

Maine Behavioral Health Organization

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The following procedure will be observed when a grievance is to be filed with Maine Behavioral Health Services for Adult Services:

1. When a person expresses a concern, complaint, or grievance regarding past and/or present services with Main Behavioral Health Organization, s/he will be advised by staff of the right to file a grievance and given the name and hours of availability of the services Clinical Director (Outpatient or Case Management Program) in which the grievance can be filed. All efforts will be made for the grievant to meet or speak with the program's respective Director or Executive Officer immediately. The respective Director and Chief Executive Officer will generally be available from 8:00 to 5:00 p.m., Monday through Friday at the main office; however, it is suggested that the client phone for an appointment to assure availability if they prefer to meet on a specific date or time.
2. The respective Director will explain the grievance procedure from filing the grievance to resolution and discuss the person's concerns.
3. Should the person decide to file a grievance, the respective Director or Chief Executive Officer will assist the client or person authorized by the client in completing a Client Grievance form if needed. All written grievances must be dated and signed by the client or the individual filing on the clients behalf and must include the date, time, description and names of individuals involved in the incident/situation being grieved. All grievances will be turned into the respective Director.
4. Upon receiving a Client Grievance form, the respective Director will investigate the complaint, gather facts, and speak with all parties involved within two working days.
 - a. The written acknowledgement of receipt of the grievance shall contain:
 - b. Date grievance was received.
 - c. Summary of grievance.
5. Overview of the grievance investigation process.
6. Timetable for completion of investigation and notification of resolution.
7. Treatment provider contact name, address, and telephone number.
8. The Client Grievance will be forwarded to the Chief Executive Officer for review. Depending on the nature of the claim, the provider's contract may be suspended/or employee removed from direct client care while the review is investigated.
9. The client or an authorized representative has the right to make a personal presentation regarding his/her complaint to the Chief Executive Officer. MBHO will provide an agency representative for the griever at the agency hearing on the grievance if desired and requested by the griever.
10. The Chief Executive Officer will prepare and submit a written response to the grievance within five working days of the filing of the grievance (if additional time is needed for thorough investigation, the griever will be notified in writing with reason for delay).
11. A written statement of resolution will be given to the client or grievant.
12. If the griever still feels the grievance has not been resolved, the client can appeal the decision in writing within 10 days of the written decision by the Chief Executive Officer. At that time, the Chief Executive Officer must notify the Office of Adult Mental Health at the Department of Health and Human Services with the original appeal, the original decision, and any related documentation. The respective official at the Office of Adult Mental Health may decide to gather additional information by speaking with the client and other people involved in the complaint and complaint resolution. The official will provide a written response to the client within 5 days (if additional time

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is needed the client will be informed in writing).

10. If the grievor is still unsatisfied with the response from The respective official at the Office of Adult Mental Health, written and verbal instruction will be given on how to appeal by contacting the Commissioner of DHHS to submit a written appeal.
11. A client has the right to represent him/herself in the grievance procedure or to designate a representative to be involved in the process. If a representative for the client is to be involved, a release of information form will be signed by the client giving the agency permission to discuss relevant concerns with this party. Throughout the process and at onset of services, the client will be provided with contact information for the Disability Rights Center of Maine, National Alliance of the Mentally Ill- Maine Chapter, Maine Equal Justice Partners and the DHHS Grievance Officer.
12. The Information on the Grievance Form will be posted in each affiliate office and offered to clients at onset of services with the Rights of Recipients of Mental Health Service. Upon request, a copy of the grievance procedure will be given to clients or applicant.
13. Provisions will be made for grievors to have prompt access to the respective Director. Staff members will be informed of their responsibility to notify potential grievors of the right to file a grievance, and the name and hours of availability of the respective Director during orientation.
14. The Chief Executive Officer will keep a written record of all grievances received, this record will include a copy of the grievance, documentation reflecting process used and resolution/remedy of the grievance. This record will be kept in a Grievance Log. Any staff member receiving and/or addressing a complaint will provide the necessary documentation requested on the log and when appropriate, refer the person to a more appropriate resource. The Complaint Log will be kept in a locked filing. Periodically, the Chief Executive Officer will review the Complaint Log for informational purposes that may be used in enhancing agency services. All grievances will be kept on file for a minimum of two years from that date of resolution.

