

**Policy Title:** *Complaint and Grievance Policy*

**Purpose:**

To provide individuals attributed to Community Health Accountable Care (CHAC) with an effective process for addressing complaints or grievances arising from the Accountable Care Organization (ACO) program.

**Policy Statement:**

CHAC is committed to providing individuals with a fair and efficient process for resolving concerns related to the ACO programs. This policy and procedure sets forth the manner by which individuals may communicate concerns to CHAC, how those concerns are to be investigated and resolved, and the recording and reporting of those concerns. CHAC shall establish and maintain a telephone number to receive complaints or grievances, investigate issues as appropriate, and endeavor to resolve issues within a reasonable period of time.

**Applicability:**

**References:**

**18 V.S.A. § 9382(a)(10)**

**Procedure:**

1. *Receiving Complaints or Grievances.* Individuals shall be informed, through CHAC's website and in written communications, that they may communicate complaints or grievances by calling a telephone number and leaving a message with the following information:

- (a) A detailed description of the issue;
- (b) Other pertinent information, such as location of care, identity of provider, and the date upon which the issue arose; and
- (c) Contact information for follow-up and resolution.

2. *Review of Complaints or Grievances.* CHAC shall regularly monitor the telephone number for complaints and grievances. Within seven (7) days of receipt of a telephone message, CHAC shall acknowledge receipt of the individual's message.

3. *Scope.* If an individual's concern pertains to an issue that is outside the scope of CHAC's administration of the ACO program, CHAC shall inform the individual of such and refer him or her to the appropriate organization, provider, or agency. Matters within CHAC's scope include complaints and grievances regarding the quality and care of services received, coordination of care, and other activities conducted by CHAC as part of the ACO program. All other matters, including clinical decision-making or benefit/coverage determinations, fall outside the scope.

4. *Resolution of Complaint.* If an issue is considered to be within scope, CHAC shall determine whether any additional information is required from the individual to resolve the matter. If additional information is required, the individual shall be promptly contacted to obtain this information. Within fourteen (14) days of receipt of sufficient information, CHAC shall communicate with the individual through a return phone call to attempt to resolve the issue. If the issue cannot be easily resolved through verbal communication, the matter may be escalated for further review as a grievance. A written summary or transcript of all verbal communications shall be maintained and included as part of CHAC's official business records.

5. *Investigation.* When a matter is escalated as a grievance, CHAC shall appoint a staff member to investigate the matter. An investigation must commence within seven (7) days of escalation of the issue to a grievance and best efforts should be made to conduct the investigation in an efficient manner. The staff member may interview the complainant; interview the patient, if different from the complainant; gather factual information through interviews with those persons having potential knowledge of the issues; identify steps already taken to handle or resolve the concern; research regulations, laws, and/or policies and procedures; and review relevant patient records. During the investigation, the staff member shall periodically communicate with the complainant to provide information regarding the status of the investigation.

6. *Resolution of Grievance.* At the end of the investigation, the staff member shall provide a formal written response to the individual to inform him or her of the outcome of the investigation. The staff member shall collaborate with the individual to arrive at a resolution based on the outcome of the investigation. A written summary or transcript of all verbal communications and copies of all written communications shall be maintained and included as part of CHAC's official business records.

7. *Confidentiality.* While all efforts should be made to maintain confidentiality of the complainant's identity, staff members should not guarantee that the identity of the complainant will always remain confidential. In many circumstances, such as examination of patient records as part of a grievance investigation, charges filed against a provider, or disciplinary or legal proceedings, effective investigation or due process considerations may necessitate disclosure of the complainant's identity.

8. *Maintenance of Records.* CHAC shall maintain accurate records, for a minimum of ten (10) years, of all complaints and grievances received, including inclusion of the following information:

- (a) Detailed reasoning for and nature of the complaint or grievance;
- (b) The date the complaint or grievance was received by CHAC;
- (c) The date the complaint or grievance was reviewed by CHAC;

- (d) The name(s) and title(s) of the individual(s) that reviewed the complaint or grievance;
- (e) Detailed information regarding the manner by which the complaint or grievance was resolved; and
- (f) Copies, summaries, or transcripts of all communications between CHAC and the complainant regarding the complaint or grievance.

9. *Reporting.* CHAC shall provide complaint and grievance information to the Office of the Health Care Advocate at least twice annually in the manner specified by the Green Mountain Care Board. Complaint and grievance information provided to the Office of the Health Care Advocate shall be de-identified in accordance with 45 C.F.R. § 164.514 and reviewed by CHAC’s Compliance Officer prior to submission.

**Initial Review & Approval:** 5/11/2017

**Effective Date:** May 11, 2017

**Author:** Adam Falcone, Feldesman Tucker Leifer Fidell LLP.

**Responsible Parties:**

**CHAC Director:** Kate Simmons

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**CHAC Compliance Officer:** Lori H. Real

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Board Chair:** Kevin Kelley

**Signature:** \_\_\_\_\_ **Date** \_\_\_\_\_

**Date approved by Governing Board:** \_\_\_\_\_

**Review and Revision Dates:**

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