

GEAUGA COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

BOARD POLICY

Reviewed and Adopted by the Board

Date: 7/18/01

Revised: 2/16/11

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Revised: 3/17/21

3.1 Administrative Resolution of Complaint

The Geauga County Board of Developmental Disabilities understands it is important for individuals to have an official channel to follow should a dispute or complaint arise. For all complaints or disputes not involving employees, the Board shall have in place a consistent process that meets the rule outlined in OAC 5123-4-04. Employees will use the grievance procedure outlined in Chapter 7.

The Board authorizes the Superintendent to craft an appropriate procedure and oversee the implementation of the process.

Geauga County Board of Developmental Disabilities

Procedure for Policy 3.1 Administrative Resolution of Complaints

This procedure will be followed with any dispute or complaint arising from a client of the Board, a parent, a service provider, a contracting entity, or a member of the general public. Staff members are to follow the grievance procedure outlined in Chapter 7 Personnel.

In order to allow for careful review and consideration of a proposed action, notice of a Board action should be announced at least 15 calendar days prior to the implementation of the action. However, should an action be required sooner, notice of the decision or action should be given as soon as possible.

It is understood that most complaints and disputes are usually handled in an informal fashion involving conversations with the staff and administration. Resolving issues informally is encouraged prior to officially beginning the Administrative Resolution of Complaint Process. The informal process may be initiated with the Superintendent, a department director, or a manager of the appropriate program within 30 calendar days of the action. When a client, parent, or member of the general public do not believe that a satisfactory resolution has been obtained informally, the Administrative Resolution of Complaint steps are to be initiated within 90 calendar days of the action. All steps of the Administrative Resolution of Complaint process must be followed prior to the initiation of a civil action concerning the complaint.

Annually, clients and/or their guardians will be given notice that the Administrative Resolution of Complaint Process is available should a decision be made that does not meet with their expectation. The Administrative Resolution of Complaint Process will be posted on the Geauga County Board of Developmental Disabilities website, www.geaugadd.org/about-us/.

If any other individual or entity wishes to file a complaint with the Board concerning a decision that was made or that is proposed to be made, the Administrative Resolution of Complaint procedure will be provided to them at that time.

The timelines in the Administrative Resolution of Complaint may be extended or suspended at the mutual agreement of both parties.

At any time during the Administrative Resolution of Complaint process, the person filing the complaint may include their advocate or legal counsel at their expense.

Any action or decision will be suspended while the Administrative Resolution of Complaint process is followed to its conclusion.

Official Administrative Resolution of Complaint Procedure

Step 1: A client, parent, provider, contractor, or member of the general public may express their desire to file a complaint concerning a decision or action verbally, via email, or in writing within 90 calendar days of the action.

Response: The Superintendent or appropriate board employee will provide the Administrative Resolution of Complaint procedure to the person expressing the complaint by emailing an electronic version, printing a hard copy for hand delivery, or mailing a hard copy to the individual.

Step 2: The complaint will be submitted in writing – either electronically or in hard copy. The complaint must be submitted to the appropriate manager or director of the department responsible for the decision within 90 calendar days following the decision or proposed action. The complaint will clearly identify the decision or action being disputed. Further, the complaint should list the individual's desired outcome. Should the individual filing the complaint need assistance, a staff member of the Board will be made available to assist in preparing the complaint.

Response: Within 15 calendar days of receipt of the complaint, the appropriate manager or director will conduct an investigation of the complaint and will issue a decision. As part of that decision, the supervisor will inform the complainant that they have 10 calendar days to appeal their decision to the Superintendent.

Step 3: The complainant may accept the supervisor's decision, or he/she may submit in writing (either via email or in hard copy) their desire to have an administrative review of the decision.

Response: Within 10 calendar days of receipt of the appeal, the Superintendent or a designee will hold a meeting with the individual filing the complaint. During the meeting, the reviewer may ask questions for clarification, consider whether the action or decision should be changed, and consider the suggested alternate action proposed by the complainant.

The Superintendent/designee will issue a written decision within 15 calendar days of receiving the appeal. The decision will include the rationale for the decision and inform the complainant of his/her right to appeal the decision to the Board President within 10 calendar days.

Step 4: The complainant may accept the Superintendent's decision, or he/she may submit a written appeal to the Board President within 10 calendar days of receipt of the Superintendent's decision.

Response: The Board President may choose to have the whole board hear the case, appoint a committee of two or more board members to hear the case, or

appoint a hearing officer who is not a Board employee. The hearing will be held within 20 calendar days of the filing of the appeal.

Both the complainant and the administration will present their cases. The proceedings will either be recorded or a stenographer will be used to create a transcript of the hearing. The decision of the board or hearing examiner will be based solely on the information presented at the hearing.

Within 15 calendar days following the hearing, the written decision shall be communicated to the complainant and the administration. The decision should state the rationale based on evidence presented at the hearing.

If the complaint is filed by an individual who receives services or support, the Administrative Resolution of Complaint process can be taken to the Ohio Department of Developmental Disabilities. The decision issued shall state that the decision can be appealed to DODD within 15 calendar days.

All other complaints terminate at Step 4 with the board's decision.

Step 5: If the board's decision is appealable to DODD, the requirements of OAC 5123-4-04 will be followed from that point forward.