



POLICY TITLE: CLIENT RIGHTS AND GRIEVANCE PROCEDURES POLICY - GENERAL
POLICY NUMBER: CLIENT RIGHTS – 10.1
POLICY SPONSOR: CLIENT RIGHTS OFFICER
APPLICABILITY: ALL CLIENTS AND ALL JFSA SERVICES

BACKGROUND

All persons served by Jewish Family Service Association (JFSA) are afforded rights while applying for or receiving services from the agency. Persons served by the agency who present with a developmental disability are provided with the Ohio Department of Developmental Disabilities Bill of Rights, persons served by the agency who are receiving behavioral health services are provided with the Ohio Department of Mental Health and Addiction Services Client Rights and Grievance Procedures, and all other persons served by the agency are provided with the agency General Client Rights.

PURPOSE

The purpose of the Client Rights and Grievance Procedure policy is to protect and enhance the rights of persons applying for or receiving JFSA services by establishing specific rights of clients and procedures for responsive and impartial resolution of client grievances. To outline the General Client Rights established for all persons receiving JFSA services. Additional policy outlines client rights specific to clients receiving behavioral health and/or developmental disabilities services from the agency. JFSA shall treat and serve all clients without regard to race, color, national origin, disability, age, sex, gender, gender identity, or religion. JFSA fully complies with Section 504 of the Rehabilitation Act of 1973.

DEFINITIONS

- (1) Accommodation: JFSA will comply with Title I and Title VI of the ADA to provide reasonable accommodation. At the time of client intake and service assessment, JFSA will identify and assess the need for best language, and physical and other accommodation which includes presentation, response, setting and timing and scheduling. JFSA will provide information in alternative formats upon request. Accommodation requiring translations of printed materials and translators will be provided based on assessment and/or upon request.
- (2) Client – any individual applying for or receiving JFSA services including but not limited to mental health or developmental disability services.
- (3) Client Rights Officer (CRO)- The JFSA staff person responsible for assuring compliance with client rights and the concern/complaint/grievance procedure rules implemented within the agency. individual designated by JFSA with the responsibility for assuring compliance with this Client Rights and Grievance Procedure Policy. JFSA's CRO is the agency's Corporate Compliance Officer/Director, Performance Improvement & Outcomes.



- (4) Mental Health Services – any of the services, programs, or activities named and defined in Rule 5122:2-1-01 of the Administrative Code. Community services are listed and defined in paragraphs (D)(11) to (D)(15) of Rule 5122:2-1-01 of the Administrative Code.
- (5) Grievance – usually a written complaint initiated either verbally or in writing by the client or by any other person or agency on behalf of a client regarding denial or abuse of any client’s rights. A grievance is an issue that concerns unresolved issues, cannot be addressed immediately, may concern an alleged violation of client rights, or that may involve a client’s request for response. Grievances may be submitted verbally or in writing. A remedy/resolution must be reached within 20 calendar days. A written letter confirming receipt of the grievance will be provided to the client within 3 business days of receipt. A resolution letter will be provided to the client describing the remedy/resolution and the process for appeal.
- (6) Complaint – usually a written concern communicated by a client or person acting on behalf of the client questioning the personal care or clinical treatment received by the client, the environmental conditions, or any aspect of services received. Complaints may be submitted verbally or in writing. Complaints consist of issues less severe and less complex than a grievance. Any complaint alleging violation, denial, exercise, or abuse of a client is considered a grievance. A complaint is an issue that can be resolved promptly (either immediately or within 24 hours and within 30 calendar days) and informally by the staff members present at the time of the complaint. Complaints typically do not require investigation or peer-review process.
- (7) Concern – Any communication, oral or written, by a client or person acting on behalf of the client questioning any aspect of services, clinical treatment, or agency staff. Concerns are typically instances for which the person wishes to inform the supervisor and/or the Client Rights Officer of a situation that has negatively impacted the client.
- (8) Class One Residential Facility: designation by OHMHAS of a licensed residential facility that provides accommodations, supervision, personal care services, and mental health services for one or more unrelated adults with mental illness or one or more unrelated children or adolescents with severe emotional disturbances. The facility is owned/operated by a Behavioral Health Agency (i.e., JFSA).

