

# GREATER COLUMBIA BEHAVIORAL HEALTH Policies and Procedures

Category: Quality Review  
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**No: QR901.00**

**Title: Ombuds Policy**

## **I. Scope:**

This policy applies to Ombuds Services for Greater Columbia Behavioral Health (GCBH).

## **II. Purpose:**

- A. The purpose of this policy is to address the requirements for Ombuds Services for GCBH. The GCBH Ombuds Service is established pursuant to contractual requirements between GCBH and the Mental Health Division, and in accordance with applicable WAC requirements.
- B. WAC 275-57-160 The RSN or PHP shall establish a service responsive to the age and demographic character of the region to assist and advocate for consumers with complaints and grievances concerning services:
  1. The RSN or PHP shall establish an independent Ombuds Service, as set forth in this section and contract between the department and the RSN or PHP. The department and RSN or PHP shall include representatives of consumer and family advocate organizations when revising contract terms regarding the requirements of this section.
  2. The RSN or PHP shall ensure the Ombuds Service:
    - a. Is independent of service provision;
    - b. Receives consumer, family member, and other interested party complaints and assists in the complaint's resolution with the consumer's consent, at the lowest possible level;

- c. For the purposes of outreach and resolving complaints, has access to consumers, service sites, and records relating to the consumer. The RSN or PHP shall ensure access to records is contingent upon written consent as described under this chapter; and
  - d. Intercedes on behalf of consumers and family members and, at the consumer's request, in the complaint and grievance process.
3. The Ombuds Service staff shall:
- a. Be accessible to all persons;
  - b. Involve other persons, at the consumer's request;
  - c. Assist consumers in the pursuit of informal resolution of complaints;
  - d. If necessary, continue to assist the consumer through the grievance and, if applicable, fair hearing processes; and
  - e. Maintain confidentiality consistent with this chapter.

### **III. Process/Procedures:**

#### **A. Structure:**

1. The GCBH Ombuds Service is established as an independent service under GCBH to provide a service that is responsive to the age and demographic character of the Greater Columbia region.
2. At least one Ombuds staff person must be a consumer or past consumer; the other may be a family member.

#### **B. Roles and Responsibilities:**

1. The Ombuds Service acts as a referral source for consumers, accepts consumer complaints, and assists consumers in formal grievances and in the fair hearing process. Complaints and grievances are accepted from mental health consumers, family members, friends, and others involved in the consumer's life.
2. The Ombuds Service shall provide information to consumers

and family members regarding policies and procedures of the mental health service providers; GCBH; and the Mental Health Division, laws and regulations.

3. The Ombuds shall use his or her best efforts to ensure the complainant or grievant is not retaliated against and ensure anonymity, consumer confidentiality, and protect consumer rights consistent with applicable WAC requirements.
4. The Ombuds Service shall utilize the assistance of certified interpreters when the complainant is mono-lingual in a language other than English or is hearing impaired.
5. The Ombuds Service shall consult with Mental Health Specialists as appropriate to the consumer's or complainant's cultural needs.
6. The Ombuds Service shall maintain the confidentiality of all complaints and grievances.
7. The Ombuds Service shall maintain all case records in a secure and confidential manner for at least five years.
8. The Ombuds Service provides the following services within Greater Columbia:
  - a. Information and Referral: The Ombuds Service acts as a referral source for consumers, family members, friends, and allied systems. This is sometimes the first contact with the person who has a question, concern, or complaint. Releases of information are not generally required to assist with making referrals and providing information. Resolution is by making referrals, providing information, or filing a written complaint.
  - b. Complaint Process: The Ombuds Service accepts complaints involving public mental health consumers and attempts to resolve them at the lowest possible level. Releases of information are required for all complaints. These allow for the exchange and collection of information to assist in the resolution of the complaint. The Ombuds Service works with the complainant and other involved entities (e.g., case managers, employers, therapists, allied systems, etc.) to reach a resolution as quickly as possible, but without formal timelines being specified. Resolutions of complaints can be by

telephone, referrals, advise or consultations, conciliation and mediation, dropped, or the filing of a grievance. A grievance is usually filed when the complainant is not satisfied with complaint resolution.

