

SAN MATEO COUNTY HEALTH SYSTEM
BEHAVIORAL HEALTH AND RECOVERY SERVICES

DATE: Feb. 25, 2003

BHRS POLICY: 03-03

SUBJECT: Grievance and Appeal System

AUTHORITY: Grievance and Appeal System 42 CFR Subpart F 438.400; Section 431.200 HIPAA Regulations (45 CFR 164.530(d)), California Welfare and Institutions Code, Title 9, subchapter 5, CCR Title 9, BHRS Policy 04-10, Notice of Action; Policy 98-01, Change of Clinician Request; Policy 98-10, Concerns/Complaints about MHP Individual and Organizational Contract Providers

AMENDED: July 25, 2005; January 30, 2017 (Technical Edits); December 5, 2017, (Renamed and Amended), October 3, 2018

ATTACHMENTS:

- A. Grievance and Appeal Resolution System Manual, (Renamed and Amended) December 5, 2017 (October 3, 2018)
- B. Grievance and Appeals Resolution Poster, Renamed and Amended December 5, 2017 (English, Spanish, Chinese, Tagalog, Russian)
- C. Grievance and Appeals Resolution brochure, Renamed and Amended December 5, 2017 (English, Spanish, Chinese, Tagalog, Russian)

BACKGROUND: San Mateo County Behavioral Health and Recovery Services (BHRS), including its contracted providers and private provider network is a Managed Care Organization (MCO).

PURPOSE: All BHRS programs and contractors will follow the procedures and regulations as outlined in 42 CFR regarding Grievances, Appeals, Expedited Appeals and State Fair Hearings as detailed in the comprehensive manual attached to this policy.

POLICY:

Beneficiaries of Medi-Cal and all other clients of San Mateo County BHRS have the right to report problems and to be heard regarding their services. The primary source for the procedural management of grievances and appeals is the Grievance and Appeal Resolution System Manual, attached as a component of this policy. This manual explains the processes by which BHRS resolves grievances, appeals and State Fair Hearings as well as the processes to collect and track information about them.

Anti-Retaliation: Staff members, independent contractors, students, volunteers, and others working with BHRS shall not intimidate, threaten, coerce, discriminate against, or take any retaliatory action against individuals for exercising their rights granted by federal or state regulations, or for participating in any complaint or other process established by these regulations.

BHRS provides all information about the Grievance and Appeal System to all providers and contractors at the time they enter into a contract, at site certification visits and upon request. It is also available at our website: <http://www.smchealth.org/bhrs>

Approved: _____ (Signature on File)

Steve Kaplan, LCSW
BHRS Interim Director