CLIENT RIGHTS - GENERAL

- (1) The right to be treated with consideration and respect for personal dignity, autonomy and privacy;
- (2) The right to reasonable protection from physical, sexual or emotional abuse, neglect, and inhumane treatment;
- (3) The right to receive services in the least restrictive, feasible environment;
- (4) The right to participate in any appropriate and available service that is consistent with an individual service plan (ISP), regardless of the refusal of any other service, unless that service is a necessity for clear treatment reasons and requires the person's participation;
- (5) The right to give informed consent to or to refuse any service, treatment or therapy, including medication absent an emergency;
- (6) The right to participate in the development, review and revision of one's own individualized treatment plan and receive a copy of it;
- (7) The right to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others;
- (8) The right to be informed and the right to refuse any unusual or hazardous treatment procedures;
- (9) The right to be advised and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs or other audio and visual technology. This right does not



- prohibit an agency from using closed-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas;
- (10) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations;
 - (11) The right to have access to one's own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction;
 - (12) The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary;
 - (13) The right to be informed of the reason for denial of a service;
 - (14) The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, need for language accommodation, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;
 - (15) The right to know the cost of services;
 - (16) The right to be verbally informed of all client rights, and to receive a written copy upon request;
 - (17) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations;
 - (18) The right to file a grievance;
 - (19) The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested;
 - (20) The right to be informed of one's own condition; and,
 - (21) The right to consult with an independent treatment specialist or legal counsel at one's own expense.

The Client Rights Policy and Grievance Procedure Policy is posted in the office lobby of all JFSA buildings, on the agency website at www.jfsa-cleveland.org, and available from JFSA staff at the main office during regular business hours or may be obtained from the Client Rights Officer. All clients receive a copy and explanation of client rights policy at intake, annually, and upon request.

JFSA Headquarters:

Jewish Family Service Association of Cleveland
29125 Chagrin Boulevard
Pepper Pike, OH 44122
(216) 292-3999

PROCEDURE

JFSA shall investigate each grievance/complaint including allegations of neglect and/or abuse by agency staff or by another (e.g., peer, visitor, etc.) of a client. The written results of all investigations will be reviewed by the Corporate Compliance Officer and Senior Management. JFSA shall retain all documentation of the incident report, findings of the investigation, and actions taken because of the investigation. JFSA shall report any allegations of neglect or abuse to the appropriate board within 24 hours of the event occurring or being discovered and shall comply with notification required by law to the appropriate authorities.



It is the policy of JFSA to provide all clients that receive agency services a written grievance/complaint procedure upon request which provides the following:

1. A client rights officer (CRO) will be available to aid in filing the grievance/complaint if needed by the griever/complainant, or to receive a concern on behalf a client, legal representative of a client, or concerned family member, etc. The CRO will investigate the grievance/complaint on behalf of the griever/complainant and provide agency representation for the griever/complainant at the agency hearing on the grievance if desired by the griever. The CRO, Jeanne Mattern, PhD, is available during regular business, Monday through Friday 9am-4:30pm at JFSA Headquarters, 29125 Chagrin Blvd., Pepper Pike, OH 44122. (216)378-3496.
2. The CRO shall provide an explanation of the process from the original filing of the grievance/complaint to the final resolution, which will include an opportunity for the griever/complainant and/or their designated representative to be heard by an impartial decision maker. The CRO shall keep records of grievance and complaints received, subject matter, and resolution.
3. A release of information (ROI) should be signed by the client griever, giving JFSA permission to share information from other persons and agencies regarding the client, which pertains to the grievance/complaint. This procedure must be followed when the griever/complainant is other than the client/legal guardian.
4. JFSA shall give written receipt of all grievance to the client or griever, if other than the client, with the client's permission, specifying the date and time and who received the grievance, and shall provide written notification and explanation of the resolution.
5. JFSA shall work to resolve all grievances within twenty (20) working days from the date of the filing of the grievance. The Client Rights Officer shall initiate an investigation as soon as possible. Documentation of the investigation led by the Client Rights Officer should be as thorough as possible, including dates and times of events. A letter of receipt will be sent to the person filing the complaint or grievance within 3 working days of filing. The investigation process shall include interviews with all parties involved of the filed concern, complaint, or grievance. JFSA community behavioral copy of the grievance, documentation reflecting the process used and remedy of the grievance will be maintained for a period of 2 years.
6. For concerns or complaints that have been filed, the Client Rights Officer has thirty (30) calendar days from the initial date of the filed concern or complaint to come up with a resolution.
7. If a remedy/resolution is still not reached, the person who filed the concern, complaint or grievance shall be advised (in writing for grievance) and referred to any or all the following below outside entities within 20 business days of the initial agency notification for grievances and 30 calendar days for complaints. Any extenuating circumstance indicating the resolution deadline period must be extended must be documented in the complaint/grievance file and written notification given to the client.
8. JFSA shall offer clients every opportunity and provide a "reasonable period of time" to file grievance and will assist, when necessary, in the process. While clients file grievance within any reasonable timeframe, they are encouraged to do so within thirty (30) days from the date that the grievance occurred so that information is readily available, and memories are still fresh.
9. Clients and other parties concerned may initiate a complaint or grievance to any agency, board, department, licensing board, or regulatory agency desired. Filing a grievance is not an appeal



