Purpose: The purpose of this policy is to establish due processes and methods to address client grievances and appeals.

Policy: CLR will address client concerns and grievances promptly and courteously in a process that resolves concerns at the lowest level possible, protects client rights, promotes quality improvement, and ensures compliance with applicable laws and regulations.

Standards & Applicability: WAC 182-538D-0654, 0655, 0660 and 0670

Procedures:

1. The following definitions apply to grievance and appeals procedures:

   a. Grievance

      i. For Medicaid recipients, grievance means an expression of dissatisfaction about any concern other than an “Action” or an Adverse Benefits Notice.

      ii. A grievance may be pursued through CLR and through a Managed Care Organization (MCO). When a grievance is brought first to the MCO, the individual may not bring the same grievance to CLR. Grievances may be initiated either verbally or in writing.

      iii. Grievances may be appealed through an administrative hearing only when a Managed Care Organization (MCO) does not act within required time frames to resolve a grievance.

      iv. Individuals without Medicaid benefits may grieve at CLR about any concern but are not entitled, by state regulation, to an administrative hearing.

   b. Adverse Benefit Determination
Comprehensive Life Resources

POLICIES AND PROCEDURES

i. For Medicaid recipients, adverse benefit determination means the denial, reduction, suspension or termination of a requested medically necessary service or failure to provide services in a timely manner.

c. Appeals

i. An adverse benefit notification may be appealed to the BHO. An unfavorable decision of an appeal of an adverse benefit notice by the BHO generally may be appealed through an administrative hearing.

d. Administrative Hearing

i. An Administrative hearing is a proceeding before a state administrative law judge in response to an appeal of an adverse benefit determination.

ii. Unfavorable grievance decisions at the agency or MCO level may not be pursued at the administrative hearing level unless an MCO does not respond timely to a grievance request.

2. Clients age 13 and older may file a grievance independently. A client of any age may have a representative act on his or her behalf in filing and pursuing a grievance.

3. A parent or guardian may submit a grievance for a child under the age of 13 if the child is the identified recipient of services.

4. Before submitting a grievance or providing other related assistance on behalf of a client, a representative must have written consent from the client.

5. If an initial request for a grievance is made orally, a signed request for a grievance may be submitted but is not required.

6. CLR will send written acknowledgement of a grievance to the individual within five (5) working days.

7. Clients will be informed that an Ombuds Service is available cost free to provide support to address the grievance with the behavioral health care provider or with an MCO.

8. Staff, who become aware that a client requests a grievance, shall contact the CLR Grievance Coordinator and cooperate with agency grievance processes and procedures.

9. CLR assigned staff will review each grievance and provide written notice of resolution within thirty (30) days from receipt of the grievance. The date of resolution may be extended up to an additional fourteen (14) days when the individual is given notice and the extension is in the client's interest. Grievances are to be resolved even if the individual is no longer receiving services.

10. An individual who has received an adverse benefit determination may appeal the decision, consistent with state regulation for notification and timeliness. The individual has the right to request continuation of previously authorized medically necessary...
services. CLR staff will confirm that an individual who has requested continued benefits has been informed that, if the appeal decision is not in favor of the individual, the MCO may seek to recover the cost of behavioral health services provided.

11. CLR staff shall not retaliate against an individual who files a grievance.

12. CLR will report grievances to the MCO as requested.

**Related Policies:**

General Client Rights