



Grievance

Section: Participant Rights	Policy Number: PR-04
Policy Name Participant Grievance	Dept. Owner: Quality
Federal Reg. Reference: 42 CFR §§460.112(g), 460.120 and 460.134(a)(5); 45 CFR §92.7; Section 1557 of the Patient Protection and Affordable Care Act/45 CFR Part 92; 42 CFR §§460.70(d)(5)(ix), 460.71(a) and 460.120(b)(c)(1)(2)(3)(d)(e)(f)	
Date Adopted: 09/04/2018	Last Review/Revision Date: 9/4/2018

Purpose To provide a process for participants, family members and representatives to express medical and nonmedical grievances to Senior Care Partners P.A.C.E., and for Senior Care Partners P.A.C.E. to evaluate and resolve these grievances in a thorough and timely manner and in compliance with regulatory requirements.

Definitions: Grievance: A grievance is a complaint, either written or oral, expressing dissatisfaction with service delivery or the quality of care furnished. Grievances include any allegations of violations of participant rights including discrimination on the basis of race, ethnicity, color, national origin, religion, sex, age, disability, sexual orientation, or source of payment.

Compliance and Enforcement:

All management personnel are responsible for enforcing this policy. All staff who provide care or a service to a participant must comply with this policy. Individuals who violate this policy are subject to discipline up to and including termination from Senior Care Partners P.A.C.E.

Policy: It is Senior Care Partners P.A.C.E.'s policy to make all reasonable efforts to ensure that participants, their family members and representatives are satisfied with service delivery and the quality of care provided by Senior Care Partners P.A.C.E. Moreover, it is Senior Care Partners P.A.C.E.'s policy to uphold all participant rights including the right not to be discriminated against on the basis of race, ethnicity, color, national origin, religion, sex, age, disability, sexual orientation, or source of payment. Senior Care Partners P.A.C.E. has adopted an internal grievance procedure consistent with requirements of 42 CFR Part 460, and Section 1557 of the Affordable Care Act (42 U.S.C. 18116) and 45 CFR Part 92 providing for prompt and equitable resolution of all medical and nonmedical grievances.

Participants, family members and representatives are to be encouraged and assisted to express grievances either verbally or in writing to Senior Care Partners P.A.C.E. employees and contracted providers free of any restraint, interference, coercion, discrimination or reprisal.

1. All Senior Care Partners P.A.C.E. employees and contracted providers will maintain confidentiality of grievances.

2. The grievance process and applicable procedures will be provided in writing to participants and/or their representatives, as applicable, at the time of enrollment and at least annually thereafter. Senior Care Partners P.A.C.E. also will give this information to participants/representatives upon request.
3. Participants will be informed that Senior Care Partners P.A.C.E. employees and contracted providers are available to assist with completion of grievances as needed.
4. Senior Care Partners P.A.C.E. will continue to provide all required services to participants during the grievance process.
5. Senior Care Partners P.A.C.E. will notify participant/family member/representative of resolution of grievance within 30 calendar days of the date of receipt of the grievance.
6. Senior Care Partners P.A.C.E.'s Quality staff will maintain, aggregate and analyze grievance information to promote continuous quality improvement.

Procedure:

Notice/Explanation of Grievance Process

1. Senior Care Partners P.A.C.E. shall give each participant and/or representative, as applicable, written information on the grievance process and applicable procedures upon enrollment and at least annually thereafter. Senior Care Partners P.A.C.E. also shall give this information to participants/representatives upon request.
2. Orientations and annual trainings for all Senior Care Partners P.A.C.E. employees shall include:
 - a. An explanation of Senior Care Partners P.A.C.E.'s grievance policy and procedures, and employee responsibilities to receive and document grievances and to assist participants with resolution of grievances; and
 - b. Requirements to maintain confidentiality of grievances.
3. All contracted providers shall receive:
 - a. An explanation of Senior Care Partners P.A.C.E.'s grievance policy and procedures, and contracted providers' responsibilities to receive and document grievances; and
 - b. Requirements to maintain confidentiality of grievances.

Filing and Documentation of Grievance

1. A grievance may be expressed by participants/family members/representatives (hereafter referred to as complainants) in writing or verbally to any Senior Care Partners P.A.C.E. employee or contracted provider at any time.
 - a. Complainants who wish to submit a grievance in writing may do so in whatever format they choose or utilize Senior Care Partners P.A.C.E.'s participant grievance form.

- b. If a written grievance is shared with a contracted provider, the provider shall forward the written grievance to Senior Care Partners P.A.C.E.'s Quality Coordinator within 2 business days of its receipt.
 - c. If a grievance is shared verbally with a Senior Care Partners P.A.C.E. employee, either in person or by telephone, he/she shall document the grievance, attempting to gather as complete information as possible.
 - d. If a grievance is shared verbally with a contracted provider, either in person or by telephone, the contracted provider shall document the grievance, attempting to gather as complete information as possible, and forward it to Senior Care Partners P.A.C.E.'s Quality Coordinator within 2 business days.
 - e. Senior Care Partners P.A.C.E. shall have appropriate arrangements in place to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aides and services, or language assistance services, respectively, if needed to participate in Senior Care Partners P.A.C.E.'s grievance process.
 - f. In the event the complainant filing the grievance wants to do so anonymously, documentation of the grievance will not include any information identifying the complainant.
2. Upon its receipt by Senior Care Partners P.A.C.E., a grievance shall be date stamped to establish the "date of the grievance." For written grievances, the "date of the grievance" is the date the grievance was received by Senior Care Partners P.A.C.E. or its contracted provider. For verbal grievances documented by employees or contracted providers, the "date of the grievance" is the date the grievance was shared by the complainant with employee/contracted provider.
3. Upon receipt of the written grievance or verbal grievance documented by employee or contracted provider, it shall be forwarded to Senior Care Partners P.A.C.E.'s Quality Coordinator. If the grievance involves an allegation of discrimination, it shall be forwarded to Senior Care Partners P.A.C.E.'s Compliance Officer. Grievances will be housed in the electronic medical records quality initiative's data base.
4. The Quality Coordinator or Compliance Officer, as appropriate, shall respond to the complainant verbally and in writing within 5 calendar days to confirm receipt of the grievance and to explain the grievance process, including specific steps and timeframes for response that will be taken to resolve the grievance. This response shall be included with documentation of the grievance.