procedure. The following list shall be provided upon request to the client with a printed explanation of the grievance process and information regarding the CRO.

Alcohol Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS Board)
2012 West 25th Street, 6th Floor
Cleveland, Ohio 44113
(216) 241-3400 Fax (216) 861-5067
www.adamhscc.org

Geauga Board of Mental Health & Recovery Services
13244 Ravenna Road
Chardon, OH 44024
(440) 285-2282 Fax (440) 285-9617
www.geauga.org

County of Summit ADM Board
1867 W. market St., Suite 82
Akron, OH 44313
(330) 762-3500 Fax (33) 252-3024
www.admboard.org

Ohio Department of Mental Health and Addiction Services (OhioMHAS)
30 East Broad Street, 36th Floor
Columbus, Ohio 43215-3430
(614) 466-2596 / (877) 275-6364
www.mha.ohio.gov

Ohio Legal Rights Service
9 East Long St., 5th FL
Columbus, OH 43266-0523
(614) 466-7264 or (800) 282-9181
www.olrs.state.oh.us

Disability Rights Ohio (DRO)
200 Civic Center Dr.
Columbus, Ohio 43215
Phone: 614-466-7264/800-282-9181
www.disabilityrightsohio.org

Attorney General's Office, Health Care Fraud Unit
30 E. Broad St., 14th Floor
Columbus, OH 43215
Phone: (800) 282-0515



www.ohioattorneygeneral.gov

Ohio Governor's Council on People on Disabilities
400E.Campus View Blvd.
Columbus, OH 43235
(800) 282-4536 X. 1391 or (614) 43-1391 (voice & TDD)
www.state.oh.us/gcpd

Steven Mitchell, Regional Manager
Office for Civil Rights, Region V- Midwest Region
U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Customer Response Center: (800) 368-1019 Fax: (202) 619-3818 TDD: (800) 537-7697
Email: ocrmail@hhs.gov

Ohio Department of Developmental Disabilities
Cuyahoga County:
1275 Lakeside Ave. East
Cleveland, OH 44114-1129
(216) 241-8230 Fax (44) 333-6841
www.cuyahogabdd.org
<https://cuyahogabdd.org/> <https://cuyahogabdd.org/have-a-complaint/>

Ohio Department of Developmental Disabilities:
Geauga County:
8200 Cedar Rd.
Chesterland, OH 44026
(440) 729-9406 Fax (440) 729-9406
www.geaugadd.org
Summit County:
89 East Howe Rd.
Tallmadge, OH 44278
(330) 634-8000 Fax (330) 634-8684
www.summitdd.org

Counselor, Social Worker & Marriage and Family Therapist Board
77 S. High St., 24th FL Room #2468
Columbus, OH 43215
(614) 466-0912 Fax (614) 728-7790
www.cswmft.ohio.gov

Ohio State Medical Board
30 Broad St., 3rd FL
Columbus, OH 43215



(614) 466-3934 Fax (614) 728-5946
www.med.ohio.gov

Ohio Board of Nursing
8995 East Main St.
Reynoldsburg, OH 43068
ATTN: Complaints
(614) 466-9560
complaints@nursing.ohio.gov
<https://nursing.ohio.gov/compliance-and-regulation/file-a-complaint>

CARF International/USA (formerly known as: Commission on Accreditation of Rehabilitation Facilities)
6951 East Southpoint Road
Tucson, AZ 85756-9407
(866) 510-2273 / (866) 510-CARF
www.carf.org

