

SIBLEY COUNTY DAC
GRIEVANCE POLCY AND PROCEDURES
For persons enrolled and their legal representatives
Effective January 2016

I. POLICY

People who receive services from the Sibley County DAC have the right to receive respectful and responsive services. We are committed to providing a way for the persons served by our program, their representatives, or visitors to make formal complaints and have them resolved.

II. DEFINITION

A grievance is a complaint you can make about something you do not like about where you work. It may have something to do with the rules or the people you work with. It may have something to do with other people or situations in your life.

III. PURPOSE

At the time you begin services with the DAC you or your legal representative will receive a copy of this grievance policy and procedures. This policy and procedures will be explained to you and your legal representative.

- A. If you want to file a grievance you can do it without being afraid that the DAC staff will criticize you or threaten you that you will lose your job, because doing that is against the law.
- B. You may choose to represent yourself during a grievance or you may have someone else, such as your legal representative, parent, friend, or an outside advocate, help you in the process.

IV. PROCEDURE

If you have a problem or a complaint you should follow these steps:

- Step1. Talk to a staff person who you feel comfortable with about your complaint or problem. That person will help you to solve it or they will help you to write down your complaint to give to your supervisor or administrative staff and help you in solving the problem. That person will tell the supervisor about your complaint.
- Step2. If the staff person and the supervisor were not able to help you solve your complaint or problem, you can talk to the Program Director: Angela Knapper in her office at the DAC, or you can call her at 507-964-5726, from 8:30 - 3:30, Monday- Friday. Angela will help you in two (2) days to solve your complaint. If Angela is not available, you may talk to the Executive Director, Mark Pauly in his office at the DAC, or you can call him at 507-964-5726, from 8:00-4:00, Monday- Friday. He will talk to you in two (2) to five (5) days and provide you with a written response to your complaint within two (2) weeks explaining how your complaint will be solved. If both Angela and Mark are not available, ask the Office Manager for the person assigned to handle grievances during their absence. That person will try to help you, or they will forward the issue to Angela or Mark upon their return.
- Step 3. If your complaint is still not resolved in a way that you like or agree with, then you or your legal representative can send your complaint to the DAC Board of Directors for a final review. A written response explaining how your complaint will be solved will be provided within two (2) weeks. The complaint can be sent to: Sibley County DAC Board of Directors, P.O.Box 916, Arlington, MN 55307.

V. WHERE TO GET HELP WHEN YOU MAKE A COMPLAINT

These are people and agencies you, or someone you authorize, can call for help.

Sibley County Public Health & Human
Services
Adult and Child Protection Services:
111 8th Street
Gaylord, MN 55334

TamraR@co.sibley.mn.us

Minnesota Department of Human Services (DHS)
Disability Services Division
P.O. Box 64967
St. Paul, MN 55164-0967
651-296-3730 or 800-747-5484

DHS.info@state.mn.us (see info below)
www.dhs.state.mn.us

Minnesota Department of Human Services (DHS)
Licensing Division
P.O. Box 64242
St. Paul, MN 55164-0242
651-431-6500

DHS.info@state.mn.us (see info below)
www.dhs.state.mn.us

Warning about e-mail from DHS: Because e-mail is not secure, do not use e-mail to send private data to DHS. DHS will not use e-mail to send responses that contain private data.

Warning about e-mail privacy from DHS: Information that is transmitted by e-mail over the Internet is NOT SECURE and can be intercepted and read by other Internet users. The Department of Human Services recommends that you DO NOT use e-mail to send private or confidential data about yourself or others unless it has been encoded or encrypted. Also note that any e-mail submitted to DHS may be forwarded internally in order to direct it to the appropriate recipient.

Office of the Ombudsman for Mental Health and Developmental Disabilities
121 7th Place E, Ste 420
Metro Square Bldg.
St. Paul, MN 55101
651-757-1800 or 800-657-3506

ombudsman.mhdd@state.mn.us
www.ombudmhdd.state.mn.us

Mid-Minnesota Legal Aid (Disability Law Center)
430 1st Avenue N, Suite 300
Minneapolis, MN 55401-1780
612-332-1441

website@mylegalaid.org
www.mndlc.org

The Arc Minnesota
800 Transfer Road, Suite 7A
St. Paul, MN 55144
651-523-0823 or 800-582-5256

maH@arcmn.org
www.thearcofminnesota.org

Disability Linkage Line: 866-333-2466

www.minnesotahelp.info

If your grievance is in regards to information that the DAC is maintaining about the person enrolled, and pertains to the accuracy or completeness of that public or private information, you have the right to file a letter of disagreement. The information will not be subsequently released without your letter of disagreement attached. You also have the right to contest the accuracy and completeness of public or private data in the enrolled person's file. To exercise this right, notify the Executive Director in writing the nature of your disagreement. The Executive Director of the DAC will respond within 30 days of the receipt of your contest that either: 1. the data was found to be inaccurate or incomplete and has been corrected and attempts were made to notify past recipients of the inaccurate or incomplete data, including recipients named by the individual; or 2. the data is believed to be correct. You have the right to file an appeal of the decision made by the Executive Director if your contest to the accuracy and completeness of data is not settled to your satisfaction per the Administrative Procedure Act. This appeal should (1) Include your name, address, and phone number, (2) The name and address of the DAC and the DAC Executive Director's name (Mark Pauly), (3) Description of the dispute and the data which gave rise to it, (4) Remedy sought. Your letter of appeal should be sent to: Commissioner of Administration, Attention: Data Privacy, 50 Sherburne Avenue, St. Paul, MN 55101.

If the grievance is in regards to the intended discharge or temporary suspension from the DAC program, the person enrolled and/or their legal representative have the right to appeal the intent to discharge or temporarily suspend services under Minnesota Statutes, section 256.045, subdivision 4a or subdivision 6, paragraph c. They also have the right to be represented by an attorney or other interested party at an appeal hearing. The DAC services will be continued if the appeal is filed before the intended discharge. A Notice of an intended discharge from the DAC program will be sent to the person enrolled, their Case Manager, and their legal representative in writing at least 60 days before the proposed termination is to become effective, unless services are temporarily suspended according to the DAC written temporary service suspension procedures, in which case notice must be given as soon as possible.

If the grievance is in regards to the use of a controlled procedure under Minnesota Rule 40, governing the use of aversive and deprivation procedures, the person enrolled and/or their legal representative may initiate an appeal under Minnesota Statutes, section 256.045, subdivision 4a. They also may contact DHS as listed above. If a court orders the use of faradic shock under part 9525.2730, subpart 3, the action of the court is not appealable.

If the grievance is in regards to a particular Consumer Rights issue, coordination of services, or any other concern the person enrolled and/or their representative might have with the operations, procedures, etc. at the DAC, they may bring their concerns to the Program Director, or Program Coordinator, who works with the person enrolled or to the Executive Director, in writing. The Executive Director will review the grievance and will respond to the concern within 30 days of receiving the grievance. The DAC will respond to grievances as required by the Rule Consolidation Standards 2458.

ACKNOWLEDGEMENT OF RECEIPT

I have read and received a copy of this grievance policy and procedures.

Consumer or Legal Representative

DATE: _____