The following procedure will be observed when a grievance is to be filed with MBHO for Children's Services:

RIGHT TO DUE PROCESS WITH REGARD TO GRIEVANCES

1. Recipients have the right to due process with regard to grievances.
2. Notwithstanding any other civil or criminal recourse the person bringing the grievance may have, MBHO shall afford every reasonable opportunity for informal resolution of concerns or formal resolution of grievances.
3. A recipient or another person acting on behalf of the recipient may bring grievances regarding possible violations of basic rights, including any rights enumerated in these rules and the Settlement Agreement in Bates v. Peet or any other applicable law or regulations; any questionable or inappropriate treatment or method of treatment; or any policy or procedure or action, or lack thereof, of MBHO under these rules. Grievances may be brought by or on behalf of individual clients or groups of clients.
4. Persons who may bring grievances include, but are not limited to:
 - a) The recipient; if a recipient files a grievance, his or her legally responsible parent, guardian or custodian shall be notified;
 - b) The recipient's legally responsible parent, guardian or custodian;
 - c) The recipient's attorney, designated representative or representative of a state governmental rights protection or advocacy agency; and
 - d) Other persons specifically aggrieved.
5. A grievant shall in no way be subject to disciplinary action, reprisal including reprisal in the form of loss, denial or termination of services or loss of privileges as a result of filing a grievance.
6. Notice
 - a) Notices summarizing a grievant's right to due process in regard to grievances, including the process by which grievances may be filed, as well as copies of forms to be used for that purpose, shall be available within each program area.
 - b) The Department, or its designee, shall provide notice to children and families and guardians receiving or seeking to receive services from the Department about rights to file a grievance

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and the mediation and administrative appeal process. Such notice shall be provided annually to all children services by the Department and shall include information on the right to be assisted in the grievance process by the representative of choice in a manner designed to be comprehensible to the individual, by an employee of MBHO.

7. Grievances

- a) A grievance may be undertaken by a grievant or other acting on his or her behalf, pursuant to 4, above making a formal written claim under provisions of these rules, the Settlement Agreement in Bates v. Peet or any other applicable law or regulation have been violated by MBHO. Grievances regarding the actions of specific employees shall be handled in accordance with personnel rules and contract provisions. No disciplinary action may be taken nor facts found with regard to any alleged employee misconduct except in accordance with applicable personnel rules and labor contract provisions.
- b) The filing of a grievance states any action to reduce, terminate, or suspend any service.
- c) The Department must have in place two grievance processes: mediation and administrative hearing. The Commissioner shall appoint a Grievance Executive Director to oversee the mediation and hearing processes.
- d) Initiating the Grievance Process
 - i) Prior to filing a grievance, persons authorized under Section VII (4) of these rules who wish to file a grievance (the "aggrieved party") must first obtain a Grievance Form. Grievance Forms are readily available from MBHO and from the Department's regional offices and are to be provided as soon as practicable upon request.
 - ii) The Grievance Form must include notice that aggrieved parties may request mediation or an administrative hearing and must inform aggrieved parties of the requisite time frames applicable to each process, and a space for the aggrieved party to elect mediation or an administrative hearing. The grievance form must also request aggrieved parties to provide information about the nature of the complaint, as well as names, addresses and phone numbers of the child, grievance and relevant providers.
 - iii) Aggrieved parties must file a Grievance Form with the Grievance Director, whose name and address will be provided on the Grievance Form.
- e) Mediation
 - i) When an aggrieved party elects mediation, the Grievance Director must schedule a mediation to be held within 5 calendar days of the Grievance Director receipt of a properly completed Grievance Form the aggrieved party, in consultation with the Executive Director and/or the mediator, shall determine the location and time of the mediation.
 - ii) At the conclusion of the mediation and when agreement has not been reached, an aggrieved party may request a subsequent administrative hearing by so notifying the Department representative present at the mediation, or the mediator if no one is present from the Department, before leaving the mediation. If the aggrieved party does not request an administrative hearing at the mediation, but requests an administrative hearing at any time thereafter, such request triggers the administrative hearing process as if it were chosen initially.
 - iii) An aggrieved party may waive the requirement that mediation be held within 5 calendar days of the filing of the Grievance form, and will be deemed to have so waived that requirement if unwilling or unable to attend on any mediation date offered within the 5 day period. In that case, mediation will be held as soon as practicable.
 - iv) All parties shall participate in mediation in good faith.
 - v) Neither mediation, nor any agreement or decision reached as a result of mediation, constitutes final agency action for judicial review purposes.
- f) Administrative Hearings
 - i) When an aggrieved party elects administrative hearing, the Grievance Executive Director must schedule an administrative hearing to be held within 5 calendar days of the Grievance Executive Director receipt of a properly completed Grievance Form.
 - ii) An administrative hearing must be presided over by an impartial hearing officer designated by the Commissioner.

