



## **Philip Huang, MD, MPH**

Director

### **Client Grievance Policy**

#### **1.0 Background:**

During the administration of the Ryan White HIV/AIDS Program (RWHAP) Part A, Minority AIDS Initiative, RWHAP Part B, State Services and State Services Rebate grants, the Ryan White Grants Management Division (RWGMD) may receive complaints from clients (or their representatives) or other stakeholders of funded subrecipient agencies. A complainant shall not be discriminated against nor suffer retaliation due to filing a complaint in good faith or participating in the investigation of a grievance.

#### **2.0 Purpose:**

To ensure clients have recourse if they feel they are being treated unfairly or not receiving quality services. DCHHS endorses a systemic approach where the complaint can be used as an opportunity for process improvement.

- 1.1 DCHHS expects that each subrecipient will have a policy regarding client grievances. In the policy or a separate document, subrecipients must outline the steps a client, client representative, or stakeholder should follow to file a grievance and how the grievance will be handled.
- 1.2 The last step of the grievance policy will include information on how the client may appeal the decision if the client's grievance is not settled to their satisfaction within the subrecipient agency. A client who is not satisfied with the outcome of the complaint and would like to appeal can email [ryanwhitegrants\\_hhs@dallascounty.org](mailto:ryanwhitegrants_hhs@dallascounty.org) or call 214-819-1849. Clients are advised not to put personal health information (PHI) in the subject line and provide the minimum amount of personal information in the email and if leaving a message on the phone line.

#### **3.0 Persons Impacted by Policy:**

- DCHHS staff.
- DCHHS subrecipients, their staff, and volunteers.
- Stakeholders of DCHHS-funded agencies.
- Clients receiving DCHHS and Texas Department of State Health Service-funded services.

#### **4.0 Required Components of Subrecipient Client Grievance Policy:**

All subrecipients must develop a policy that includes the following components, at a minimum:

- How to file a grievance and to whom the grievance should be directed.
- Timeline to resolve a grievance.
- A step-by-step process if the grievance remains unresolved.
- Signatures of the client and the staff
- Signed and dated policy in the client's primary record.

## **5.0 Hierarchy of Complaints:**

The RWGMD will encourage complainants to follow the policy and process of the agency that provided the services that form the basis of the complaint to allow the agency to correct the situation at their level. Below is the typical order that a complainant is recommended to follow:

- DCHHS or Texas Department of State Health Services (DSHS) Care Services funded agency where the client experienced treatment or services leading to a complaint and follows that agency's process.
- If the client did not experience satisfaction at the subrecipient level, the complaint escalates to [DCHHS](#) and or the organizations listed below:
  - [DSHS Care Services Unit](#).
  - [Health Resources and Services Administration's HIV/AIDS Bureau](#).
  - When complaints escalate to the DSHS or HRSA, the RWGMD will contact the complainant (if requested) and the subrecipient agency.

## **6.0 Timeframe:**

All complainants will be contacted by the RWGMD within three business days upon receipt of a written complaint to begin resolution activities, if necessary.

## **6.0 Documentation:**

- All complaints shall be documented on the DCHHS Complaint Form on the [DCHHS Ryan White Program webpage](#).
- If a client needs assistance due to [disability](#) or [limited English proficiency](#) in completing the form, then:
  - The client should go to the [DCHHS contacts](#) page for assistance (if the first stop of the complaint is DCHHS).
  - If the client is reporting to their service provider, then the client should be directed to:
    - Agency staff who can assist the client if they have limited English proficiency or a disability preventing completion of the form; the agency must arrange for the necessary services to accommodate the client.

## **7.0 Complaints regarding healthcare professionals:**

For complaints regarding clinical practice outside the scope of the traditional process, clients and stakeholders may file a complaint to the licensing board for the profession of the person the client would like to file a complaint.

- Physicians and Physician Assistants:

Clients who desire to complain directly to the [Texas Medical Board \(TMB\)](#) about the medical practice of Physicians or Physician Assistants are not required to report the issue to Dallas County Health and Human Services or its subrecipients. DCHHS requests that clients also report dissatisfaction with medical care via the process in this policy so that DCHHS collaborates to ensure a client-focused resolution. For more information about submitting a complaint to the TMB, visit this webpage: [Texas Medical Board](#).

