

Book	A. SEFBHN Policy and Procedures
Section	300.00 Operations
Title	Consumer Grievances
Code	314.00
Status	Active
Adopted	December 13, 2013
Last Reviewed	August 1, 2021

Reason for Policy:

To promote consumer access to high quality consumer centered behavioral health services by responding to consumer concerns in a sensitive and timely manner.

Definitions: N/A

Policy Statement:

It is the policy of Southeast Florida Behavioral Health Network to ensure that all providers contracted with the agency have a consumer grievance policy and procedures in place, and make those procedures available to consumers at all times. It is also the policy of SEFBHN to be the next step for consumers and/or designee after they have exhausted all steps of the provider's grievance process.

Procedure:

- I. **Each Provider's Grievance Procedures may consider the following minimum standards and incorporate these elements into their policy and procedures:**
- II. Consumers shall have the opportunity to file a grievance at any reasonable time. The grievance process will be explained and Grievance Forms available in all areas of consumer access.
- III. Consumers shall be protected against having to file or present a grievance to the person complained about in the grievance.
- IV. Consumers shall have access to their designated representative, if they choose to appoint one, and shall have the right to representation during each stage of the grievance procedure by their personal representative.
- V. Time limits shall be set for the completion of each step of the procedure with initial response to the grievance within 24 hours of receipt by provider supervisory staff.
- VI. The consumer and/or designee shall receive written acknowledgement of a filed grievance and face to face explanation of the proposed resolution within 48 hours.

- VII. Prompt steps shall be specified to insure the immediate physical safety of a consumer if the circumstances surrounding a grievance raise a reasonable belief that the consumer's safety is threatened.
- VIII. SEFBHN will review provider grievance log during on-site contract validations.

II. Procedures: Southeast Florida Behavioral Health Network Consumer Grievance

- A. If all attempts to resolve a grievance by the provider are unsuccessful, the Chief Executive Officer of the provider is required to pass it on to the Client Affairs Liaison Southeast Florida Behavioral Health Network, and notify the consumer and/or designee that their grievance has been referred to SEFBHN, and provide the contact information for the SEFBHN Client Relations Liaison (561-203-2485).
- B. Grievances that are referred to SEFBHN via an agency contracted provider or directly from a consumer and/or designee, will be managed in the following manner:
- C. Grievances/complaints may be referred to SEFBHN directly by the client, their designee or family member or the provider agency by phone or in writing. Complaints received via third party sources such as the Governor's Office, DCF SAMH Regional Office, or other DCF Agencies, will be coordinated by the SEFBHN Client Relations Liaison.
- D. Upon receipt of a grievance /complaint the SEFBHN will review and take appropriate steps to follow up with the provider and the client (if the client is not the source of the complaint) and log it into the SEFBHN Complaint Log. A written summary of the grievance/complaint is forwarded to the Point of Contact for the agency in question within one day with a request for a response that will outline specific information needed and a due date.
- E. SEFBHN will follow-up with the consumer or ensure that the provider has depending on the nature of the complaint.
- F. Within ten (10) business days of the date the grievance was reported to SEFBHN by the consumer and/or designee, or provider. SEFBH will notify the consumer and/or designee before the deadline, if more time is needed to fully mediate the grievance.
- G. Grievances that allege abuse or neglect will have a substantive response within 8 hours of receipt. Grievances containing allegations of physical or sexual abuse will also be reported to the Florida Abuse Hotline at **(800) 962-2873, by the SEFBHN Client Relations Liaison**. The SEFBHN Client Relations Liaison will contact the Chief Executive Officer of the provider within 1 hour of notification of the abuse, to ensure the provider is aware and that report of the incident is made to the Incident Report Coordinator at Southeast Florida Behavioral Health Network at 561-215-8769, and in the State of Florida IRAS (Incident Reporting) System.
- H. Southeast Florida Behavioral Health Network will also involve a consumer peer in the grievance review and mediation process if appropriate.
- I. Grievances filed with SEFBHN by a consumer or on behalf of a consumer will not result in retaliation or a barrier to services towards the consumer.

III. Other Options for Filing a Grievance or Complaint

If a consumer or his/her designee is dissatisfied with the response to a grievance by SEFBHN, the consumer and/or designee may appeal the grievance to the regional office of the Florida Substance Abuse and Mental Health Program and be given the contact information for other avenues to seek remediation.

Notification and publication of the right to file a grievance directly with Southeast Florida Behavioral Health is listed in the Consumer Handbook available on the SEFBHN website.

AHCA Agency for Health Care Administration provides a toll-free telephone system for consumers to call in order to file complaints, receive publications, information and referral numbers. This system can be accessed by calling the number below between the hours of 8:00 A.M. and 6:00 P.M. Eastern Time Monday through Friday. Complaints about health care facilities are taken during regular business hours, 8:00 A.M. to 5:00 P.M., Eastern Standard Time (EST). **(888) 419-3456**

- Southeast Florida Behavioral Health Network 561-203-2485
- Florida Department of Health Consumer Services [850-245-4339](tel:850-245-4339)
- Florida Local Advocacy Council 800-342- 0825, TTY/TDD FL Relay 800-955-8771
- Florida DCF Office of Civil Rights 850-487-1901
- Florida Abuse Hotline 800- 962-2873 or TDD 800-453-5145
- Florida Inspector General's Office 1-800-438-5326

Forms/Regulations:

DCF Operating Procedure CFOP 601-17