



Maricopa County
Ryan White Part A Program
Policy and Procedures

CLIENT GRIEVANCE

Effective Date: 03/01/2011

Revised Date: 03/23/2012

Reviewed Date: 03/01/2016

Section 1 – Legislative Requirements:

Section 2602 (c)(2) of the Ryan White Treatment Modernization Act of 2006 requires Part A Grantees to develop grievance procedures related to funding decisions, including procedures for submitting grievances that cannot be resolved by binding arbitration. The legislation requires that these procedures be consistent with model grievance procedures developed by HRSA, which address grievances with respect to Ryan White funding. HRSA expects Grantee and Planning Council grievance procedures to be coordinated.

Section 2 – Definitions:

Definitions used in these procedures are provided in Attachment A.

Section 3 – Purpose:

The Maricopa County Ryan White Part A Program Policy and Procedure, Client Grievance, is established to provide a mechanism for resolution and reporting of disputes initiated by eligible Client recipients, of Ryan White Part A Program funded services in the Phoenix Emergent Metropolitan Area (EMA).

Initial complaints and grievances should be addressed at the lowest possible level and escalated to the Maricopa County Ryan White Part A Program, Administrative Agent only when the issue or grievance cannot be resolved at the lowest level. The bypassing of any level will result in the Grievance being returned to the lowest bypassed level.

Anonymous complaints cannot be accepted, as anonymity does not allow for a full inquiry of the relevant issues.

Section 4 – Who May File a Grievance:

Any Phoenix Emergent Metropolitan Area (EMA) Ryan White Part A Program eligible Client.

Section 5 – Eligible Grievances:

Any issue, complaint or grievance between any Phoenix (EMA) Ryan White Part A Program eligible Client and any Phoenix (EMA) Ryan White Part A Program Contracted Service Provider.

Section 6 – Prospective Implementation of Settlements:

Any settlement reached may involve prospective (future) change. It shall not require reversal of decisions previously made. For example, if a settlement requires changes in the Contract Service Providers process, the Contract Service Provider must use the new process in the future, but is not required to re-do prior decision.



Maricopa County
Ryan White Part A Program
Policy and Procedures

CLIENT GRIEVANCE

Section 7 – Dispute Prevention and Early Resolution:

- A. The Maricopa County Ryan White Part A Program recognizes that the best way to deal with grievances is to prevent them and will work with each of its Contracted Service Providers to make reasonable efforts to prevent circumstances or situations within the service delivery processes that could give rise to a grievance.
- B. Dispute prevention efforts shall include at least the following:
1. All Phoenix (EMA) Ryan White Part A Program Contracted Service Provider agencies will have a Grievance Policy approved by and on file with the Maricopa County Ryan White Part A Program Administrative Agent by the beginning of their current contract date which will utilize and contain the following: (Site contract ref :)
 - a. How to Report a Problem - (Service Provider Specific, “ORANGE SHEET” (A form sample is provided in Attachment 1.)
 - b. Client Grievance Form – (The form is provided in Attachment 2.)
 - c. Training for new staff and review each year, to ensure that all staff understand and are prepared to follow established policies, processes, and procedures.
- C. When potential grievances arise, first steps shall involve informal conflict resolution efforts before the concern becomes a grievance. This informal process includes the following:
1. If the eligible Client has an issue or complaint with any Contracted Service Provider they should ask the Contracted Service Provider (any staff member) for a copy of the How to Report a Problem - “ORANGE SHEET” (*Service Provider Specific*). (A form sample is provided in Attachment 1.)
 2. If an eligible Client cannot resolve their issue following one of the early steps on the “How to Report a Problem” (ORANGE SHEET) the Client should request and complete the Client Grievance Form - (The form is provided in Attachment 2.), make a copy for their own records and following the directions on the “How to Report a Problem” (ORANGE SHEET) return the original to the Contracted Service Provider agency.



Maricopa County
Ryan White Part A Program
Policy and Procedures

CLIENT GRIEVANCE

Section 8 – Overview of Formal Grievance Process:

Formal grievances will be handled through the following steps, each of which may lead to a resolution. If that step is not successful, the Client may move to the next step. The steps include:

- A. An internal review of the grievance by the Contracted Service Provider to determine whether the Client has standing under these procedures,
- B. A meeting between the Client and the contracted Service Provider representative to seek a resolution to a grievance,
- C. A final written decision from the Contracted Service Provider to the Client, and
- D. Appeal to the Maricopa County Ryan White Part A Program, Administrative Agent.