DCHHS subrecipients providing OAHS services must have a TMB Complaint Poster per Texas Occupations Code [154.051](#) and Texas Medical Board Rule [§177.13](#). DCHHS expects providers to follow Texas law that requires: *Posting a notice of complaint procedure in English and Spanish at each healthcare delivery site that is readily visible to patients or potential patients.*

*The signs must be displayed prominently, supplied with all bills for services, and placed on all registration forms, applications, or contracts.*

- Dentists, Dental Hygienists, Dental Assistants & Dental Laboratories:

Complaints must be in writing using the Board's complaint form and may be submitted by email, fax, or postal delivery. The complaint form may be obtained by requesting it over the phone, via email or letter, or downloading it from the [TSBDE website](#).

- Advanced Practice Nurses (APRNs):

As per the Texas Occupations Code, section [301.152](#), an Advanced Practice Registered Nurse is a person licensed by the [Texas Board of Nursing](#) to practice as an advanced practice nurse (Provide medical care, prescribe medications and treatments). As with complaints about medical care, DCHHS requests that clients also file a complaint via the process in this policy.\* To file a complaint regarding medical care provided by an APRN, clients should go to this webpage: [https://www.bon.texas.gov/discipline\\_and\\_complaints\\_policies\\_and\\_guidelines\\_filecomplaint.asp.html](https://www.bon.texas.gov/discipline_and_complaints_policies_and_guidelines_filecomplaint.asp.html)

- Registered Nurses(RNs) and Licensed Vocational Nurses (LVNs):

For complaints\* regarding nursing care provided to a client at a DCHHS-funded agency by an RN/LVN, clients should be directed to this webpage:

[https://www.bon.texas.gov/discipline\\_and\\_complaints\\_policies\\_and\\_guidelines\\_filecomplaint.asp.html](https://www.bon.texas.gov/discipline_and_complaints_policies_and_guidelines_filecomplaint.asp.html)

- Marriage and Family Therapists, Professional Counselors, Psychologists, and Social Workers:

For complaints\* about mental health care provided by this group of clinicians:

- [Texas Licensed Marriage and Family Therapists, Texas Licensed Professional Counselors](#)
- [Texas Licensed Psychologists](#), Texas Licensed Clinical Social Workers

Clients should be directed to this webpage: <https://www.bhec.texas.gov/discipline-and-complaints/index.html>

- For healthcare providers not listed here, clients may go to the Texas Attorney General's website to file a complaint: <https://www.texasattorneygeneral.gov/consumer-protection/health-care/health-care-list-agencies>

- Dieticians and Speech-Language Pathology and Audiology

The Texas Department of Licensing and Regulation investigates complaints regarding:

- Dieticians.
- Speech-Language Pathologists and Audiologists.
- Go [to this link](#) to file a report or this web address:

[https://www.tdlr.texas.gov/complaints/default\\_Licensed.aspx](https://www.tdlr.texas.gov/complaints/default_Licensed.aspx)

## 8.0 Complaints against Facilities, Specialty Care, and Discrimination:

- Healthcare facilities

If someone has knowledge that an acute health care facility regulated by the Texas Health and Human Services Commission has provided substandard care to its patients or clients, then a complaint should be filed with the Texas Health and Human Services Facilities Unit. Review the website for the specific types of facility complaints HHSC handles:

<https://www.hhs.texas.gov/providers/health-care-facilities-regulation/file-a-complaint-a-health-facility>

- Discrimination (if a client believes they were discriminated against, there are two options based on the allegation:
  - Alleged discrimination based on disability by a clinic or medical provider, public medical provider, or government program:  
U.S. Department of Justice  
Civil Rights Division  
 950 Pennsylvania Avenue, NW  
 Washington, DC 20530  
 Go to this link to submit a complaint: <https://civilrights.justice.gov/report/>
  - Alleged discrimination in Housing:  
U. S Department of Housing and Urban Development, Fort Worth Regional Office  
 307 West 7<sup>th</sup> Street, Suite 1000, Fort Worth, TX, 76102  
 817-978-5600  
 Email: TX\_Webmanager@hud.gov
  - Alleged violation of a client's civil rights:  
Office for Civil Rights  
 U.S. Department of Health and Human Services  
 1301 Young Street, Suite 106, Dallas, TX 75202  
 (800) 368-1019  
 Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)
    - If a client feels a healthcare provider violated their civil rights.
    - Violated the client's privacy (Health Insurance Portability and Accountability Act).
    - Conscience or Religious freedom
    - Patient safety confidentiality
    - A complete list is available at: <https://www.hhs.gov/ocr/complaints/index.html>