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- iii) MBHO and advocates for the affected child may be heard at the administrative hearing.
 - iv) Administrative hearing procedures must be in accordance with the Maine Administrative Procedure Act, 5 M.R.S.A. 9051 *et seq.*
 - v) An electronic recording must be made of any administrative hearing held pursuant to this section.
 - vi) Unless otherwise agreed by the parties, the hearing officer must issue a written recommended decision with finding of fact within one week from the grievance Executive Director receipt of the Grievance Form, or, if the administrative hearing was requested at the conclusion of a mediation, within two weeks from the Grievance Executive Director receipt of the Grievance Form.
 - vii) An aggrieved party may waive the requirement that an administrative hearing be held within 5 calendar days of the filing of the Grievance Form, and will be deemed to have so waived that requirement if unwilling or unable to attend on any administrative hearing date offered within the 5 day period. In that case, the administrative hearing will be held as soon as practicable. An aggrieved party may also waive the deadline for a recommended decision and will be deemed to have so waived any applicable deadline if the hearing is held outside the 5 day period at the request of or due to the unavailability of the aggrieved party or any person the aggrieved party seeks to have present at the hearing, in which event the recommended decision will be rendered as soon as practicable.
 - viii) The aggrieved party may elect mediation at any point after requesting an administrative hearing, which alternate election suspends the deadline for scheduling the administrative hearing and the hearing officer's deadline for issuing a written recommended decision.
 - ix) All hearing officer recommended decisions are subject to further review by the Commissioner, who must issue a final decision adopting, modifying or rejecting the hearing officer's recommended decision no later than seven business days from the date of the hearing officer's recommended decision. Parties may submit written memoranda with the Commissioner within five business days of the hearing officer's recommended decision.
 - x) The Commissioner's decision constitutes final agency action for judicial review purposes under the Maine Administrative Procedure Act. All decisions of the Commissioner must include notice of the aggrieved party's right to judicial review, including the requisite timeframe for filing an appeal.
8. Access to Files
- An aggrieved party shall have reasonable access prior to mediation or an administrative hearing and at either proceeding to examine the contents of his or her Department case file, and may request copies of documents within the file to be reproduced at the Department's expense.
9. Grievances regarding abuse, exploitation or neglect
- a) Any allegation of abuse, exploitation or neglect shall be immediately reported to the Chief Executive Officer or MBHO, to the Office of Advocacy and the required investigatory agency pursuant to the Child and Family Services and, Child Protection Act.
 - b) Investigation of any such allegation shall be conducted pursuant to statutory and regulatory standards including those relating to the Child and Family Services and Child Protection Act, and MBHO's policy.

COMPLAINTS

- 1. A complaint may be filed by any person or agency which is charged with investigating violation of client rights with delivering or monitoring mental health services. The complaint procedure may be used when:
 - a) Such person or agency knows or has reason to believe that the practices, procedures (including the development, substantive terms or implementation of ISP's or hospital treatment and discharge plans) or policies of the Department or of any agency licensed, funded or contracted by the Department to provide services elsewhere described in these rules, violate these rules, the terms of the Settlement Agreement in *Bates v. Peet*, and any