Section 9 – Filing a Grievance:

- A. The Client must submit a completed Client Grievance Form within ten (10) business days after the attempt at informal dispute resolution, or, if no informal discussion is attempted, within ten (10) business days after the event on which the grievance is based or after the decision was announced. (The form is provided in Attachment 2.) If no Client Grievance Form is submitted within this period, the affected party will lose the right to file a grievance.
- B. The completed form may be submitted to the contracted Service Provider by U.S. mail with return receipt requested, electronic mail (with electronic signature), fax, or personal delivery during normal business hours.
- C. Contracted Service Provider representative will log in the grievance, and within two (2) business days after receipt will inform the Client that the grievance has been received and provide a written summary of the grievance process, including steps, forms, and timelines.
- D. If the Client or Contracted Service Provider feels the issue has not been resolved they may appeal in writing by submitting copies of the original completed Client Grievance Form and the final written decision from the Contracted Service Provider including a completed Client Grievance Appeal Form (The form is provided in Attachment 3) to:

Maricopa County Ryan White Part A Program
Attention: Quality Management Supervisor
301 W. Jefferson Street
Phoenix, Arizona 85003

- E. The Maricopa County Ryan White Part A Program will upon appeal repeat those steps in Section(s) 4 through 8, as needed, in the attempt to resolve the Grievance. If this does not produce resolution, the issue will be forwarded to the Health Resource Service Administration (HRSA) for final disposition.



Maricopa County
Ryan White Part A Program
Policy and Procedures

CLIENT GRIEVANCE

Section 10 – Reporting:

- A. Each Contracted Service Provider will maintain a central log and file of all Ryan White Part A Client Grievances and complaints filed or received during the Grant Fiscal Year which will include:
- A chronological log of all grievances and complaints separately categorizing those related to “refusal of services” identifying the date filed, the client, the nature of the grievance or complaint, its disposition and closure date.
 - A individual file with each grievance or complaint related to “refusal of services” with original documents to include all grievance or complaint forms, letters, correspondence and or notes by the grievant or complainant as well as all agency response memos, letters or other documents concerning process and remedy.



Maricopa County
Ryan White Part A Program
Policy and Procedures

CLIENT GRIEVANCE

ATTACHMENT A

Page 1 of 2

Definitions

Affected Party – An entity or individual that has standing to file a grievance due to being directly affected by the outcome of a covered process under these grievance procedures i.e. service providers eligible for Ryan White Part A funds (including MAI funds), Client groups, PLWH caucuses, and the Planning Council.

Client – A Ryan White Program Part A eligible person receiving Ryan White Program Part A services in the Phoenix Emergent Metropolitan Area.

Contracted Service Provider – An organization or agency under contract with the Maricopa County Ryan White Part A Program that provides access to an eligible service or system such as social services, transportation or professional person.

Day – In these policies, refers to a business or working day, not a calendar day.

Dispute Prevention – Techniques or approaches used by an organization to resolve disagreements at an early and informal stage, to avoid or minimize the number of disputes that reach the formal grievance process.

Grievance – A complaint or dispute that has reached the stage where the affected party seeks a formal approach to its resolution.

Grievant – An entity or eligible individual seeking a formal resolution of a grievance.

Health Resource Service Administration (HRSA) – The Federal Agency that administers the Ryan White Treatment Modernization Act of 2006.

How to Report a Problem “Orange Sheet” – A Service Provider specific step-by-step directions to informally report a problem and/or formally file a grievance with a Maricopa County Ryan White Part A Program Contracted Service Provider.

Maricopa County Ryan White Part A Program, Administrative Agent - the grantee that receives and administers the federal dollars from HRSA under the Ryan White Treatment Modernization Act of 2006 for the Phoenix Emergent Management Area (EMA).

ATTACHMENT A

Page 2 of 2

Definitions



Maricopa County
Ryan White Part A Program
Policy and Procedures

CLIENT GRIEVANCE

Party – Refers to one of the participants in the grievance process. This includes the grievant (the group or individual that brings the grievance action), and the respondent, (the entity against which the grievance is brought). In these grievance procedures, the second party, the respondent, is the Phoenix Emergent Metropolitan Emergent Area Contracted Service Provider.

Remedy – The relief or result sought by a grievant in bringing a grievance. It can include a process change, monetary damages, or (in some situations) a reversal of a decision. In the Phoenix Emergent Metropolitan Emergent Area remedies are prospective, which means they apply to future funding-related decisions, but do not apply retroactively, to past funding decisions.

Standing – A term referring to the eligibility of an entity or individual to bring a grievance.



Maricopa County
Ryan White Part A Program
Policy and Procedures

CLIENT GRIEVANCE

**Phoenix Emergent Metropolitan Area (EMA)
Ryan White Part A Program
How to Report a Problem**

STEP 1

Talk to the person providing service to you.

STEP 2

Speak to the
Contracted Program Service Director

STEP 3

Client and Director will meet to create a solution.

SAMPLE ONLY

STEP 4

File Client Grievance Form with
Executive Director

(See specific directions)

STEP 5

Appeal Decision to
Maricopa County
Ryan White Part A Program,
401 W. Jefferson Street, ,
Phoenix, Arizona 85003.

**SEE SPECIFIC SERVICE PROVIDERS APPROVED
"ORANGE SHEET" – Contact Part A Office QM Supervisor**