



Putnam County Office for Senior Resources Grievance Procedure

I. PURPOSE

In accordance with §306(a)(10) of the Older Americans Act, as amended (OAA), the Putnam County Office for Senior Resources has established the following process for resolving complaints from older persons who are dissatisfied with or denied services funded under Title III of the Older Americans Act.

II. NOTIFYING PARTICIPANTS OF RIGHT TO FILE GRIEVANCE

The Putnam County Office Senior Resources ("PCOSR") and each of its service provider agencies providing Title III services ("service provider agencies") shall notify participants and applicants of their right to file a grievance, as follows:

1. A summary of the procedures, including a statement that assistance to file shall be provided to older persons, must be prominently posted at service delivery sites or offices at which participants and service applicants apply for services. Summaries shall also be written in languages other than English where required to serve the client/applicant population.
2. In-home services participants shall be informed of the grievance procedures through written and verbal statements provided to them upon assessment and/or reassessment for services.

III. DENIAL OF SERVICE

A participant or applicant who is denied Title III services must be given the reasons for the denial.

For housekeeping, homemaker, home delivered meals, case management, and other services for which written applications are made, the denial shall be confirmed in writing and the applicant informed of the right to file a grievance and to whom the grievance shall be addressed.

For congregate meals, transportation, recreation and other services which are applied for by telephone or verbally, in person, the client may be told of the right to file a grievance verbally.

IV. GRIEVANCE PROCESS

Filing of Grievance:

1. Participants must submit their grievance in writing to the Putnam County Office for Senior Resources Deputy Director.



2. The grievance should be filed within thirty (30) days of denial, reduction or termination of services, or of the event or circumstance with which the participant is dissatisfied. PCOSR may grant an extension for good cause shown.
3. The grievance should be filed on the form provided by PCOSR which shall include a written statement setting forth in detail the date, time and circumstances that are the basis of the complaint.

Investigation and Response to Grievance:

1. The Deputy Director shall investigate the grievance, including, as appropriate, meeting with the grievant and other persons involved in the action(s) complained about or in the denial of services.
2. The Deputy Director shall review all pertinent facts and/or documents and shall determine whether the agency's action was made in accordance with lawful procedures (that is, consistent with applicable OAA and/or State laws, regulations and policies) and supported by the facts.
3. In reviewing a grievance, the Deputy Director shall consider program eligibility, service standards, and discrimination issues. Remedial action will be taken if there are incorrect determinations of eligibility, services which do not meet established standards, or any evidence of discrimination.

Please note:

No remedial action is required if after reviewing the grievance the Deputy Director finds any of the following:

- a) services are denied because of funding restrictions*
- b) the person is ineligible*
- c) the hours or location of the program have changed*
- d) services are no longer needed as determined by a reassessment, or*
- e) services are terminated due to the client's disruption to the program.*

These criteria are not intended to be all inclusive but are for illustrative purposes only and are intended to give the Deputy Director guidance on the most probable reasons for a decision on a grievance.

4. The Deputy Director shall prepare and send a written response to the grievant and to the PCOSR Director within fifteen (15) days after the grievance is filed. The response shall set forth the circumstances relating to the grievance, the action requested by the grievant, the findings of the Deputy Director, a proposed remedial action, if any, and reason(s) for and facts relied on in the determination.



V. APPEAL OF INITIAL RESPONSE/DECISION

1. If the grievant is not satisfied with the determination of the Deputy Director, they have the right to further review as follows:
 - a. The grievant may initiate a request for subsequent review by the Office for Senior Resources Director within twenty (20) calendar days following receipt of notification by the Deputy Director.
 - b. The PCOSR Director will review the materials to ensure that pertinent policies and procedures have been applied and followed. If appropriate, the PCOSR Director will meet with the older person to allow the grievant an opportunity to present information about the grievance.
 - c. If the PCOSR Director finds that all policies and procedures have been followed, the decision will stand. The decision may be overturned if the Director finds that proper policy and procedures have not been followed. This subsequent review shall be completed within forty-five (45) days of the receipt of the request to review the Director's decision. The grievant will be notified of the final ruling by mail.

VI. RECORDKEEPING

The Putnam County Office for Senior Resources shall keep a file for six years, of all relevant documents and records. This shall include at a minimum: the initial grievance; any investigative reports; any written response submitted by the Putnam County Office for Senior Resources or other service provider agency; any documents or other records submitted by any party; the written initial response of the Office for Senior Resources; and, if applicable, the notice to the grievant of the right to an appeal.

VII. CONFIDENTIALITY

No information, documents or other records relating to a grievance shall be disclosed by program staff or volunteers in a form that identifies the grievant without the written informed consent of the grievant, unless the disclosure is required by court order or for program monitoring by authorized agencies.

Adopted 12/95
Reviewed 12/05, 12/07, 5/15, 10/24