



Delaware County Board of Developmental Disabilities

Policy Section/Number:		
Board Resolution #:	21-02-08	
Approval Date:	February 11, 2021	
Effective Date:	February 12, 2021	

Resolution of complaints and appeals

Purpose

This policy sets forth the process for resolution of complaints involving the programs, services, policies, or administrative practices of a county board of developmental disabilities or an entity under contract with a county board of developmental disabilities; the process for individuals to appeal adverse actions proposed or initiated by a county board of developmental disabilities; and the requirement for a county board of developmental disabilities to give notice of the process to be followed for resolution of complaints and appeals of adverse action.

Policy

This policy and related procedures shall apply to any individual or person, other than an employee of the county board.

A procedure is in place to manage the process for any complaints received by the County Board. This procedure includes the informal complaint process and the formal complaint process. The formal complaint procedure includes procedural steps for review of the complaint by the Director, Superintendent, DCBDD Board President, Director of DODD, and other remedies if all steps are exhausted.

General provisions

- (1) Complaints and appeals of adverse action shall be filed in writing. When an individual or person expresses dissatisfaction with an outcome subject to complaint or appeal in accordance with this policy, the county board shall, to the extent necessary, assist the individual or person in filing a complaint or appeal.
- (2) At all times throughout the resolution of complaints and appeals of adverse action process, the county board shall maintain the confidentiality of the identities of individuals unless an individual gives written permission to share information.
- (3) An advocate may assist an individual at any time during the resolution of complaints and appeals of adverse action process.
- (4) The county board shall make all reasonable efforts to ensure that information regarding resolution of complaints and appeals of adverse action, including all notices and responses made pursuant to this policy, is presented using language and in a format understandable to affected individuals and persons. All notices and responses made pursuant to this policy shall include an explanation of the individual's or person's opportunity to file a complaint with or appeal to a higher authority, as applicable.
- (5) The time lines set forth in this policy may be extended if mutually agreed upon in writing by all parties involved.
- (6) Initiation of the formal process set forth in this policy does not preclude the resolution of a complaint or an appeal of adverse action at any point, as long as the outcome is mutually agreed upon in writing by all parties involved.

This policy shall not be applicable when the county board is a vendor or subcontractor for service delivery, for education services arranged by the local education agency, for services provided under part C of the IDEA, for Medicaid services, for performance of health-related activities and administration of medication by developmental disabilities personnel, or for services provided to a resident of an intermediate care facility for individuals with intellectual disabilities

Nothing in DCBDD policy or procedure shall relieve any person from the responsibility to comply with the resolution of complaints procedure and policy.

Rule Reference

OAC 5123-4-04 Resolution of complaints involving county boards of developmental disabilities and appeals of adverse action proposed or initiated by county boards of developmental disabilities (As may be amended)

Policy Revision Dates: 04/20/2017, 02/11/2021