- c. Grievance Process: The Ombuds Service shall assist a consumer or complainant in filing a grievance, based on this standard, WAC requirements, and the Standard for Resolution of Service Recipient Complaints and Grievances upon his or her request, in following the grievance procedures established by service providers and GCBH, with the goal of resolving the grievance quickly.
  - i. Grievances must be put in writing, dated, and signed by the consumer or consumer representative. A copy of the formal grievance is to be given to the Ombuds Service at the time of filing.
  - ii. The Ombuds Service will assist in writing the report if requested by the grievant.
  - iii. The entire formal grievance process shall not exceed thirty (30) calendar days.
  - iv. The mental health service provider and/or GCBH Coordinator resolution process shall not exceed twenty (20) calendar days.
  - v. The Ombuds Service shall obtain releases of information, if not on file, to collect and exchange information from the involved parties.
  - vi. The Ombuds Service shall investigate the grievance. This shall include, at a minimum, speaking to all individuals involved in the grievance. This may include research of client records, with written permission from the grievant.
  - vii. Ways to resolve grievances may include:
    - Mediating discussions among the parties involved.
    - Reviewing the consumer records, with

written permission from the grievant.

viii. The Ombuds Service shall make recommendations on the resolution of grievances which may influence the service provider or GCBH to offer additional or different services. Although the Ombuds persons have no binding authority to make decisions on grievances, the Ombuds shall use their best efforts to advocate for the grievants' interests, using advice and information to effect resolution to problems.

d. Fair Hearing Process: The Ombuds Service shall assist, upon request of the consumer, during the fair hearing process. Consumers may request a fair hearing when the grievance concerns eligibility, enrollment, and disenrollment as defined in WAC 275-57. A fair hearing may also be requested for the following:

- i. concerns regarding the medical necessity for the Title XIX community mental health rehabilitative services;
- ii. grievance decisions unfavorable to the consumer;
- iii. GCBH fails to respond in writing within thirty (30) calendar days after the formal filing of the written grievance; or
- iv. GCBH denies a consumer urgently needing community mental health rehabilitative services, and the consumer files a grievance in writing.

e. Reporting: The Ombuds Service shall summarize monthly activity regarding Information and Referrals and Complaints and Grievances involving the twelve member governments and the resolutions achieved. This information is provided in a monthly report to the GCBH Board of Directors; Quality Management Oversight Committee; and GCBH Regional Advisory Board, Coordinator, and Providers.

- i. On a calendar quarter basis, the Ombuds Service shall provide to the Mental Health Division summary information as prescribed by the Mental Health Division report format.

- ii. The Ombuds Service shall attend the Regional Advisory Board meeting at least quarterly.
- f. Education and Training: The Ombuds Service will attend local and State trainings involving conflict resolution, mediation, mental illness, advocacy, legislation, computer literacy, and other trainings applicable to the functions of the Ombuds Service. Education and training enable the Ombuds Service to advocate for and empower consumers by providing quality services.
- g. Stigma Reduction and Community Education: The Ombuds Service will research, obtain, and provide educational materials, participate in community events recognizing mental illness, and help educate the community on what mental illness is and how it affects people's lives.

#### **IV. Integration With Greater Columbia Behavioral Health Quality Management Program:**

- A. The Ombuds Service will integrate with the GCBH Quality Management Oversight Committee (QMOC) by providing the QMOC with summary reports related to complaints, grievances, and resolutions. In addition, the Ombuds Service will have membership on the QMOC.
- B. The Ombuds plays an important role in identifying specific problems consumers in the GCBH system of care may be experiencing. This is a vital Quality Assurance function.
- C. The Ombuds will coordinate and interface with the Quality Review Team on a regularly scheduled basis.

**Note:** Please see Figure III (attached) from the Quality Management Plan for a visual of the Ombuds interface with the Quality Management Oversight Committee.

#### **V. Community Integration/Cross System Relationship:**

Many of the persons served by GCBH are first seen by crisis services. Integrated crisis services must serve all persons in crisis regardless of their relationship to the GCBH system of care. By maintaining positive relationships with allied systems, the Ombuds may also require their assistance in resolving complaints or grievances to allied systems of care.

**VI. Expected Outcome(s):**

- A. Advocate for the consumer.
- B. To resolve all complaints/grievances at the lowest possible level.
- C. To provide services that protect the rights of the consumer.
- D. To provide services that maintain consumer confidentiality.

**VII. Scheduled Review of this Policy:**

The revision of the GCBH policies and procedures manual is on a two year cycle. The GCBH policy review and approval process is a three month process. This policy is scheduled to be reviewed every second year:

- A. by GCBH staff by November of odd years,
- B. by the Regional Advisory Board (RAB) by December of odd years,
- C. by the GCBH Board of Directors by January of even years, and
- D. outside of the schedule if required.