

1 **~~6003-G STATE ONLY AND ARIZONA LONG TERM CARE SYSTEM~~**
2 **~~MEMBER INQUIRY AND GRIEVANCE RESOLUTION PROCESS~~**

3 REVISION DATE: ~~xx/xx/2023~~, 4/29/2020, 8/14/2019, 4/10/2019,
4 6/10/2016, 3/2/2015

5 EFFECTIVE DATE: July 31, 1993

6 ~~REFERENCES: 45 CFR Part 164, 42 CFR Part 438, Subpart F, 42 CFR~~
7 ~~§§ 438.408(a) and (b), A.A.C. Chapter 34: R9-34-202, R9-34-209,~~
8 ~~R9-34-210 and R9-34-212, 42 CFR Part 438, Subpart F, 42 CFR §§~~
9 ~~438.408(a) and (b) AHCCCS Contract, Section D, Program~~
10 ~~Requirements, Network 20, Grievance and Appeal System, AHCCCS~~
11 ~~Contract, Section F, Attachment F1 Section F1.~~

12
13 **PURPOSE**

14 ~~This policy outlines the Division's responsibilities when an Inquiry is~~
15 ~~received or a Grievance is filed with the Division's Customer Service~~
16 ~~Center (CSC). This includes Members with Serious Mental Illness~~
17 ~~(SMI) and/or with a Children's Rehabilitative Services (CRS) eligible~~
18 ~~condition. Responsible Person, including Members with Serious~~
19 ~~Mental Illness (SMI) condition, have a grievance. Formal grievances~~
20 ~~can be filed for a Member with a Serious Mental Illness (SMI) and or~~
21 ~~with a Children's Rehabilitative Services (CRS) eligible condition. The~~
22 ~~Division shall encourage the Responsible Person to discuss any~~
23 ~~problems or grievances with their Support Coordinator as soon as they~~

24 ~~arise.~~

25 ~~For Grievances and Investigations concerning persons with Serious~~
26 ~~Mental Illness rRefer to Division Operations Policy Manual Chapter 446~~
27 ~~for Grievances and Investigations concerning persons designated with~~
28 ~~a Serious Mental Illness.~~

29 ~~For Provider Inquiries and Grievances, refer to Division Operations~~
30 ~~Policy 6003-H.~~

31 ~~Refer to Provider Policy Manual Chapter 11 for Provider Inquiries and~~
32 ~~Grievances.~~

33 **~~DEFINITIONS~~Definitions**

34 ~~"Inquiry" means a question received by the Customer Service Center.~~

35 1. "Business Days" means 8:00 a.m. to 5:00 p.m., Monday
36 through Friday, excluding holidays listed in A.R.S. § 1-301.

37 ~~"Complaint" means a concern that is brought to the lowest level~~
38 ~~within the Ffunctional Aarea to resolve.~~

39 2. "Complainant" means the person(s) expressing the

- 40 [dissatisfaction or requesting to file a grievance.](#)
- 41 [3. "Functional Area" means a business unit or department](#)
42 [within the Division.](#)
- 43 [4. "Grievance" means a verbal or written expression of](#)
44 [dissatisfaction with any matter, other than an adverse](#)
45 [benefit determination.](#)
- 46 [5. "Grievance Manager" means the individual who is assigned](#)
47 [to work with the complainant through resolution.](#)
- 48 [6. "Inquiry" means a question received by the Customer](#)
49 [Service Center.](#)
- 50 [7. "Planning Team" means a defined group of individuals](#)
51 [comprised of the Member, the Responsible Person if other](#)
52 [than the Member, and, with the Responsible Person's](#)
53 [consent, any individuals important in the member's life,](#)
54 [including extended family members, friends, service](#)
55 [providers, community resource providers, representatives](#)
56 [from religious/spiritual organizations, and agents from](#)

57 other service systems.

58 8. "Member" means the same as "Client" as defined in A.R.S.

59 § 36-551.

60 ~~1. "Member Grievance" means A an verbal or written expression~~
61 ~~of dissatisfaction from a member, responsible party, advocate, etc.,~~
62 ~~with any aspect of a member's care other than an Adverse Benefit~~
63 ~~Determination.~~

64 ~~"Provider Grievance" means A a provider's expression of~~
65 ~~dissatisfaction with unresolved issues.~~

66 9. "Quality of Care Concern" or "QOC Concern" means an
67 allegation that any aspect of care or treatment, utilization of
68 behavioral health services, or utilization of physical health
69 care services that:

70 a. Caused or could have caused an acute medical or
71 psychiatric condition or an exacerbation of a chronic
72 medical or psychiatric condition; and

73 b. May ultimately cause the risk of harm to a member.

