

## **Region 3 Behavioral Health Services**

### **Network Management Policy 19 204 NAC 5, Sec. 004.03H**

**Effective: 12/1/18**

## **COMPLAINTS, GRIEVANCES, AND APPEALS**

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### POLICY

It is the policy of Region 3 Behavioral Health Services (Region 3) to provide an individual or entity a formal avenue to file a complaint or grievance against a Region 3 Network Provider, (Network Provider) an employee or volunteer of a Network Provider, Region 3, or an employee or volunteer of Region 3 or to appeal a decision made by a Region 3 Network Provider and/or Region 3.

### PROCEDURE

A complaint or grievance is an expression of dissatisfaction by an individual receiving or who has received mental health and/or substance use disorder services from a Network Provider or Network Provider about an action or inaction by Region 3. An appeal is the expression of dissatisfaction with a decision made by a Network Provider, or Network Provider about a decision made by Region 3. Possible subjects for complaints/grievances/appeals include, but are not limited to, quality of care or services provided by Network Provider, Region 3's claims processing, reimbursement for service provision, determination of eligibility to participate in services, aspects of interpersonal relationships, such as rudeness of a Network Provider or employee of Region 3 or failure to respect the individual's rights.

If an individual receiving or has received mental health and/or substance use disorder services from a Network Provider has a complaint or is dissatisfied with the quality of their care, access to care, their rights and dignity, poor behavior, or discrimination from a Network Provider they are encouraged to discuss their concern with the individual providing their care or that person's supervisor. If this does not resolve the concern to the satisfaction of the grievant, the grievant has the right to file a formal complaint/grievance/appeal. Filing a formal complaint/grievance/appeal will not result in retaliation or barriers to services provided by any Network Provider.

A formal complaint, grievance or appeal is generally defined as a claim by an individual or entity that is in written format on the Complaints, Grievances and Appeals Form to ensure the concerns raised are clear and all those who will be involved in the resolution of the complaint/grievance/appeal, including the subject of the complaint, grievance or appeal, have a shared understanding of the complaint/grievance/appeal as well as adherence to the time line.

If a Network Provider is concerned about the action or inaction of Region 3 they are encouraged to discuss their concern with the specific employee of Region 3 and/or his/her supervisor. If this does not result in satisfactory resolution of the concern, the Network Provider may discuss their concern with the RA. If, after discussing their concern with the RA, the Network Provider is not satisfied with the results he/she may file a formal complaint/grievance against Region 3 or appeal a decision made by Region 3.

The individual or Network Provider desiring to file a formal complaint/grievance/appeal shall complete the Complaints, Grievances and Appeals Form and submit it to the Regional Administrator (RA). Each complaint/grievance/appeal shall be taken seriously and investigated thoroughly.

1. Upon receipt of the completed Complaints, Grievances and Appeals Form, the RA shall notify the grievant(s) or the entity filing an appeal in writing, within two (2) working days of receipt of the written complaint, grievance or appeal, that such complaint, grievance or appeal has been received.

At this time, the grievant(s) will be encouraged to meet with the RA and the individual(s) whom the complaint or grievance has been filed and his/her supervisor, or the individual who provided the decision that is being appealed, as applicable, to discuss the complaint, grievance or appeal and work towards resolution before the process proceeds. If the grievant(s) does not wish to have such a meeting, the complaint/grievance/appeal process will continue as outlined below.

2. The RA shall review, investigate, and consider the facts of the complaint/grievance/appeal which may include interviews with the people involved. The grievant(s) or person filing the appeal will be informed in writing the decision of the RA within fifteen (15) working days following the date the Complaints, Grievance and Appeal Form was received by the RA. The RA shall utilize the complaints, grievances and appeal process to ensure timely decisions are made by responsible parties.
3. If the grievant(s) or person(s) filing the appeal is not satisfied with the decision of the RA and wishes to pursue the matter further, he/she may submit a written summary of the concerns and request to the Executive Committee of the Region 3 Governing Board within five working days of the receipt of the RA's decision. The Executive Committee, after a full review of the facts, will inform the grievant(s) or person filing an appeal in writing of its decision, within fifteen (15) working days of receiving the grievance or the appeal. The decision of the Executive Committee will be final. If the Executive Committee does not hear the grievance, the RA's decision will be final.

The Complaints, Grievances and Appeals Policy shall accompany the Complaints, Grievances and Appeals Form and explains the complaint, grievance and appeal process. The Complaints, Grievances and Appeals Form may be downloaded from the Region 3's website ([www.region3.net](http://www.region3.net)) or obtained by contacting Region 3 Behavioral Health Services, 4009 6<sup>th</sup> Avenue, Suite 65, Kearney, NE 68848-2555 or via phone at 308-237-113, ext. 221. The completed and sign formed ~~by~~ may be scanned and emailed to the RA at [bbaxter@region3.net](mailto:bbaxter@region3.net) or mailed to the address listed above.

This policy does not foreclose an individual's right to pursue the matter before any court of competent jurisdiction. The RA shall maintain filed complaints, grievances and appeals.

Reviewed/Revised: 3/21/22

Complaints, Grievances and Appeals