

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

# GUIDANCE DOCUMENT

“This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Nebraska Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.”

Pursuant to  
Neb. Rev. Stat. § 84-901.03

# DHHS Subaward and Grant Grievance/Protest Procedures

This policy sets forth the process for an entity to protest any Nebraska Department of Health and Human Services (DHHS) subaward (i.e. federal grant) or state funds grant awarded through a Request for Applications (RFA) issued by DHHS. This policy does not apply to DHHS contracts awarded through a Request for Proposal (RFP) or Invitation to Bid (ITB) issued by either DHHS or the Department of Administrative Services. Grievances/protests will only be accepted from any entity who submitted a timely application to the RFA.

1. Grievances/protests must be expressed in writing and directed to:

Chief Operating Officer  
Department of Health and Human Services  
P.O. Box 95026  
301 Centennial Mall South  
Lincoln, NE 68509

The written grievance/protest shall: (i) reference the RFA number; (ii) include specific issues that are disputed; and (iii) provide a point of contact and mailing address to which a response can be sent. All grievances/protests must be received within ten (10) business days of the posting of either the Intent to Subaward or Intent to Grant in order to be considered a valid grievance/protest.

A copy of the written grievance/protest must also be mailed to:

Procurement Services  
Department of Health and Human Services  
P.O. Box 95026  
301 Centennial Mall South  
Lincoln, NE 68509

2. A response will be made in writing by the Chief Operating Officer or designee to the entity's point of contact provided in the grievance/protest, and generally within ten (10) business days of receipt of the grievance/protest by the Chief Operating Officer.
3. If the response from the Chief Operating Officer or designee has not satisfied the grievance, the entity may make a written request for a meeting with the Chief Operating Officer and the Chief Executive Officer to:

Chief Executive Officer  
Department of Health and Human Services  
P.O. Box 95026  
301 Centennial Mall South  
Lincoln, NE 68509

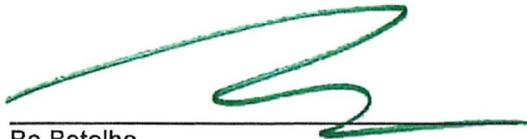
Such request shall: (i) reference the RFA number; (ii) include the specific issues disputed; (iii) provide a point of contact and mailing address; and (iv) must be received within ten (10) business days of the date of the Chief Operating Officer's response in order to be considered a valid meeting request.

A copy of the written request must also be mailed to Procurement Services at the address listed in Step 1 above.

4. A meeting will be scheduled and held with the entity, Chief Operating Officer, and Chief Executive Officer or designees, for the entity to present their issues.
5. A written final decision will be sent to the entity, generally within ten (10) business days after the meeting, unless additional time is necessary to fully examine the issues presented.
6. If desired, an entity may opt to skip Steps 1 & 2 above, and grieve simultaneously to the Chief Operating Officer, and the Chief Executive Officer or designee, thus beginning with Step 3.

A copy of the written grievance/protest must also be mailed to Procurement Services at the address listed in Step 1.

Dated this 1<sup>st</sup> day of April, 2020.



Bo Botelho  
Chief Operating Officer  
Department of Health and Human Services