



## INFORMATION FOR PARTICIPANTS ABOUT THE GRIEVANCE PROCESS

All of us at NEMS PACE share responsibility for your care and your satisfaction with the services you receive. Our grievance procedures are designed to enable you and/or your representative to express any concerns or dissatisfaction you have so that we can address them in a timely and efficient manner. At any time, should you wish to file a grievance, we are available to assist you. If you do not speak English, a bilingual staff member or translation services will be available to assist you with the process.

You will not be discriminated against because a grievance has been filed. NEMS PACE will continue to provide you with all the required services during the grievance process. The confidentiality of your grievance will be maintained throughout the grievance process and information pertaining to your grievance will only be released to authorized individuals.

A **grievance** is defined as a complaint, either written or oral, expressing dissatisfaction with the services provided or the quality of participant care. A grievance may include, but is not limited to:

- The quality of services a PACE participant receives in the home, at the PACE Center or in an inpatient stay (hospital, rehabilitative facility, skilled nursing facility, intermediate care facility or residential care facility).
- Waiting times on the phone, in the waiting room, or exam room.
- Behavior of any of the care providers or program staff.
- Adequacy of center facilities.
- Quality of the food provided.
- Transportation services; and
- A violation of a participant's rights

A **representative** is the person who is acting on your behalf or assisting you, and may include, but is not limited to, a family member, a friend, a PACE employee or a person legally identified as Power of Attorney for Health Care/Advanced Directive, Conservator, Guardian, etc. If you wish to appoint a representative, please complete the [CMS Appointment of Representative Form](#) and follow the instructions.

### FILING OF GRIEVANCES

If you are not satisfied with the outcome of your grievance, you have other grievance options.

The information below describes the grievance process for you and/or your representative to follow should you and/or your representative wish to file a grievance.



1. You can verbally discuss your grievance either in person or by telephone with PACE Program staff of the center you attend. The staff person will make sure that you are provided with written information on the grievance process and that your grievance is documented on the Grievance Report form. You will need to provide complete information of your grievance so the appropriate staff person can help to resolve your grievance in a timely and efficient manner. If you wish to submit your grievance in writing, please send your written grievance to:

NEMS PACE  
Attention: Quality Improvement Coordinator  
728 Pacific Ave, Ste. 200  
San Francisco, CA 94133  
Fax: (415) 240-4352

You may also contact our Quality Improvement Coordinator at 415-391-9686 x5411 or our toll-free number at 1-800-508-4578 to request a Grievance Report Form and receive assistance in filing a grievance. For the hearing impaired (TTY/TDD), please call 415-213-1973 or 711. Our Quality Improvement Coordinator will provide you with written information on the grievance process.

2. The staff person who receives your grievance will help you document your grievance (if your grievance is not already documented) and coordinate investigation and action. ALL information related to your grievance will be held in strict confidence and will not be disclosed to program staff or contract providers, except where appropriate to process the grievance. No reference that you have elected to file a grievance with NEMS PACE will appear in your medical record.
3. You will be sent a written acknowledgement of receipt of your grievance within five (5) calendar days. Where necessary, the Quality Improvement Coordinator will acknowledge your grievance by telephone and will clarify information provided on the Grievance Report Form or will obtain and document additional facts related to your grievance. Investigation of your grievance will begin immediately to find solutions and take appropriate action.
4. The NEMS PACE staff will make every attempt to resolve your grievance within thirty (30) calendar days of receipt of your grievance. If the grievance has been resolved, the PACE Quality Improvement Coordinator will send written notification of the resolution of the grievance to the participant and/or his/her representative within 30 calendar days of the grievance being filed. If you are not satisfied with that resolution, you and/or your representative have the right to pursue further action.



5. In the event resolution is not reached within thirty (30) calendar days, you and/or your representative will be notified in writing of the status and estimated completion date of the grievance resolution.

## **EXPEDITED REVIEW OF GRIEVANCES**

If you feel your grievance involves a serious or imminent threat to your health, including, but not limited to, potential loss of life, limb or major bodily function, severe pain, or violation of your participant rights, the Quality Improvement Coordinator will expedite the review process to a decision within 72 hours of receiving your verbal and/or written grievance and request for expedition. As soon as possible, but no later than one (1) business day after you file an expedited grievance, the PACE QI Coordinator will inform you and/or your representative by telephone or in-person of the receipt of the Grievance and the steps the NEMS PACE will take to resolve the grievance. In this case, you will be immediately informed by telephone of:

- (a) The receipt of your request for expedited review, and
- (b) Your right to notify the Department of Social Services of your grievance through the State hearing process.

The QI Coordinator will notify you and/or your representative in writing of the resolution of the expedited grievance. The QI Coordinator will also notify you verbally and in writing if a resolution is not possible within seventy-two (72) hours. The written notification of delay will include the reason for the delay and the timeframe for resolution of the grievance.

## **RESOLUTION OF GRIEVANCES**

Upon completion of the investigation and reaching a final resolution of your grievance, you will receive written notification that will provide you with a report describing the reason for your grievance, a summary of actions taken to resolve your grievance, and options to pursue if you are not satisfied with the resolution of your grievance.

## **GRIEVANCE REVIEW OPTIONS**

If, after completing the grievance process, or participating in the process for at least thirty (30) calendar days, you and/or your representative are still dissatisfied with the resolution of your grievance, you may pursue the options described below. Note: If you feel that waiting thirty (30) calendar days represents a serious health threat, you and/or your representative need not complete the entire grievance process nor wait thirty (30) calendar days to pursue the options described below.



1. If you are covered by Medi-Cal only or by Medi-Cal and Medicare, you are entitled to pursue your grievance with the Department of Health Care Services, by contacting or writing to:

Ombudsman Unit  
Medi-Cal Managed Care Division  
Department of Health Care Services  
P.O. Box 997413, Mail Station 4412  
Sacramento, CA 95899-7413  
**Telephone: 1-888-452-8609**  
**TTY: 1-800-735-2922**

2. State Hearing Process:

At any time during the grievance process, you may also request a State hearing from the California Department of Social Services by contacting or writing to:

California Department of Social Services  
State Hearings Division  
P.O. Box 944243, Mail Station 19—17-37  
Sacramento, CA 94244-2430  
**Telephone: 1-800-952-5253**  
**Facsimile: (916) 651-5210 or (916) 651-2789**  
**TDD: 1-800-952-8349**

If you want a State Hearing, you must ask for it within **ninety (90)** days from the date of receiving the letter for resolved grievance. You and/or your representative may speak at the State hearing or have someone else speak on your behalf such as someone you know, including a relative, friend, or an attorney. You may also be able to get free legal help. We can provide you with a list of legal services in San Francisco County, if you would like legal assistance.