**Grievances and Appeals Policy**

**Effective May 1, 2018-May 1, 2019**

**Purpose:**

 Cornerstone/Hernandez Home AFC, Inc. is committed to making all resident feel comfortable and happy with their personal experience within the home.

Cornerstone/Hernandez Home AFC, Inc. residents are given a copy of the grievance and appeals policy which identifies both the informal and formal methods of filing a complaint regarding their care.

The care coordinating team will ensure that the resident is communicated the grievance policy in a way that is understandable and furthermore, they understand the process.

**Cross Reference:** CMS 2.1.4 POL PROC – Discharge Policy

**Definitions pertaining to the policy:**

**Informal Compliant:** Feedback provided by a resident and/or legal representative that can be, and is, addressed to the resident/legal representative’s satisfaction by the person to whom the feedback was given or by the home manager.

**Formal Complaint:** A formal complaint is feedback provided by a resident and/or legal representative that requires a policy of formal process change and approval by a member of the administrative team to address resident and/or legal representative satisfaction.

**Appeal:** An appeal is a request by the resident and/or legal representative for reconsideration of a decision that was made in response to a grievance.

1. **Informal Compliant Process**

Individuals who wish to make an informal compliant may propose that complaint through (but is not limited to) the following ways:

1. Completing a Cornerstone/Hernandez Home AFC, Inc. Complaint Form which is available in the home.
2. Mentioning their grievance to their care coordinator during contacts.
3. Through bi-weekly resident meetings.
4. Through stakeholder surveys.
5. Through talking with the home manager regarding the issue.

The home manager can attempt to resolve the compliant, grievance or appeal before a formal complaint is made. The matter should be handled by the home manager in the following ways:

1. Asking the resident to explain his or her concerns and identify the desired outcome.
2. Supplying the residents’ desired outcome if it is within the organizations ability or authority to do so.
3. If the organization cannot immediately supply the resident’s desired outcome, the person in charge of the compliant must explain the rights and responsibilities of each party and share with the person making the compliant what efforts need to be made to resolve the compliant. Furthermore, the individual making the compliant should be given a time frame for consideration to ensure timely decisions.
4. Informal complaints must have feedback or resolution within one week of the informal compliant unless it is mutually agreed upon by resident and/or guardian and Cornerstone staff member.
5. Staff can document resolution through progress notes, observation logs, contact logs or root-cause analysis.
6. **Formal Complaint Process**

A formal complaint happens when a home manager or Cornerstone/Hernandez Home AFC, Inc staff member cannot resolve the compliant within a specified time frame or when the staff member and/or home manager do not have the authority or scope of practice to resolve the compliant without the approval of a member of the administration. A formal compliant may happen when the resident and/or guardian are not happy with the resolution of the compliant. A formal compliant can happen in the following ways:

1. A formal compliant process can happen through filling out a Cornerstone/Hernandez Home AFC, Inc. compliant form available in the home.
2. Staff members can assist a resident and/or legal representative with appropriately filling out the compliant form if needed.
3. The compliant form will then be given directly to the Corporate Compliance Officer (“CCO”) for review.
4. The CCO will advise the resident of advocates that could help them with their compliant both internally and/or externally. Advocates might include the organizations rights advisors, their recipient rights officer, case worker, guardian, contracting agency and/or family member.
5. The CCO will work with the resident advocate/s to resolve the issue with a mutually agreeable resolution.
6. If needed, a resolution meeting can be scheduled with the CEO.
7. Together, the CEO, CCO, resident and/or advocates can come up with a resolution to the compliant.
8. If necessary, or in accordance with contract, the organization may utilize the Community Mental Health Agency to assist in the process or follow the grievance policy associated with the Agency.
9. A resolution of the grievance will be communicated to the resident and/or guardian within 14 business days of the receipt of the compliant.
10. If a resolution cannot be made within 14 business days, the CCO will issue a formal timeline and update the resident every 14 business days thereafter.
11. In a formal compliant process, residents may choose to include their contracting agency, case management service, legal representative or family members.
12. **Appeal Process**

In the event that the resident and/or guardian is dissatisfied with the grievance decision, the following will apply:

1. Advice resident and/or guardian of the appeals process, including appeal to Michigan Department of Health and Human Services tribunal, if appropriate.
2. Notify the Community Mental Health agency of the dissatisfaction using the procedures developed by the agency.
3. The CEO will reach a decision of the appeal within 14 business days.
4. If a decision cannot be reached within the 14 business days, the CEO will provide an update of where the appeal request is in the review process, an expected completion date and update every 14 business days thereafter until a resolution is found.
5. **Process Evaluation**

Annually, the CCO and Rights Advocate for the organization will conduct a process evaluation to identify the nature and count of formal complaints, grievances and appeals by each location. They will identify potential trends and analyze the rates of formal and informal complaints to previous years. They will also make recommendations for process improvements and identify any actions necessary for change.

1. All Cornerstone/Hernandez Home AFC, Inc. residents and/or guardians have the right to be free from retaliation, intimidation or barriers to service due to the filing of a compliant, grievance or appeal.