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- other applicable law or regulation; and
- b) The information was obtained during the general course of the person's or agency's performance of their responsibilities.
2. Complaints which include allegations of employee misconduct shall be processed, but no disciplinary action may be taken nor facts found with regard to the alleged misconduct except in accordance with applicable personnel rules, policies, and labor contract provisions.
 3. Complaints arising in the community shall be addressed to the respective Director of MBHO.
 4. A formal written response shall be made within 5 days of receipt by the respective Director, excluding weekends and holidays.
 5. Decisions described in 3. above shall be appealable within 5 working days to the respective Director of the Office of Child and Family Services or designee, who shall respond within 5 working days.
 6. Decisions resulting from 5. above shall be appealable to the Commissioner within 5 working days, who shall respond within 5 working days.
 7. Investigations shall be conducted at each level of the complaint and shall include, as needed, interviews, site visits, or other data collection activities. At the conclusion of each investigation, a written summary of the results of the investigation and a statement of the remedial action to be taken, if any, shall be provided to the complainant, subject to the limitations of 5 M.R.S.A. 070(2)(E).

*For full instructions, form and other means of grievance procedures, refer to MBHO Policy and Procedure manual

State of Maine Grievance Process for Children's Services:

<https://www.maine.gov/dhhs/sites/maine.gov.dhhs/files/inline-files/Childrens%20Grievance%20Guide%20Form%2011.16.20.pdf>

State of Maine Grievance Process for Office of Behavioral Health can be found at:

<https://www.maine.gov/dhhs/obh/support-services/rights-and-legal-issues/grievance-process>

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Phone: (888) 922-4736

30 Leavitt Street, Skowhegan ME 04976

mainebehavioralhealth@mainebehavioralhealth.org

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Client Grievance Form

Today's Date: _____

Name of Person Completing the form: _____

Name of Client form pertains to: _____

Client Address: _____

Client Telephone: _____

Provider Name: _____

Service Involved: _____

Name of People Involved: _____

Describe what happened: _____

What is the specific issue that needs to be addressed? _____

How do you think this matter can be resolved? _____

Anything additional you would like us to know: _____

If you need more space, please write on the back of this form.

Administrative Action:

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Information about Grievance:

If you would like to make a formal complaint or express dissatisfaction with the service that you are being provided or the conduct of the service provider, this is called a Grievance. Your provider can provide you with a full copy of the grievance policy and grievance form. You may also contact MBHO for receipt of the form or for assistance in completing the form by the Chief Executive Officer. The respective Director may also take your grievance verbally if you prefer not to make a written statement.

If you contact MBHO to file a grievance, please let the staff member answering the phone that you need to discuss a complaint and that staff will make every effort to reach the service a Director immediately. If the appropriate staff person is not available to take the information, leave your contact information or a voicemail and you will be contacted within 24 hours.

The respective Director will assist you in completing an official grievance with the agency that will be responded to by the Chief Executive Officer within 5 days. If you are not satisfied with the response of the Chief Executive Officer, you can appeal within 10 days of the receipt of the decision in writing. When you appeal, DHHS Office of Adult Mental Health will be informed of your grievance and will also assist in getting a resolution. You will be notified of the results of your appeal in writing. If you still disagree with the resolution, you can appeal to the DHHS Commissioner. These steps will be explained further in writing at that time.

Agency Contact Information:

Clinical Director: Erica Wheeler (207) 399-8678
Executive Director: Chad White (207) 399-5609
Chief Executive Director: Hillary Kimball-White (207) 399-5589

If you need additional assistance, the following agencies can be of assistance:

Disability Rights Maine
160 Capitol Street #4
Augusta, ME 04330 1-800-452-1948 207-626-2774

National Alliance on Mental Illness (NAMI)
52 Water Street
Hallowell, ME 04347 (207) 622-5767 1-800-464-5767

Maine Equal Justice Partners
126 Sewall Street
Augusta, ME 04330 (207) 626-7058 1- 866- 626-7059

Dept. of Health and Human Services: Office of Behavioral Health Services
11 State House Station – 41 Anthony Ave
Augusta, ME 04330 Grievance coordinator: (207) 287-2595 AMHS 207-287-4243

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GUIDE TO FILING GRIEVANCES INVOLVING CHILD OR ADOLESCENT RECIPIENTS

We hope that this information will help explain how you can file a complaint, which is called a grievance, with the Department if you ever feel your rights have been ignored, or you feel you have been treated unfairly. The Department has set up a way for you to send in your complaint so you have the chance to talk about this with the right people. This is called the Rights of Recipients of Mental Health Services Grievance.

