

Area Agency on Aging 3	Grievance Procedure Regarding Older Americans Act Services	Procedure Issued: Page:
	Policy and Procedure	
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Purpose:

The Area Agency on Aging 3 (hereinafter referred to as AAA3) grievance procedure is for use by older individuals who are dissatisfied with or denied any services funded through the Older Americans Act (OAA), and who are seeking a resolution of their grievances from the AAA3. The grievance procedure required by this Policy is in addition to the grievance procedures required of all providers of in-home services under section 314 of the OAA.

Procedure:

- A. Participant Rights:** AAA3 shall be cognizant of the rights of older individuals. These rights include the following:
1. The right to contact the Office of the State Long-term Ombudsman Program (**1-800-282-1206**) to seek assistance in resolving grievances against the AAA3 or a provider;
 2. The right to be fully informed, in advance, about each service that the AAA3 or its providers offer to the individual, and about any change in the services being received by the individual that may affect the individual's well-being;
 3. The right to participate in planning and changing services provided under the OAA by the AAA3 or its providers, unless the individual has been judicially adjudicated incompetent;
 4. The right to voice grievances with respect to any service that the Area on Aging 3 provides, or fails to provide, to the individual, without discrimination or reprisal as a result of having voiced the grievance, and to be treated with dignity and respect;
 5. The right to have all records related to the individual treated confidentially, except as otherwise required by law;
 6. The right of the individual to have the individual's property treated with respect;
 7. The right to be fully informed (orally and in writing) of individual rights under the OAA, in advance of receiving a service; and,

8. The right to receive a written response from the AAA3 or its providers to every grievance voiced by the individual.

B. Grievance Procedure Guidelines:

1. **Notification of procedure:** A copy of AAA3's written grievance procedure, consumer bill of rights, and contact information for the Ombudsman program is provided to an individual when:

- a. The individual applies to the AAA3 or a provider for the receipt of OAA services;
- b. The AAA3 or its provider denies the individual's request for OAA services;
- c. The AAA3 or its provider reassess the consumer's eligibility for OAA services; and,
- d. When the AAA3 or its provider proposes to reduce or terminate the individual's OAA services.

2. **Submission of grievances:**

- a. Every effort will be made to resolve grievances as early in the grievance process as possible, preferably at the provider level. Every provider is required to have a written grievance process in place. An individual is not required to seek resolution of their grievances from a provider prior to submitting their grievance to the AAA3 for consideration.
- b. Grievances may be submitted orally and/or in writing.

If the grievance is received orally, AAA3 is required to convert any oral grievance it receives into a written statement shortly after receipt and must ask that the individual filing the grievance acknowledge whether the written statement is an accurate reflection of the oral grievance.

All written grievances should be submitted as follows:

Area Agency on Aging 3
ATTN: Vice President of Community Living Services
200 E. High St., 2nd Floor
Lima, Ohio 45801

If the position of Vice President of Community Living Services is vacant, grievances will default to another designated Agency Leadership Team Member.

- c. If an individual fails to submit their grievance in strict conformance with agency policy, the AAA3 will not refuse to address the individual's concerns.
3. **Acknowledgement of receipt**: Once the grievance is received the AAA3 designee will acknowledge receipt of the grievance in writing, within **5** business days of the date on which the grievance is received, unless the AAA3 is able to resolve the grievance sooner. When acknowledging its receipt of a grievance, the AAA3 shall refer the individual to the Ombudsman Program for assistance in remedying the grievance.
 4. **Fairness/Timeliness**: AAA3 will address any grievance it receives in a fair and timely manner. To this end:
 - a. The AAA3 shall ensure that the individual charged with responding to a grievance is neutral and was not involved in any of the events that serve as the basis for the grievance; and,
 - b. If the AAA3 staff person charged with responding to a grievance was involved in the events that serve as the basis for the grievance, the grievance will be handled by another member of the Agency Leadership Team or the Agency Board of Directors.
 - c. Unless otherwise agreed to by the AAA3 and the individual, the AAA3 must render a decision as to each grievance received within **15** business days of receipt by the AAA, or the AAA must document in its records the reasons why they grievance could not be resolved within that timeframe.
 5. **Face-to-Face Discussion**: The AAA3 grievance procedure allows the individual who submits a grievance and the individuals' representative, if any, the opportunity to discuss the grievance in person with the AAA3 if the individual, or individuals' representative, is dissatisfied with the written response and/or resolution of the complaint.
 6. **Written Responses**: All decisions rendered by the AAA3 in response to a grievance will be provided in writing to the individual who submitted the grievance, and the individuals' representative, if any, when requested by the grievant.
 7. **Further Consideration**: The individual, who submitted the grievance, or the individual's representative, if any, has no less than **10** business days to review the AAA3's response to the grievance and offer a written response to the AAA3 before the decision becomes final.
- C. **Appeals**: All decisions rendered by the AAA3 in response to a grievance shall be final.
- D. **Retaliation**: The AAA3 will not retaliate or discriminate against any individual who submits a grievance to the AAA3 or one of its provider agencies.

- E. Records Retention:** AAA3 will retain a copy of all grievances it receives, and its written responses to those grievances, for a period of two years.
- F. Area Plan:** AAA3 shall include a copy of its grievance process with the area plan the Area Agency in Aging 3 submits for approval to ODA.
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