

**PHOENIX COUNSELING CENTER
POLICY AND PROCEDURE**

<p>Title: Consumer and Customer Complaint and Appeal Policy and Procedures</p> <p>Responsible Department: Operations Department</p> <p>Last Revision: 04/2006, 08/2008, 10/2011, 10/2014</p> <p>Board Reviews: 09/23/2015, 02/09/2016, 12/14/2017, 09/26/2018, 04/17/2019, 05/20/2020, 04/21/2021</p>	<p>Policy Number: II-B-001</p> <p>Effective Date: 08/2003</p> <p>Board Chair: <u>Reidi Cheew</u> Date: <u>04/21/21</u></p> <p>CEO: <u>[Signature]</u> Date: <u>4/21/21</u></p>
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POLICY:

- A. It shall be the policy and practice of Phoenix Counseling Center (PCC) to provide services that meet the needs of our customers, to include: consumers, employees, purchasers of service, regulatory/accrediting bodies, and community partners/stakeholders. Customers shall be encouraged to submit their concerns verbally or in writing when unhappy with services and/or feel that their needs are not being met. Each customer that submits a complaint shall receive a prompt response regarding PCC's ability to meet his or her needs. The complaint process shall be progressive within PCC's decision-making authority beginning with the immediate supervisor and up to and including the Chief Executive Officer (CEO) and Governing Board. Each complaint is assessed as to the nature of the complaint, and routed to the appropriate decision-making authority within PCC.
- B. If a consumer's need is not resolved within PCC's Customer Complaint and Appeal Procedures, the consumer may submit a complaint to the service area-specific Governing Entity, the North Carolina (NC) Division of Mental Health/Developmental Disabilities/Substance Abuse (MH/DD/SA), and/or the NC Governor's Advocacy Council. Customer complaints may include, but not be limited to: consumer right allegations, denial, reduction or termination of services, day-to-day operations, employee behavior, policy/procedure, etc.
- C. In general, employee complaints that involve personnel actions are referred to the Human Resource Officer for action as outlined in the PCC employee handbook. This includes complaints of harassment, dismissal, disciplinary demotion, suspension without pay, salary adjustment, written warnings, and performance evaluation.
- D. Other customer or community stakeholders are encouraged to use these procedures to address and resolve complaints about PCC's programs and services.
- E. The responsibility for the outcome of this system resides with each consumer, board member, officer, manager, employee, volunteer, and community stakeholder. Each should be made aware of their right to access PCC's complaint and appeal process. Once initiated, PCC shall utilize the complaint process within a quality management process to meet the needs of customers, community partners, and other stakeholders. Data and information regarding complaints shall be analyzed, trended, and reported quarterly. Information from the complaint process shall be utilized as a quality management tool to obtain input from customers that shall then be utilized to improve the performance and quality of PCC's programs and services.

- F. There shall be no consequence or retaliation when a customer utilizes the complaint process to address his or her need (or any other barrier to service), and/or expresses dissatisfaction or concern about any area of PCC's operations.

PROCEDURE:

A. Consumers and/or other Customers

1. During initial orientation, consumers shall receive information regarding their right to use PCC's complaint process. Other customers and stakeholders shall be informed of the complaint process as appropriate and when dissatisfied with services.
2. Shall utilize the complaint process to communicate their needs and/or unhappiness with services received. This shall include any one of the following:
 - a. Communicating directly with employees serving their needs (Informal).
 - b. Contacting PCC's Customer Service Phone at (704) 842-6380 or submitting an email with complaint information to jennifer.adams@phoenixcc.us.
 - c. Obtaining a formal complaint form from any PCC employee, then completing the form, inserting into an envelope, and address to the PCC Compliance Officer and sending to the Gastonia Address. The envelope should then be placed in the courier mail delivery system or handed directly to PCC's Customer Service Representative.
 - d. Consumers may additionally utilize the Governing Entity's Complaint Line:
 - i. Partners Behavioral Health Management (BHM) - 1-800-646-4518
 - ii. NC Division of MH/DD/SA – (919) 715-3197
 - iii. NC Governors Advocacy Council - 1-800-821-6922 or GACPD@ncmail.net
3. If a consumer or customer feels his/her needs are not being met, they may request the next step of the complaint process without consequence or retaliation.
4. If a recipient of Medicaid or Integrated Payment and Reimbursement System (IPRS) funding, shall utilize the NC Medicaid Appeal Instructions found in the Consumer Handbook for service termination and/or reduction/termination.
5. May choose to submit complaint anonymously, with the understanding that this may limit the ability to adequately address the complaint.