74 10. "Resolution System" means the application within Focus
75 used to document Member and Provider Grievances.

76 2.11. "Responsible Person" means the parent or guardian of a
77 minor with a developmental disability, the guardian of an
78 adult with a developmental disability or an adult with a
79 developmental disability who is a Member or an applicant
80 for whom no guardian has been appointed.

81 3.12. "Support Coordinator" means the same as "Case Manager"
82 under A.R.S. § 36-551.

83 **POLICY**

84 ~~The CSC shall evaluate each phone call, or email or letter~~
85 ~~received to determine if the correspondence is an Inquiry,~~
86 ~~Grievance, or Quality of Care Concern.~~

87 ~~The Customer Service Center shall notify the~~
88 ~~appropriate functional area immediately but no later~~
89 ~~than the close of the next business day when an~~
90 ~~imminent health, or safety, or clinically urgent risk~~

91 exists.

92 a. Refer the individual to the appropriate organizations
93 when the Inquiry or complaint is not related to the
94 Division, its contracted entities, or authorized
95 services.

96 **A. INTAKE TRIAGE**

97 1. The Division's Customer Service Center (CSC) shall receive
98 Inquiries and Grievances by:

99 a. Phone - 1-844-770-9500 option 1, or

100 b. Email - DDDCustomerServiceCenter@azdes.gov, or

101 c. Mail - DES/DDD Customer Service Center

102 1789 W. Jefferson St.

103 Mail Drop 2HB3

104 Phoenix, AZ 85007

105 d. Referral from Division staff

106 2. The CSC shall evaluate each phone call, ~~or~~ email, or letter
107 received to determine if the correspondence is a Quality of
108 Care Concern (QOC), an Inquiry, or a Grievance.

109 3. The CSC, when a QOC has been identified, shall:

110 a. Notify the appropriate ~~F~~functional ~~A~~area
111 immediately, but no later than the close of the next
112 business day, when an imminent health, ~~or~~ safety,
113 or clinically urgent risk exists.

114 b. Inform the individual ~~who~~that contacted the CSC that
115 the concern will be elevated as a QOC and that the
116 QOC triage process will be followed per Division
117 Medical Policy 960.

118 4. The CSC shall respond to the Inquiry or inform the
119 individual ~~who~~that contacted the CSC that they will be
120 contacted within five Business Days when the Inquiry or
121 ~~Complaint~~Complain is related to the Division, its contracted
122 entities, or authorized services.

123 5. The CSC shall not disclose any confidential information in
124 accordance with 45 CFR Part 164 Health Insurance
125 Portability and Accountability Act (HIPAA) and in
126 accordance with A.R.S. § 36-2917.

127 6. The CSC shall provide the individual ~~who~~that contacted the
128 CSC with the contact information for the appropriate
129 organization(s) when the Inquiry or Complaint is not
130 related to the Division, its contracted entities, or
131 authorized services.

132 ~~—~~The CSC, when a Grievance is filed, shall provide the
133 individual ~~who~~that contacted the CSC with their Grievance
134 number and inform them they will be assigned a Grievance
135 Manager who will work with them through resolution ~~when~~
136 a Grievance is fil

137 7. Eed.

138 **B. INQUIRY RESOLUTION**

139 1. The CSC shall monitor Inquiries to ensure the individual

140 who contacted the CSC is assisted timely.

141 2. The CSC shall maintain tracking logs that record the
142 receipt, relevant information, and resolution of Inquiries.

143 3. The CSC shall request technical assistance when an Inquiry
144 cannot be resolved timely.

