

# THE RESOURCE EXCHANGE

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## POLICIES AND PROCEDURES

Chapter 5, Section 23  
Page 1

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**TITLE:** GRIEVANCE AND COMPLAINTS

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### **POLICY:**

It is the policy of The Resource Exchange (TRE) to address grievances and complaints, or any other customer satisfaction concern with TRE services in accordance with applicable Colorado regulation and consistent with its own core values.

**POLICY APPROVED:** 09/2017 (BOARD OF DIRECTORS)

**RESPONSIBILITY:** Executive Director

**PROCEDURES UPDATED:** 8/2017

**REGULATION(S):** 10 CCR 2505-10, §8.605

### **DEFINITIONS:**

**Grievance:** A formal expression of dissatisfaction with a decision or process bound by Colorado Revised Statutes (C.R.S.) or the Colorado Code of Regulations (CCR) but which is not governed by dispute resolution regulations and therefore cannot be appealed through the formal dispute resolution process.

**Complaint:** a report of dissatisfaction with TRE, its staff, or practices, not including those processes bound by Types of dissatisfaction may include, but are not limited to, timeliness to request of services; staff responsiveness; professionalism; customer service; quality of TRE services; or treatment that is provided in an unacceptable way.

**Complainant:** an individual who files a complaint

### **PROCEDURES:**

1. It is the intent of TRE to amicably resolve grievances/complaints through informal negotiations and the Service Planning (SP) process when available. Significant attention shall be focused on creating options and service alternatives that address the best interests of the person receiving services and to provide an opportunity for individuals to come together to find a mutually acceptable solution. Each stage of the process will be treated as an opportunity to include fresh perspectives while achieving collaborative, creative resolutions.
2. The Grievance and Complaint Policy and Procedure shall be provided verbally and in writing to persons receiving services or applicants for service, the parent(s) of a minor, guardian, and/or authorized representative at the time application for services is made, changes are made to the procedure, and upon request by the above named persons.
3. People will not be coerced, intimidated, threatened or retaliated against for having a complaint. It will not negatively affect future services and, if enrolled, people will continue to receive services during the complaint and grievance process. Filing a complaint or grievance will not prejudice the future provision of appropriate services or supports to the individual in need of and/or receiving services.
4. Reporting a grievance or complaint is the first level of interaction for any concern with TRE. In the event an individual reports a complaint, TRE will attempt to resolve that grievance or complaint amicably with both parties. Grievance and complaints may be reported to any TRE staff member and should be reported to the appropriate TRE employee first (this could be the person with whom the issue resides or their supervisor).

## THE RESOURCE EXCHANGE

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### POLICIES AND PROCEDURES

Chapter 5, Section 23  
Page 2

---

**TITLE:** GRIEVANCE AND COMPLAINTS

---

5. If the complaint is not specifically against TRE, the reporter will be encouraged to report the complaint directly to the agency/person the complaint is regarding.
6. All grievance and complaints are then required to be reported via the Colorado Department of Health Care Policy and Financing's (HCPF) Complaint Log and submitted to the Director of Navigation and Quality, or designee, for recording and to ensure follow-up is completed within 10 business days.
7. TRE will report grievance or complaint data to HCPF as indicated in the contract between TRE and HCPF, or as requested.
8. If the grievance or complaint is unresolved, there are additional options dependent on the program in which a person is receiving.
  - A. TRE's Chief Executive Officer will review the grievance or complaint and provide follow-up to the individual within 10 business days.
  - B. The following advocacy agencies have resources that may help you resolve your grievances or complaints with TRE: The Arc of the Pike's Peak Region (719-471-4800), The Arc of Pueblo (719-545-5845), Disability Law Colorado (303-722-0300), or the Colorado Cross-Disability Coalition (CCDC) (303-839-1775).

**PROCEDURE for MEDIATION:**

An individual can pursue mediation as an alternative for grievances and complaints with TRE or service agencies regarding any services funded by HCPF and its Division for Intellectual and Developmental Disabilities (DIDD).

1. Mediation can be requested by the individual if they have concerns with the following (these are examples only, not an exhaustive list. Other issues that affect an individual's services can also be referred to mediation):
  - A. When the individual is not receiving needed services;
  - B. Not receiving the services agreed to by the Interdisciplinary Team (IDT);
  - C. Receiving services that are not right for him/her;
  - D. Receiving services that are not as good as they should be; or
  - E. Receiving services that are not working for him/her.
2. Mediation is not appropriate for (these are examples only, not an exhaustive list. Experience will provide ongoing opportunities to refine and expand the overall area of appropriate and inappropriate mediation issues):
  - A. Allegations of Mistreatment
  - B. Instances of actual or proposed human rights suspensions.
  - C. Issues where a decision places the individual receiving services at risk of grave harm, injury or death, or the agency in a legally binding position.
  - D. Anything clearly established in statute(s), rules and regulations or contract.
  - E. If an individual chooses mediation the following will occur:
    - i. He/she will be asked if a support person is needed to help. If support is needed but there is not a support person already available, then mediation will find someone to help.
    - ii. He/she will have meetings with the mediator to explain the complaint and help the mediator understand what is needed.

## THE RESOURCE EXCHANGE

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### POLICIES AND PROCEDURES

Chapter 5, Section 23  
Page 3

---

**TITLE:** GRIEVANCE AND COMPLAINTS

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- iii. The mediator will meet with the complainant and the involved TRE employee separately to discuss the complaint. Following these separate meetings, the mediator will schedule a meeting with both parties.
- iv. Notice of the meeting date, time and location must be given 15 days prior to the meeting (in accordance with 10 CCR 2505-10 §8.600.4), unless waived by both parties.
- v. The mediator will discuss the complaint and possible solutions with both parties. The outcome of the meeting, including any mutually agreed upon resolutions, will be documented in TRE's complaint records.