B. All PCC Employees

1. Shall encourage and support a consumer, parent, and/or legal guardian in using the complaint and appeal process to address his/her needs and/or concerns.
2. Shall consistently work to provide services that address and meet the needs of PCC's customers within the resources of PCC and community.
3. Shall cooperate and provide honest and accurate information during the complaint resolution process.
4. Shall cooperate with any authorized complaint inquiry or investigation process.
5. Shall be an advocate for the needs of consumers, working with all available local, county, state, and federal resources to meet needs.
6. When conducting intake or assessment processes, shall orientate consumers (to include parents and/or legal guardians) to the complaint process in a manner that is easily understood.
7. If an employee has a complaint, the employee may:
 - a. PCC's Customer Service Phone at (704) 842-6380 or submitting an email with complaint information to jennifer.adams@phoenixcc.us.
 - b. The employee should consult the PCC Employee Handbook for additional information regarding grievance actions involving personnel actions.

C. Supervisors

1. Shall assure assigned employees understand and comply with this policy/procedure.
2. Shall continuously work to meet the needs of customers through service delivery.
3. Shall comply with the complaint resolution timelines; mitigate complaints as appropriate, and work to meet customer need within their assigned areas of responsibility.
4. Shall assure no consequence or retaliation for a consumer, stakeholder or employee complaint.
5. Shall work with their assigned manager or officer to develop, revise, and implement organizational procedures and practices that adequately address consumer need (within the resources of the organization and community).
6. Shall utilize consumer complaint data/information to improve service delivery and advocate for the needs of consumers.
7. Shall assure copies of customer complaint forms are maintained and easily accessible within each area of their assigned responsibility. This shall include posting complaint procedures in assigned consumer and employee work areas.
8. Shall provide supervision consistent with PCC policy and procedure and support an employee's right to complaint and grievance.

D. Officers and Managers

1. Shall develop and implement procedures that are in compliance with this policy.
2. Shall annually review and revise procedures as needed to adequately address and meet consumer need.
3. Upon receiving a complaint or being assigned a complaint for investigation:
 - a. Shall promptly address and/or investigate as appropriate with a focus on facts and maintain the dignity of consumers and other customers.
 - b. Shall actively work with the consumer/customer to resolve and/or mediate complaints.
 - c. If the complaint is not resolved, shall move the complaint to the next level, as identified in attachment 1 of this document.
 - d. Shall assure non-retaliation or consequence for a consumer, stakeholder, employee, or other customer for using their right to initiate a complaint.
4. Shall utilize complaint data and information to improve services provided.
5. Shall assure complaint procedures are posted in assigned work areas and consumer areas.

E. Complaint's Coordinator or Designee

1. Based on the disposition of the complaint, shall initiate action to investigate and/or mediate customer complaints. If complaint involves allegations of abuse, neglect, and/or the exploitation of a consumer, shall contact Department of Social Services (DSS) and report allegations. This shall include completion of adverse event or critical incident form.
2. When complaint is not resolved between consumer and PCC may report to the Governing Entity, the NC Division of MH/DD/SA, and/or the Governor's Advocacy Council.
3. Shall assure Leadership Team (LT) and CEO involvement and consultation for complaints that involve risk to the agency or community.
4. Shall review consumer complaint information with Consumer Rights Committee and utilize feedback to improve programs/services.
5. Shall complete quarterly reports that summarize and trend complaint information that shall be utilized to improve the quality and performance of PCC's programs and services.
6. Shall actively listen and maintain communication with customers during each level of the complaint process, as outlined in attachment 1.

- a. For Medicaid appeals shall follow NC Division of MH/DD/SA and Governing Entity Guidelines.
 - b. Five-to-ten business days shall be allowed for each progressive step within the complaint process.
 - c. If the complaint is not responded to within this timeframe and there is no valid reason for delay, shall automatically submit the complaint to the next step within PCC's chain of decision-making authority.
7. Shall maintain an electronic password-protected database of all complaints received and each resolution/mediation phase.
 8. Shall track complaint during all phases of the complaint and resolution processes, and assure timeframes are being complied with. When there is no valid reason for timeline noncompliance, shall notify Compliance Officer.
 9. When complaint is received, shall assign disposition, and route to the appropriate PCC Manager. Shall obtain consultation as needed from the PCC's CEO.
 10. If the complaint is against a PCC supervisor or manager, shall refer to the next higher level of the complaint process.
 11. Shall assure complaint procedures are posted in the gathering places in each employee and consumer area.

F. Leadership Team (LT)

1. Shall be responsible for reviewing complaint procedures, and developing, revising, and implementing complaint policy.
2. Shall provide consultation and be involved in the decision-making process to achieve complaint resolution within specified time frames.
3. Shall utilize the complaint process and information to improve customer services.

G. CEO

1. Shall have final authority regarding the interpretation of this policy and procedure.
2. Shall serve as the final decision making authority within PCC's leadership and management structure.
3. As appropriate may refer complaints that are unable to be resolved to PCC's Board Chair for final resolution.

H. Governing Board Chair

1. For complaints referred to the board for resolution, shall review complaint and render final disposition that may include placing complaint on Board Agenda for review and determining final disposition.
2. May seek legal or other counsel as appropriate to adequately address the complaint or appeal.
3. Shall monitor PCC's complaint policy and initiate intervention as appropriate to continuously improve the quality and performance of PCC's programs and services.