



Home and Community-Based Services Waivers' DHHS Central Office Complaint Process

Purpose

The Central Office Complaint Process records and addresses complaints received about the provision of HCBS waiver services or services coordination. A complaint alleging violation by the State in general may also be filed.

Process

Complaints regarding possible violations of requirements of HCB waivers must be submitted to DHHS either orally or in writing. (Special accommodation will be made if writing is a barrier. Contact DHHS in person or by telephone to make arrangements.) A complaint need only include the facts upon which it is based. The complainant will have the opportunity to submit additional information either orally or in writing about the allegations in the complaint. If the complaint is determined to be related to a violation of the provision of services coordination and the Plan of Services and Supports, the following process will be used:

1. The Home and Community Based Services (HCBS) Unit Staff will notify in writing the individual or organization filing the complaint, as well as the local level services coordination agency/office about which the complaint has been filed, that it has been received. The notification to the local agency/office will include a summary of the complaint, substance of the alleged DHHS regulation or contract violation, and timeline for response. The local agency/office has 14 calendar days to submit a written response.
2. The HCBS Unit Staff will investigate each complaint to determine whether there has been a failure to comply with DHHS regulations and may require further written or oral submission of information by all parties. The HCBS Unit Staff may also conduct an independent on-site investigation if necessary.
3. Within 30 calendar days of receipt of a complaint, HCBS Unit Staff will complete its investigation and provide written notification of findings and the basis for all such findings to all parties involved. The notification will include an explanation of the complainant's right to request the DHHS

Chief Executive Officer to review the final decision. If, as a result of extenuating circumstances, DHHS HCBS Unit Staff cannot complete the investigation within 30 calendar days, an extension will be implemented. The HCBs Unit Staff will notify the person or organization filing the complaint and the local agency/office of the extension.