The information listed here will answer these questions:

- What is a grievance?
- What is the grievance process?
- How do I file a grievance?
- Where do I send my grievance form?
- What do I do if I do not agree with a decision made in the grievance process?
- Where can I get help with my grievance?

WHAT IS A GRIEVANCE?

If you believe that someone has violated your rights while you are looking for or receiving mental health services, you can file a grievance saying a violation of your rights has occurred. Filing a grievance is a way to make sure that you are heard when you believe that one of your rights has been violated. For example:

- You think your child's counselor gave information about your child or family to someone without your written permission. You believe that this is wrong and feel the counselor should not be sharing information without your permission. You believe your right to privacy and confidentiality has been ignored. *You can file a grievance.*
- Your case manager has promised to help you fill out forms to get some more services you need but keeps changing appointment dates and so, it never gets done. You have spoken with his or her supervisor but nothing happened. *You can file a grievance.*
- You want to read all of your child's treatment records but the agency providing your child's treatment refuses to let you. *You can file a grievance.*

These are just a few examples of why someone might file a grievance. Your reason for filing a grievance might be different from these, but the Grievance Process is the same no matter who files it and no matter what their grievance is about.

INFORMAL GRIEVANCES INVOLVING CHILD OR ADOLESCENT RECIPIENTS

We expect agencies to have a way for people receiving their services to talk about any complaints they may have with the agency. We encourage you to speak directly with your agency to try and settle things to everyone's satisfaction. Settling things this way is the easiest and usually the best way to handle your complaints. But, if you feel that this is not working, or is not to your satisfaction, or you are simply uncomfortable discussing your complaint with your provider, you may proceed at any time with the formal resolution process that follows.

WHAT IS THE GRIEVANCE PROCESS?

The Grievance Process is a system created by the Department to make sure that if you feel your rights have been violated or ignored by a person, agency, or by the Department during the course of seeking or getting mental health treatment, you will have the opportunity to be heard in a meeting or hearing managed by an objective third party.

HOW DO I FILE A GRIEVANCE?

There may be other ways instead of filing a grievance that you may want to consider. For instance, you may ask for meeting with a representative of the hospital, agency, or person you are considering filing a grievance against, to talk about the situation and try to find a solution. If you want to find out more about other ways of resolving issues, contact one of the agencies listed at the end of this guide.

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If you have been unable to resolve your grievance through speaking with your service provider, or you choose to take your complaint directly to the Department, you **must** send in a completed **Grievance Form**, which you will find at the end of this *Guide* and also available from all providers of mental health services to children and adolescents and at all DHHS offices.

The **Grievance Form** asks you to provide the following information about the problem or issue you wish to grieve:

- the name, address, phone number and date of birth of the child or adolescent recipient
- the name, address, phone number and relationship to the child/adolescent of the person filing the grievance
- the name, address, and phone number of the provider/agency involved
- the dates upon which the problem/issue which you are grieving took place
- the names of all people involved
- a description of what happened that has resulted in the filing of the grievance
- the specific issue that needs to be addressed
- your suggestions about possible ways to resolve the situation

If you need help in filling out the **Grievance Form**, your provider or a representative from DHHS is also available to assist you.

WHERE DO I SEND MY GRIEVANCE FORM?

Send the fully completed **Grievance Form** to the designated DHHS Grievance Executive Director listed at the bottom of the form, making sure to write *grievance* on the lower left corner of the envelope.

GRIEVANCE CHOICES

You may choose one of two ways to have your grievance heard:

- 1) *Mediation*
- 2) *Administrative Hearing*

MEDIATION

In mediation, a meeting is held with you and the party you have a complaint against and an impartial party runs the meeting trying to help you reach a solution. You, or the other party, may have a lawyer present to help, but it is not required to have attorneys there. A settlement is reached only with the full involvement and approval of the parties in the dispute. Every attempt will be made to hold the mediation meeting at a time and place convenient for you.

ADMINISTRATIVE HEARING

An administrative hearing is a more formal process conducted by an impartial hearing officer from the Office of Administrative Hearings, Department of Health and Human Services. The hearing must be conducted in accordance with state law and must be electronically recorded. The administrative hearing will take place at a location that is convenient for the parties and at a time when the hearing officer is available.