145 4. The CSC shall resolve the Inquiry and provide the
146 individual who contacted the CSC with a
147 response. **INFORMAL**

148 ~~**G. COMPLAINT GRIEVANCE RESOLUTION STATE ONLY**~~

149 ~~**ELIGIBLE MEMBERS**~~

150 ~~1. A member or the member's responsible person, including~~
151 ~~members with Serious Mental Illness (SMI) condition, may have a~~
152 ~~grievance regarding an issue unrelated to a Notice of Intended Action,~~
153 ~~such as a quality of care issue or problems related to communication~~
154 ~~or courtesy. Members and their responsible persons will be~~
155 ~~encouraged to discuss any problems or grievances with the Support~~
156 ~~Coordinator as soon as they arise.~~

157 ~~The Functional Area shall attempt to resolve any~~
158 ~~complaints when they complaints are received in their area.~~

159 ~~The Functional Area Support Coordinator shall encourage~~
160 ~~the Responsible Person to discuss any complaints problems~~
161 ~~or concerns grievances as soon as they arise and inform~~
162 ~~the Complainant Responsible Person that they may contact~~
163 ~~the Supervisor or other Functional Area leader at any time~~
164 ~~to discuss the Complaint.~~

165 ~~The Support Coordinator shall is responsible for reviewing and~~
166 ~~investigate investigating any complaints informal grievances and~~
167 ~~attempting to resolve with the Planning Teamm at the team level~~
168 ~~informally with the Responsible Person before they complaint escalates~~
169 ~~to reach a Grievance. the formal grievance processtage.~~

170 ~~The Support Coordinator shall should contact the District Program~~
171 ~~Manager (DPM) or designee to inform them of the informal resolution.~~

172 ~~The Support Coordinator shall inform the Responsible Person that they~~
173 ~~At any time, the responsible person may contact the Support~~
174 ~~Coordinator's Supervisor or Area Manager (AM) at any time to discuss~~

175 ~~the complaint. If needed, the District Program Manager (DPM) or~~
176 ~~designee may assist the Planning Team in seeking in the informal~~
177 ~~resolution when applicable.~~

178 ~~—— If the complaint cannot be resolved at the PCSP team~~
179 ~~level, the Functional Area, when the Complaint cannot be~~
180 ~~resolved, shall: inform the Complainant Responsible Person~~

181 ~~—— Inform the Complainant of their right to file a~~
182 ~~grievance, and provide them Complainant w~~

183 ~~—— Provide the Complainant with the Division's CSC~~
184 ~~contact information, 1-844-770-9500 option 1, or~~

185 ~~DDDCustomerServiceCenter@azdes.gov~~

186 ~~2. If no informal resolution to the problem is possible, the Support~~
187 ~~Coordinator shall will inform advise the member or the member's~~
188 ~~rResponsible pPerson of the process for filing a formal grievance by~~
189 ~~contacting the DDD Customer Service Center directly at 1-844-770-~~
190 ~~9500 or DDDCustomerServiceCenter@azdes.gov.~~

191 ~~**B. ARIZONA LONG TERM CARE SYSTEM ELIGIBLE MEMBERS**~~

192 ~~3. The Functional Area Support Coordinator shall must~~

193 ~~document in the Member's file the:~~

194 ~~a. The Responsible Person's member's cComplaint.~~

195 ~~informal grievance~~

196 ~~b. The Their Support Coordinator's attempts to resolve~~

197 ~~the Complaint.~~

198 ~~c.a. and the fact that the member or the member's rThat~~

199 ~~the Complainant Responsible pPerson was advised of~~

200 ~~the right to file a formal Grievance and the process~~

201 ~~for doing so.~~

202 **C. FORMAL GRIEVANCE RESOLUTION**

203 ~~Formal grievances can be filed for a member with a Serious Mental~~

204 ~~Illness (SMI) and or with a Children's Rehabilitative Services (CRS)~~

205 ~~eligible condition. This documentation should be included in the case~~

206 ~~notes.~~

207 ~~The Support Coordinator shall inform the Responsible Person to~~

208 ~~contact To initiate the formal grievance process, contact the DDD~~

209 ~~Customer Service Center to initiate the formal grievance process when~~
210 ~~the Responsible Person's grievance cannot be resolved~~
211 ~~informally. To contact DDD Customer Service directly, at~~

212 ~~1-844-770-9500, or~~

213 a. ~~DDDCustomerServiceCenter@azdes.gov.~~

214 ~~The Customer Service Center shall evaluate and prioritize~~
215 ~~each Grievance, and: for health and safety risks.~~

216 ~~The Customer Service Center shall Immediately~~
217 ~~notify the appropriate functional area immediately~~
218 ~~when an imminent health or safety risk exists.~~