The Ohio Department of Health - Complaint Unit
246 N. High St.
Columbus, OH 43215
(800) 342-0553 Fax (614) 564-2422
hccomplaints@odh.ohio.gov
www.odh.ohio.gov

Medicare Beneficiary Ombudsman
<https://www.medicare.gov/claims-appeals/your-medicare-rights> get help-with-your-rights-protections

Long Term Care Ombudsman
2800 Euclid Avenue, Suite# 200
Cleveland, Ohio 44115
Phone: 216-696-2719 or 1-800-365-3112
www.ltco.org

Ohio Department of Transportation, Attn: Office of Opportunity, Diversity, and Inclusion, Title VI Coordinator,
1980 West Broad St., Mailstop 3270, Columbus, Ohio 43223
Federal Transit Administration
Office of Civil Rights
Attn: Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Avenue., SE
Washington, DC, 20590

Western Reserve Area Agency on Aging (WRAAA)
1700 East 13th St., Suite#114
Cleveland, OH 44114



Phone: (216) 621-0303 / (800) 626-7277

www.areaagingsolutions.org

Upon request, and when accompanied by an appropriate release of information, JFSA shall provide all relevant information about the grievance/complaint to one or more of the organizations specified in the paragraph above as well as one or more of any other outside entities requested.

10. JFSA shall post the grievance/complaint procedure in a conspicuous place in all agency-owned buildings and/or service areas. In addition, written procedures regarding grievances/complaints shall be available upon request to each applicant, client, or other interested party.
11. JFSA shall make provision for prompt accessibility of the CRO to the griever/complainant.
12. JFSA shall make provision for alternate arrangements for situations in which the CRO is the subject of the grievance/complaint or when the CRO is not available. The griever/complainant will be provided contact information with Alternate CRO.
13. JFSA shall provide a personal copy of the client rights policy to every member of the staff and provide staff training on the rights of clients and the grievance procedure at orientation and annually. JFSA staff shall immediately advise any client or other person who is articulating a concern, complaint, or grievance about the name and availability and contact information of the CRO and the complainant's right to file a grievance/complaint. Staff shall also explain the grievance/complaint procedure if requested.
14. A complainant may be represented by a person of his or her own choice. If a complainant employs an attorney, the complainant must pay the attorney's fees. JFSA is not required and shall not be responsible for fees or any costs related to the employment of private counsel.
15. JFSA provides for the CRO to take all necessary steps to assure compliance with the grievance/complaint procedure.
16. In the case of any agreement with outside entities, JFSA assures that those responsibilities regarding provisions of the rule as stated.
17. JFSA shall provide written notification and explanation of the resolution to the client or griever/complainant, if other than client.
18. JFSA records are available for review by the appropriate boards and OhioMHAS upon request.
19. JFSA shall submit an annual report to the ADAMHS Board(s) including number of grievances/complaints received, types, and resolution status.
20. Subsequent substantive changes to this policy shall be submitted to the Corporate Compliance Officer for approval.

PROCESS FOR FILING A GRIEVANCE/COMPLAINT

Any person applying for or receiving JFSA services has the right to file a grievance or complaint with the CRO (Client Rights Officer) or the staff of JFSA, who are familiar with the specific rights and the grievance procedure. Copies of the grievance application, written instructions for the application, and details of the grievance procedure and release of information forms make up the application package.

The CRO shall be immediately notified of any grievance/complaint, assist in the collecting of additional information, if necessary, and acknowledge to the griever/complainant the receipt of the grievance/complaint.



It is the responsibility of the CRO to review the application, gather additional information, and investigate the grievance/complaint. If a resolution can be found at this level, a written statement shall be mailed/emailed to the griever/complainant which details the grievance/complaint, the investigation, and the resolution signed by the CRO. If the resolution letter is presented to the griever/complainant in-person, the griever/complainant will also sign.

If the griever/complainant is not satisfied, they and the CRO shall meet with the Executive Director of the service provision area. If a resolution is reached at this level, a letter as detailed above will be mailed/emailed to the griever/complainant, signed by the CRO. If the resolution letter is presented to the griever/complainant in-person, the griever/complainant will also sign.

