

GRIEVANCE PROCEDURE

As the Protection and Advocacy system in South Carolina, we intend to:

- Operate in compliance with the federal laws regarding protection and advocacy programs for people with disabilities
- Provide appropriate services to individuals with disabilities and to treat them with respect while we are assisting them

As part of our commitment to quality protection and advocacy services for people with disabilities, we recognize the right of:

- Individuals to grieve any action or decision relating to the services we may provide to them
- Individuals who receive or have received mental health services or are otherwise eligible for any federal protection and advocacy program, their families, and their representatives to grieve how we operate our protection and advocacy programs

Our grievance procedure allows for complaints to be resolved at several levels, including our team leaders, our Executive Director, and our Board of Directors. Grievances which have not been resolved at one level can be appealed to the next level.

Grievances must:

- Be made within sixty (60) days of the action or decision that is the basis for the complaint OR
- Relate to a case that is currently open with P&A OR
- Relate to how P&A is currently operating a protection and advocacy program

Except in extraordinary circumstances, grievances that do not meet any of these requirements will be rejected.

We handle grievances using the following procedure:

1. **STARTING A GRIEVANCE:** We request that a grievance be in writing and specifically state that it is a Grievance. Grievances may be made in some other way if an accommodation is required due to a person's disability or other good cause such as limited language ability.

2. **NEEDED INFORMATION:**

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a. Please give us your name, physical address, email address and any telephone numbers where we can reach you. Please indicate the best way to communicate with you.

b. If the grievance is on behalf of a family member (like your child), please give us that other person's full name and address and state how he or she is related to you. If you are a representative of an individual or family member, please tell us if you are the person's attorney, guardian, organizational representative etc.

c. Please tell why you are filing this grievance. What did we do or not do? When did this happen? If you know the name of the P&A staff member involved with your problem, include it. If the grievance is about how we operate our programs, please describe your concern.

d. What do you want us to do now? Tell us what you would like to happen. This could include accepting an individual's case or changing a policy about how we carry out our programs.

3. SUBMITTING THE GRIEVANCE:

Send or deliver the grievance to:

Information Systems Director,
Protection and Advocacy for People with Disabilities, Inc.
Suite 208
3710 Landmark Dr.
Columbia, SC 29204

Grievances may be filed by email: info@pandasc.org Attn: Information Systems Director

4. GRIEVANCE REVIEW:

a. Assignment for review: The Information Systems Director will forward the grievance within three (3) business days of receipt to the appropriate team leader or other supervisor for action on the grievance. If a grievance involves an action or decision personally made by a supervisor or team leader, it will be sent to the next level supervisor.

b. Supervisor review: The supervisor or team leader will evaluate the grievance and take appropriate action to resolve it. A written response will be made to the individual within ten (10) business days from the date the grievance was received from the Information Systems Director. The

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response will explain the reasons for the original action or decision or why we currently operate our programs as we do. The response will also indicate any modification which can now be made to resolve the grievance. Information will also be included on how to appeal to the next level of the grievance procedure.

c. Executive Director review: If the individual who submitted the grievance is not satisfied with the first level response, he or she may submit an appeal to the Executive Director at the Central Office. The appeal must be submitted within ten (10) business days from the date the response was received. An appeal to the Executive Director must be in writing (except alternative formats are allowed as an accommodation for a disability or other good cause such as limited language ability). It may include additional information or comments from the individual. The Executive Director will evaluate the grievance and first level response and may cause additional investigation to be conducted.

The Executive Director will provide a written response to the individual within ten (10) business days from the date the appeal was received. The response will indicate the basis for the decision and whether any modification will be provided. The individual will be advised that an appeal may be made to Board of Directors as the final level of the grievance procedure. The name and address of the Chair of the Grievance Committee of the Board of Directors will be included.

d. Board of Directors review: Any appeal to the Board of Directors must be submitted within ten (10) business days from the date the response was received from the Executive Director. The appeal to the Board must be in writing (except alternative formats are allowed as an accommodation for a disability or other good cause such as limited language ability). It may include additional information (statements or documents) and additional comments from the individual.

The evidence reviewed by the Grievance Committee shall include the information in the grievance file together with any additional information or comments presented by the individual or the organization. The Grievance Committee may request any additional information that it determines would assist the review. If the Grievance Committee receives additional

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information, a copy shall be provided to the Executive Director and to the individual for an opportunity to comment on the additional information.

The Committee shall make its recommendation regarding the grievance and corrective action, if any, to the full Board of Directors at the next Board meeting following the review by the Grievance Committee. (The Board of Directors normally meets four times a year.) The Board's decision will be the final action on the grievance. The individual will be notified in writing of the Board's decision within ten (10) business days.

5. GENERAL PROVISIONS:

All individuals involved with the reviewing of grievances shall maintain client confidentiality.

Grievance reviews involving professional judgment of an attorney shall be conducted consistent with Rules of Professional Conduct, Rule 407 SC Appellate Court Rules.¹

The Executive Director or designee shall report annually to the Board of Directors and to the relevant Advisory Councils describing grievances received, processed and their resolution; no personally identifiable information shall be included in these reports.

¹ <http://www.judicial.state.sc.us/courtReg/index.cfm>