When you send in your **Grievance Form**, you can indicate on the form whether you choose mediation or an administrative hearing as a means to resolve your grievance. If you do not indicate one or the other, the Grievance Executive Director will contact you, because you must make a selection in order to have your grievance resolved.

WHAT HAPPENS IF I CHOOSE MEDIATION?

The DHHS Grievance Executive Director or the mediator will contact you to arrange a time and location for the mediation meeting to take place. This meeting **must** be held within **five (5) calendar days** of the Grievance Executive Director receipt of the fully completed **Grievance Form**.

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However, you may waive this requirement that the mediation meeting take place within five calendar days, if you desire. You will be considered to have waived this requirement if you are unavailable to attend any mediation meeting offered to you within this five day period. If this happens, the mediation meeting will be held as soon as practicable.

If mediation is successful, resolution of your grievance to your satisfaction will be achieved by the end of the mediation process.

If a resolution satisfactory to you has not been achieved by the conclusion of the mediation meeting, you may request a subsequent administrative hearing. If you request the administrative hearing before you leave the mediation meeting, then the written recommended decision of the hearing officer must be issued within two weeks of the Grievance Executive Director receipt of the Grievance Form. However, if you request a subsequent administrative hearing at any time after the conclusion of the mediation meeting, your request will be treated in the same manner as if you had chosen an administrative hearing initially.

WHAT HAPPENS IF I CHOOSE AN ADMINISTRATIVE HEARING?

The DHHS Grievance Executive Director or the hearing office representative will contact you to arrange a time and location for the hearing to take place. The hearing **must** be held within **five (5) calendar days** of the Grievance Executive Director receipt of the fully completed **Grievance Form**.

However, you may waive this requirement that the administrative hearing take place within five calendar days, if you desire. You will be considered to have waived this requirement if you are unavailable to attend any administrative hearing offered to you within this five day period. If this happens, the hearing will be held as soon as practicable.

The administrative hearing is a formal process, conducted in accordance with State law and presided over by an impartial hearing officer from the Division of Administrative Hearings of the Department of Labor. All hearings are recorded in a form susceptible to transcription, as required by law.

Pre-hearing Conference: A pre-hearing conference is not required by law, but the hearing officer will probably hold a meeting to talk to you and someone who represents the agency or facility that you have filed a grievance against. During this meeting, you will be asked to identify the issues that need to be discussed during the hearing. You may also be asked to talk about what, if any, witnesses and documents you may want to bring to the hearing, so that it will proceed as smoothly as possible.

The Administrative Hearing: At the hearing, you may present any witnesses to the event(s) under discussion, or present any documents that are relevant to the situation under review. In addition to yourself, providers as well as advocates for your child/adolescent may testify at the administrative hearing.

You also may examine and/or cross-examine witnesses; and have an attorney, a designated representative, or Disability Rights Center of Maine, or DHHS Office of Advocacy staff help you if you wish. While hearings are not conducted like courtroom trials, the hearing officer is allowed to establish and maintain rules that everyone present at the hearing must follow.

The Hearing Officer's Decision: The hearing officer will issue to the Commissioner of DHHS a formal written recommended decision that discusses the issues and testimony presented, and the facts of the situation, as he or she has determined them. This recommended decision must be issued within **one week** of the Grievance Executive Director receipt of the Grievance Form, unless otherwise agreed to by the parties involved. If the administrative hearing was requested at the conclusion of mediation, then the hearing officer must issue the written recommended decision with findings of fact within **two weeks** of the Grievance Executive Director receipt of the Grievance Form.

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You may waive the deadline for a recommended decision, if you so desire. You will be considered to have waived the deadline if the hearing is held outside the five day period at your request or due to the unavailability of you or any person you want to have present at the hearing.

At any point after requesting an administrative hearing, you may elect mediation. If you do this, the deadline for scheduling the administrative hearing as well as the hearing officer's deadline for issuing a written recommended decision are suspended, and mediation will be held as soon as practicable.

It is important to remember that you can avoid a hearing and settle your grievance at any point in the process--until the hearing officer has issued his or her decision. You can even settle your grievance after the hearing has begun.

