to file a grievance, nor will they restrict or discourage a client from exercising this right.