219 ~~1. Refer complainant to the appropriate organizations when~~
220 ~~the complaint is not related to the Division, its contracted~~
221 ~~entities, or authorized services.~~

222 ~~1. The CSC Customer Service Center Division shall will provide~~
223 ~~the Ccomplainant with acknowledge a verbal receipt of~~
224 ~~the a gGrievance at the time the Grievance it is made and~~
225 ~~when requested by the Complainant, provide a written~~

226 ~~receipt of thea Grievance. in writing. when electronically,~~
227 ~~orally, verbally, however if requested by the~~
228 ~~complainantResponsible Person., electronically or in~~
229 ~~writing.~~

230 2. The CSC Division shall documentrecord the Rreceipt of the
231 Ggrievances ~~withall~~ be recorded and the substance of the
232 Grievance in the Division's Resolution System Tracking
233 System.

234 1. The CSC shall provide updates to the complainant on the
235 progress of the Grievance.

236 The Customer Service Center shall document actions taken
237 and update the complainant weekly on the progress at
238 requested intervals, of the research, and investigation,
239 with the exception of quality of care concerns in
240 accordance with A.R.S. § 36-2917.

241 3. The CSCDivision shallwill ensure that the personperson
242 completing the Grievance investigation and decision maker
243 assigned to the Grievance who makes a

244 ~~determination~~~~cision on a g~~Grievance has no involvement
245 ~~was not involved~~ in any previous level of review or
246 decision-making regarding the Grievance.

247 ~~The Customer Service Center shall evaluate and prioritize~~
248 ~~each Grievance for health and safety risks, and forward to~~
249 ~~the appropriate functional area as soon as possible, but no~~
250 ~~later than 24 hours when imminent health or safety risks~~
251 ~~exist.~~

252 4. When the Division receives a grievance regarding a denial
253 of expedited resolution of appeal or a grievance that
254 involves clinical issues, t~~The Division~~The CSCCustomer
255 Service Center shall, when applicable, will ensure that
256 healthcare professionals who make decisions have the
257 appropriate clinical expertise to complete an investigation
258 and to make the decision when:

259 a. A~~The Customer Service Center~~Division receives a
260 Grievance regarding a denial of an expedited
261 resolution of appeal is received, or

262 ~~a-b.~~ A Grievance that involves clinical issues.

263 5. The CSC Customer Service Center shall ensure all applicable
264 documentation, including all aspects of care, is reviewed
265 prior to making a decision.

266 6. The CSC Customer Service Center shall engage additional
267 Functional Areas when necessary to resolve the Grievance.

268 7. The CSC Customer Service Center Division shall will resolve
269 the provide a written notice of the gGrievance resolution to
270 the complainant decision within 10 bBusiness dDays, but
271 not to exceed 90 days, after the CSC Division receives the
272 Grievance, and shall not exceed or no later than 90
273 calendar days, after the Division receives the gGrievance.

274 8. The CSC shall contact the Complainant to inform them of
275 the resolution.

276 9. The CSC Division shall mail a the Grievance disposition
277 closure letter to the Complainant within 10 Business Days
278 of resolution.

279 10. The CSC shall provide a Grievance disposition closure
280 letter that includes ~~that includes a~~ summary of the
281 Grievance submitted and the resolution.

282 11. The CSC shall not provide the resolution in the Grievance
283 disposition closure letter when the Grievance is closed due
284 to a QOC escalation.

285 ~~—The CSC shall ensure documentation of the Grievance,~~
286 ~~investigation steps, and actions taken for resolution are~~
287 ~~documented in the Division's Resolution System.the~~
288 ~~resolution is not included in the letter.~~

289 ~~When the Grievance is closed due to QOC escalation, the~~
290 ~~resolution is not included in the letter in accordance with~~
291 ~~A.R.S. § 36-2917.~~

292 ~~6.12. The CSC shall not disclose any confidential~~
293 ~~information following the Division's Operations Manual~~
294 ~~6001-A. The Division shall and will record all progupdates~~
295 ~~and results in the Division's Resolution Tracking System.~~

296 **E. SUPPLEMENTAL INFORMATION**

297 **1. Refer to Division Operations Policy 446 for Grievances and**
298 **Investigations concerning persons designated with a**
299 **Serious Mental Illness.**

300 **E.F. For Provider Inquiries and Grievances, refer to Division**
301 **Operations Policy 6003-H.**

Draft Policy for Public Comment