

Carroll County Board of MR/DD

Policy Reference: Administrative Resolution of
Complaints and Due Process

ORC Reference:

Ohio Administrative Code Reference: 5123:2-1-12

L SUBJECT: Administrative Resolution of Complaints and
Due Process Rights Policy

II. PURPOSE:

- A. It is the policy of the Carroll County Board of MR/DD to provide due process protections to individuals, families, guardians or complainants in the resolution of complaints involving programs, services, policies or Administrative practices of the County Board or any entities acting under contract with the County Board. Areas subject to Administrative Resolution may include, but not necessarily be limited to, eligibility determination, arranging appropriate services for eligible individuals, or any denial, reduction or termination of services to individuals provided by the Carroll County Board of MR/DD.
- B. The County Board shall adopt the Administrative Resolution of Complaints Process as outlined in the Section 5123:2-1-12 Administrative Code.

III APPLICATION:

- A. This policy shall apply to any person, other than an employee of the Carroll County Board of MR/DD. Any person may file a complaint and use this policy and applicable procedures prior to commencing a civil action regarding said complaint.
- B. Medicaid related procedures or other processes for appeal, specific to the service or support, may be utilized independent of, or in addition to, the County Board Administrative Resolution of Complaints and Informal Grievance procedures for resolving disputes of individuals, families, guardians or complainants. Further, applicants for or recipients of certain services may have additional avenues for appeal which may be utilized independent of, or in addition to, the aforementioned county processes and procedures as applicable to the specific service such as the State Board of Nursing and the Ohio Department of Health.

IV. NOTIFICATION OF POLICY AND DUE PROCESS RIGHTS :

- A. The Due Process Policy and Procedures shall be available for individuals and any entity in the county that serves persons or provides or desires to provide other goods or services under contract with the County Board. The County Board shall inform the individual that a representative of the Carroll County Board of MR/DD is available to assist the individual with the County Board Administrative Resolution of Complaints and Due Process outlined in the procedure and/or inform them, as applicable, of other appropriate avenues for appeal.
- B. The County Board shall notify individuals, families, and/or guardians or other complainants of the due process rights that may apply and include information on how to obtain more detailed information. Notifications shall occur annually, prior to a proposed action related to requests for services, or upon request.
- C. The County Board shall post the toll free number for the Ohio Department of MR/DD and Ohio Legal Rights Service in a visible place in its facilities.

V. CONFIDENTIALITY:

- A. The Carroll County Board of MR/DD shall at all times maintain confidentiality concerning the identities of individuals, families, guardians, complainants, witnesses or other involved parties who provide information unless an authorized release of information is obtained.

VI. ANNUAL REVIEW AND ADOPTION OF POLICIES:

- A. Policies related to the Due Process protections and Administrative Resolution of Complaint process shall be reviewed at least annually and updated as deemed necessary by the Carroll County Board of MR/DD.

VI. PROCEDURES TO IMPLEMENT THIS POLICY

- A. The Superintendent is authorized to implement any procedures necessary for the effective implementation of this policy

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