

**RESOLUTION OF COMPLAINTS/APEAL OF ADVERSE ACTION
EXPLANATION FORM
(FOR NON-MEDICAID SERVICES)**

Why would I file a complaint or appeal?

- You may file a complaint if you are dissatisfied with a program, service, policy, or practice of the county board of developmental disabilities.
- You may file an appeal of adverse action ("appeal") if your request for services is denied or if services you have been receiving are being taken away.

Do I have to file a formal complaint or appeal?

No. If you choose, you may start by trying to resolve your complaint or appeal informally with a supervisor or manager at the county board of developmental disabilities. You and the supervisor or manager can agree to work together to try and resolve your complaint or appeal. The informal process shall take no longer than 30 days.

Should I try to resolve my complaint or appeal informally before filing a formal complaint or appeal?

That is entirely up to you. Trying to resolve your complaint or appeal informally does not prevent you from filing a formal complaint or appeal.

When should I file a complaint or appeal?

- A complaint must be filed within 90 days of becoming aware of the program, service, policy, or practice that is the subject of your complaint.
- An appeal must be filed within 90 days of receiving notice that your services are being denied or taken away.

Important!

Except when it is necessary to stop services to ensure health and safety, the county board must notify you at least 15 days prior to the date it plans to take away your services. **If you file an appeal before the date your services are scheduled to be taken away, your services will stay in place during the appeal process.**

How do I file a formal complaint or appeal?

The complaint or appeal must be filed in writing with the supervisor or manager responsible for the program, service, policy, or practice of the county board. Staff of the county board will assist you if you need help.

How will I be notified about my complaint or appeal?

The county board will respond to you in writing. Each response will explain the next step and the time line for completing it.

What will happen after I file a formal complaint or appeal?

The supervisor or manager will meet with you to discuss your complaint or appeal and will investigate your complaint or appeal. Within 30 days, the supervisor or manager will provide you with a written response to your complaint or appeal. The Superintendent of the county board or the Superintendent's designee will review and sign the supervisor's or manager's response. If you make a request, the supervisor or manager will discuss the written response with you.

What if I am not satisfied with the supervisor's or manager's decision?

You may file your complaint or appeal with the President of the Morrow County Board of Developmental Disabilities. Your complaint or appeal must be filed in writing within 10 days of receiving the supervisor's or manager's written response. Staff of the MCBDD will assist you if you need help. A hearing will be conducted within 20 days of receipt of your complaint or appeal.

What will happen at the hearing?

The hearing may be conducted by the full board, by a committee of two or more members of the board appointed by the President of the MCBDD, or by a hearing officer appointed by the President of the MCBDD. You will have an opportunity to explain your complaint or appeal. You may be represented by an attorney. You have the right to question officials or employees of the MCBDD who have information related to your complaint or appeal. You may be asked questions about your complaint or appeal.

What will happen after the hearing?

You are entitled to receive, at no cost, an accurate written transcript of the hearing. Within 30 days of a hearing conducted by the board or the MCBDD's receipt of the report and recommendation from a hearing officer, the President of the MCBDD or the President's designee will send you the MCBDD's decision regarding your complaint or appeal. The decision must include a rationale and a description of what you should do if you are still dissatisfied.

What if I am not satisfied with the county board's decision?

You may file your complaint or appeal with the Director of the Ohio Department of Developmental Disabilities. Your complaint or appeal must be filed in writing within 15 days of receiving the county board's decision. Staff of the MCBDD will assist you if you need help. The Director may request additional information from you. Within **45** days of receipt of necessary documents related to your complaint or appeal, the Director will send you the decision regarding your complaint or appeal.

What if I am not satisfied with the Director's decision?

You may file a claim through the court system.

Who else can help me with my complaint or appeal?

Arc of Ohio at 1-800-875-2723

Disability Rights Ohio at 1-800-282-9181

Ohio Department of Developmental Disabilities at **1-800-617-6733**

Health Insurance Portability and Accountability Act (HIPAA)

If you wish to make a complaint about the Morrow County Board of Developmental Disabilities' HIPAA (Health Insurance Portability and Accountability Act) policies and procedures and/or the Board's compliance with those policies and procedures, you should notify the Morrow County Board of Developmental Disabilities' Privacy Officer in writing. The Board will not take any retaliatory actions against you as a result of your complaint.

The Privacy Officer will investigate your complaint, and if you are not happy with the response, you may appeal to the Secretary of the U.S. Department of Health and Human Services or the Office of Civil Rights.

IF YOU NEED MORE HELP REGARDING THIS PROCESS, YOU SHOULD CALL:**Morrow County Board of Developmental Disabilities
HIPAA Privacy Officer**

Collin Sanders
406 Bank Street
Mt. Gilead, Ohio 43338
(419) 947-1159, ext. 302

csanders@morrowdd.com