The Commissioner's Review: The commissioner will review the recommended decision and must issue a final decision adopting, modifying, or rejecting the hearing officer's recommended decision no later than **seven (7) business days** from the date of the hearing officer's recommended decision. Parties to the grievance may submit written memoranda to the Commissioner for his/her consideration no later than five (5) business days from the date of the hearing officer's recommended decision.

WHAT DO I DO IF I DO NOT AGREE WITH A DECISION MADE IN THE GRIEVANCE PROCESS?

The decision of the commissioner represents the final state agency action on the matter. **If you are still dissatisfied with the outcome of this ruling, you may appeal to the Maine Superior Court under Rule 80C of the Maine Rules of Civil Procedure.**

WHERE CAN I GET HELP WITH MY GRIEVANCE?

For more general information about or assistance with the grievance process, contact:

Disability Rights Center of Maine (formerly Maine Advocacy Services)

Disability Rights of Maine
160 Capitol St. Suite 4
Augusta, ME 04338-2007
Phone and TTY: (207) 626-2774 or 1-800-452-1948 Fax: (207) 621-1419

All formal grievances involving child or adolescent recipients must be submitted on the attached DHHS Grievance Form to:

Children's Services Grievance Executive Director
DHHS
Office of Child and Family Services, Children's Behavioral Health Division
11 State House Station, 2 Anthony Avenue
Augusta, ME 04333-0011
Phone: (207) 493-4135 Fax: (207) 287-5282

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Dept. of Health and Human Services
Adult Mental Health Services

Level 1 Grievance Reporting Form

Today's Date: _____

Your Name: _____

Address: _____

Phone/TTY: _____

Name of Agency/Service Provider Involved:

Location of Agency/Service Provider (city/town):

Date(s) that the incident happened: _____

Name(s) of People Involved: _____

Briefly Describe What Happened (use the back of this form if necessary):

What is the specific issue that needs to be addressed?

How can this matter be resolved?

Your Notes and Contact Information

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Department of Health and Human Services

GRIEVANCE FORM

This form ***must*** be used to notify the Department of a grievance involving a ***child or adolescent recipient*** of mental health services. Receipt of this completed form by the Department's Grievance Coordinator starts the clock on the timelines for resolution as stipulated in law.

Name of the Child or Adolescent Recipient: _____

Date of Birth: _____ MaineCare# _____ Phone: _____

Address: _____

Name of Person Filing This Grievance: _____

Relationship to Child or Adolescent Recipient: _____

Address: _____ Phone: _____

Date(s) upon which aggrieved action took place: _____

Name of Provider/Agency Involved: _____

Address: _____ Phone: _____

Names of all people, agency, including phone #: _____

Describe in detail your grievance and specify issues that need to be addressed (use the back of this form if more space is needed): _____

Suggest how the matter can be resolved including efforts undertaken toward resolution: _____

Indicate efforts to resolve issue(s) prior to this date. Contact was made with: ☐ Case Manager

☐ Agency whom grievance is filed against ☐ DHHS, Regional Office ☐ Mediation Services

Select one of two options to resolve your grievance: 1) Mediation or, 2) Administrative Hearing. The Mediation or Administrative Hearing must be held within five (5) calendar days of receipt of this form by the Department's Grievance Executive Director, unless you are not available or you waive this requirement, in which case the Mediation or Administrative Hearing will be held as soon as possible.

☐ **Mediation** The Grievance Executive Director or the Mediator will contact you to arrange a time and location for the mediation session to take place. At the meeting, the mediator will attempt to resolve the grievance. You may select an Administrative Hearing at any time during the mediation process if you feel the Administrative Hearing would be more beneficial to you.

☐ **Administrative Hearing** The Grievance Executive Director or the Hearing Officer will contact you to schedule the formal hearing, which will be presided over by an experienced hearing officer from the Department of Health and Human Service, Division of Administrative Hearings.

Submit this form to: Children's Services Grievance Coordinator
Dept. of Health & Human Services
Office of Child & Family Services, Children's Behavioral Health Division
11 State House Station, 2 Anthony Ave
Augusta, ME 04333-0011

Or Fax to: Children's Services Grievance Executive Director at (207) 287-6156

Please indicate Grievance in the lower left corner of the envelope