If the griever/complainant, the CRO, and senior management are unable to find a resolution, the griever/complainant shall be invited to bring concerns before JFSA CEO. The scheduling of the meeting shall be within twenty (20) working days. If JFSA CEO and griever/complainant cannot resolve the complaint/grievance, the griever/complainant shall be given a full copy of the grievance/complaint procedure and have explained what resolution may be sought from the outside entities listed in this policy.

A grievance/complaint log shall be maintained by JFSA CRO that will contain, at minimum, the following: the griever's/complainant's name and address, summary of complaint/grievance, and the resolution or action taken.

SUPPORTS: Ohio Department of Mental Health Client Rights and Grievance Procedures Policy; Reporting Suspected Abuse, Neglect, Misappropriation or Exploitation of a Client Policy; Accessibility, Availability, Appropriateness and Acceptability of Services Policy; Intake and Eligibility Criteria for Mental Health Services Policy; Consent for Treatment Policy. JFSA Client Rights policies (Mental health, DD, CAH/OAS, etc.)

AUTHORITY: OAC 5122-30-22: Resident Rights and Grievance Procedure; OAC 5122-26-18: Client Rights and Grievance Procedure, and Abuse; ADAMHS Board of Cuyahoga County Resource Manual for Client Rights; CARF Standards, Ohio DODD, ODH, OhioMHAS, DRO, ADAMHS Board

EFFECTIVE: 4/9/2008

ANNUAL REVIEW: 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024; 2025, 2026

DATES OF REVISION: 4/9/08, 7/18/08, 6/28/11, 12/31/15, 3/1/16, 10/1/17, 12/19/17, 9/24/2, 4/21/26

CORPORATE COMPLIANCE COMMITTEE APPROVAL: 6/28/11, 3/12/12, 11/1/13



Grievance/Complaint Application

Name of Client: _____ Date of Birth: _____

Name of Griever/Complainant if other than Client: _____

Nature of Grievance/Complaint:

Information about the grievance/complaint, including efforts to resolve the problem:

Other relevant information:

Signature: _____ Today's Date: _____

Relationship to client: _____

Address: _____

Email Address: _____ Phone: _____



Instructions for Completing the Grievance/Complaint Application

The Grievance/Complaint Application should be filed in writing (preferably typewritten or printed) with the JFSA CRO: Jeanne Mattern, PhD, Jewish Family Service Association of Cleveland, 29125 Chagrin Blvd., Pepper Pike, OH 44122, (216) 378-3496. On occasion it may be filed over the phone during regular business hours (M-F 9am - 4:30pm).

As stated in JFSA's written grievance/complaint policy procedure, the CRO is available to aid in filing the grievance/complaint, if needed, by contacting the CRO at the above address and/or phone # during regular business hours.

Under "Nature of the Grievance/Complaint," try to be as specific as possible as to what attempts have been made to resolve the grievance/complaint and why you are now bringing the grievance/complaint to the CRO.

Under "Relevant Information" include any additional information you wish to share or have considered in resolving this grievance/complaint.

You may use additional space or pages to answer the questions.

Upon receipt of the completed grievance/Complaint Application form and signed release of Information form, the CRO will begin the necessary steps to resolve the grievance/complaint in accordance with JFSA's written procedures.



CONSENT TO OBTAIN AND/OR RELEASE INFORMATION FOR GRIEVANCE/COMPLAINT

JFSA CRO, Jeanne Mattern, PhD, Jewish Family Service Association of Cleveland, 29125 Chagrin Blvd., Pepper Pike, OH 44122, is hereby granted my permission to release and/or obtain information related to my grievance/complaint from:

Person's Name: _____ Phone: _____

Organization's Name: _____

Address: _____

Such information as may be necessary regarding

Client's Name: _____ Date of Birth: _____

Purpose or need for disclosure:

Specific information to be disclosed:

I have read and have had it read and explained to me and fully understand the content of this form. I further understand that this information cannot be released to a third party or agency not named on this form and without the signed release by the client or client's legal guardian/representative. This consent to disclose may be revoked by me at any time except to the extent that action has been taken in reliance thereon. The consent (unless expressly revoked earlier) expires on _____ which is within ninety (90) days of my signature.

Signature of client/guardian

Date

Relationship to client

Witness

Date

The confidentiality of client records is protected by 42 CFR Part 2 and is not to be re-released.