If, upon being notified of Senior Care Partners P.A.C.E.'s receipt of the grievance and the grievance process, and steps and timeframes for response, the complainant indicates he/she does not wish to pursue the grievance or be notified of its resolution, Senior Care Partners P.A.C.E. should proceed with its grievance procedures but will not initiate any additional contact related to the grievance with the complainant. Senior Care Partners P.A.C.E. shall document the complainant's desire not to pursue the grievance.

5. Senior Care Partners P.A.C.E. shall continue to furnish the participant with all required services included in the participant's current plan of care during the grievance process.

Investigation and Resolution of Grievance

1. Upon receipt of the documented grievance, Senior Care Partners P.A.C.E.'s Quality Coordinator shall assign the grievance to the appropriate leader to investigate the grievance. If the grievance involves an allegation of discrimination, the investigation of the grievance shall be assigned to Senior Care Partners P.A.C.E.'s Compliance Officer.
2. Senior Care Partners P.A.C.E.'s Quality Coordinator or Compliance Officer, as appropriate, shall contact the appropriate individuals as needed, which may include the complainant and/or Senior Care Partners P.A.C.E. employees or contracted providers, to ensure he/she has a thorough understanding of the grievance. Interested persons shall have an ability to submit evidence related to the grievance. Based on this input and with input from others as necessary and consistent with the need to assure confidentiality, a resolution to the grievance shall be developed.
3. Senior Care Partners P.A.C.E.'s Quality Coordinator or Compliance Officer, as appropriate, shall inform the complainant verbally and in writing of the resolution to his/her grievance, unless the complainant chose not to be notified of the resolution. If the resolution is acceptable to the complainant, this acceptance shall be documented. The resolution shall be implemented as expeditiously as possible, but no later than 30 calendar days from the date of the grievance.
4. If the complainant is dissatisfied with the proposed resolution to his/her grievance, with the complainant's approval, Senior Care Partners P.A.C.E.'s Quality Assurance and Process Improvement Manager shall be informed of the grievance and proposed resolution and attempt to resolve the ongoing grievance by proposing an alternate resolution. The complainant shall be informed verbally and in writing of the alternate resolution; and if it is acceptable to him/her, this acceptance shall be documented. The alternate resolution shall be implemented as expeditiously as possible, but no later than 45 calendar days from the date of the grievance.
5. If the complainant remains dissatisfied with the alternate resolution to a grievance that does not involve discrimination, he/she shall be informed verbally and in writing by Senior Care Partners P.A.C.E.'s Director of PACE IDT Operations of his/her option to pursue his/her grievance with an external entity. Senior Care Partners P.A.C.E.'s Director of PACE IDT Operations shall assist the complainant if requested to do so.
6. If allegations of discrimination are not resolved to the complainant's satisfaction, he/she shall be informed verbally and in writing by Senior Care Partners P.A.C.E.'s Compliance Officer of his/her right to file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at: U.S.

Department of Health and Human Services, 200 Independence Avenue SW, Room 509F, HHH Building, Washington, DC 20201, 1-800-368-1019, 800-537-7697 (TDD). Senior Care Partners P.A.C.E.'s Compliance Officer shall assist the complainant if requested to do so.

7. The availability and use of this grievance procedure does not prevent a person alleging discrimination from pursuing other legal or administrative remedies, including filing a complaint of discrimination in court or with the U.S. Department of Health and Human Services, Office for Civil Rights through the OCR Complaints Portal or by mail or phone. Complaint forms are available at: <http://www.hhs.gov/ocr/office/file/index.html> and must be filed within 180 days of the date of the alleged discrimination.

Tracking, Analysis and Reporting

1. Information on all grievances shall be shared with the Senior Care Partners P.A.C.E.'s Quality staff to maintain, aggregate and analyze information related to grievances.
 - a. This information shall be used to populate the Grievance Requests Record Layout/Audit Data Universe.
 - b. All grievances and related documentation shall be maintained by Senior Care Partners P.A.C.E.'s Quality staff in the electronic medical record quality initiative events portal ensuring participant/complainant confidentiality.
2. Grievance data shall be reviewed on a Quarterly basis by Senior Care Partners P.A.C.E.'s Quality staff.
3. Grievance data shall be shared on a Quarterly basis with the Senior Care Partners P.A.C.E. Quality Assurance and Process Improvement Committee.
4. Grievance data shall be utilized in Senior Care Partners P.A.C.E.'s internal quality assessment and performance improvement program.
5. Grievance data shall be reported to CMS consistent with PACE Quality Data reporting requirements and for audit purposes, and to the State Administering Agency consistent with state requirements.

Attachments: Grievance Process Map, Grievance Form

Reviewed and Approved by:

Review Date	Reviewed By		Review Date	Reviewed By
9/4/2018	C. Bradley MSN, RN			

Alexandria Lueth

11/07/2018

Signature

Executive Director

Date