

DIVISION OF CHILDREN AND FAMILY SERVICES
ADMINISTRATIVE MEMO #12-2008
Replaces Administrative Memo 6-2008

Date: November 13, 2008

To: All Division of Children and Family Services Staff

From: Todd L. Reckling, CFS Policy Administrator
Division of Children and Family Services *Todd L Reckling*

Approved by: Todd A. Landry, Director
Division of Children and Family Services *tal*

Re: Documentation and Response Protocols of Complaints regarding DHHS Providers who are on N-FOCUS

Effective Date: Immediately

Duration: Until Revised

Contact: Joe Skorupa, Business Systems Analyst, 402-471-7987
Sherri Haber, CQI & Operations Administrator, 402-471-7989

Introduction and Background:

This Administrative Memo replaces Administrative Memo #6-2008. The following protocol sets out the Division of Children and Family Services' (CFS) expectation for documenting and responding to complaints regarding organizations the Division does business with in order to improve the services the Division utilizes. These procedures are to be followed by all Economic Assistance and Child Welfare staff.

Resolving complaints is an important function as it assists us with evaluating the quality of our service delivery system, which leads to continuous improvement of services. This resolution process will reduce the number of complaints that could otherwise become serious problems because of a lack of initial response or oversight. The result of having a formal, documented process which all Division staff follows is improved services to children and families.

Process:

Complaints are received through a variety of sources: in person, letters, telephone, FAX or e-mail. The worker assigned to a specific organization or the worker assigned to address complaints regarding organizations that provide services to CFS is responsible for ensuring that complaints are documented, resolved and monitored. It is the assigned worker's responsibility to document and resolve complaints. A determination will need to be made whether the information being reported is a complaint, concern or question. There are situations that may not rise to the level of a complaint that do not require further inquiry or that CFS has the power to resolve.

For organizational complaints regarding contract standards, practices, procedures, abuse/neglect or licensing staff shall –

1. Document the complaint in N-FOCUS including:
 - Complainant's name and telephone number;
 - Select the type of Concern;
 - Document in Narrative Type:

- ^ **Complaint Description:** A brief description of the nature of the complaint, this may include dates, the names of other people involved, etc.
- ^ **Complaint Follow-Up:** Narrative regarding any actions taken regarding the complaint
- ^ **Complaint Resolution:** Narrative documenting how the complaint was resolved, this could include the names of others involved in the resolution process and any corrective action plans.
- ^ **Resolution Follow-Up:** Narrative regarding any actions taken as result of the resolution such as any monitoring required by the corrective action plan.

2. Keep names of complainants confidential.
3. Assign the correct DHHS staff to the complaint for resolution, if you are not the correct person to resolve the complaint.

If the complaint is received by Economic Assistance Support Staff, or a Social Services Worker, the complainant should be referred to the staff member's supervisor for resolution.

If the complainant alleges child or adult abuse or neglect, inform him/her of his/her responsibility under the law to report the allegations to the Abuse-Neglect hotline or to local law enforcement authorities. Share the Abuse-Neglect Hotline number (800-652-1999) with the complainant. The DHHS staff person who took the complaint has the responsibility of contacting the hotline to ensure the information was reported. If it has not been reported the worker is responsible to report the alleged abuse or neglect. Documentation of the complaint and your confirmation that the appropriate authority received the information is the complaint resolution.

If the complainant alleges a licensing or certification violation for a DD facility, encourage him/her to report their concerns to the appropriate DD staff. If the complainant alleges a licensing violation for a licensed facility such as a Family Child Care I or II, Child Care Center, Pre-school, Group Home, Child Caring Agency or Child Placing Agency, encourage him/her to report their concerns to the appropriate Child Care Inspection Specialist. You have the responsibility of contacting the appropriate Licensing Unit staff or Developmental Disabilities staff to ensure the information is reported. Documentation of the complaint and your confirmation that the Licensing Unit or DD staff has received the information is the complaint resolution. **This does NOT include licensed or approved Traditional Foster Homes. Complaints regarding Traditional Foster Homes shall be referred to the appropriate foster care licensing specialist for response and resolution.**

4. The assigned worker will:
 - a. Initiate an inquiry, which may include interviewing the person / organization about whom the complaint was given; interviewing all persons aware of the circumstances included in the complaint; reviewing the physical setting indicated in the complaint; determine who witnessed the occurrence stated in the complaint; and review all reports from other agencies, if any (i.e., law enforcement reports, Child Protective Services) etc.
 - b. Develop a corrective action plan which must be prepared if there is any identified issues requiring correction.
 - c. Document the results of the inquiry in the Resolution Narrative which shall include the outcome determination of the inquiry, any actions taken by the Department and any on-going corrective action plan.

- d. Resolve and document the complaint within 30 days of the receipt of the complaint. Supervisory approval for an extension must be documented in the Complaint Resolution narrative.
- e. Monitor the corrective action plan and /or any follow-up recommendations and document in the Resolution Follow-up Narrative.

Public Access:

Public access to N-FOCUS organization complaint records:

- No external partner with access to N-FOCUS will be authorized to view organization complaint information on-line through N-FOCUS
- Members of the public may request to view organization complaint information through the Department's Access to Public Information Policy Number: HHSS-2002-004.
- State law provides that all records are available for review unless another law expressly provides that the record is not public or may be withheld. Refer to the following NAC references for records that are not public:
 - 465 NAC 2-005
 - 474 NAC 6-003.17

N-FOCUS:

The November 2008 N-FOCUS release notes will include step-by-step instructions for completing the documentation of organizational complaints.