

Federal Access Grievance Process Proposal



Date: August 2025



HOUSEKEEPING



- Interpretación en español: haga clic en el globo blanco en la parte inferior de la pantalla con la etiqueta "Interpretation." Luego haga clic en "Spanish" y seleccione "Mute original audio."



- ASL interpreters have been "Spotlighted" and live closed captioning is active



- This meeting is being recorded

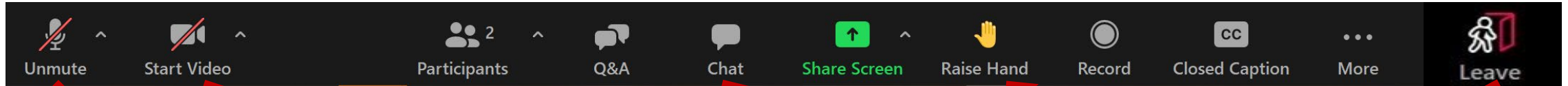


- Materials will be available online at on the agency's website.



- Questions? Comments? grievance.process.input@dds.ca.gov

ZOOM TIPS



Unmute mic only when it's your turn to speak



Turn your webcam on/off

All attendees can type questions/comments in the Q&A

Chat is available here

You can raise your hand when you want to speak

Leave the webinar at the end of the meeting



- For attendees, your video and microphone will not be available
- You will only see/hear workgroup members, DDS staff and presenters on screen



- Features will vary based on the version of Zoom and device you are using
- Some Zoom features are not available for telephone-only participants

Ensuring Access to Medicaid Services Final Rule (Access Rule)

- In 2024, Centers for Medicare & Medicaid Services published the Access Rule.
- Access Rule includes a new federal mandate to establish a grievance process for individuals receiving home and community-based services by July 2026.
- The Department currently has multiple complaint processes with different requirements.
- The Department proposes a new combined grievance process that meets Access Rule federal mandates and includes rights violations and citizens complaints.

Overview of Proposed Changes

Combined Grievance Process

- 4731 Individual Rights complaints, Citizen's complaints, and general complaints combined into one grievance process.
- Any individual may file a complaint regarding a regional center, a regional center service provider and/or contractor, or a state-operated facility.

The Department receives all complaints

- All complaints will be filed with the Department and tracked internally.
- Complaints may be filed electronically, verbally, by mail or by e-mail.
- Electronically filed complaints will be available on the Departments website, including a "File a Complaint" button that will provide access to all complaint processes.

Overview of Proposed Changes Continued

Grievance Responses

- 60-day timeline from receipt of complaint.
- Streamlined format for all responses.
- Responses will include specific proposed resolutions to support the individual receiving services.
- Provide records used in the review process prior to RC response.

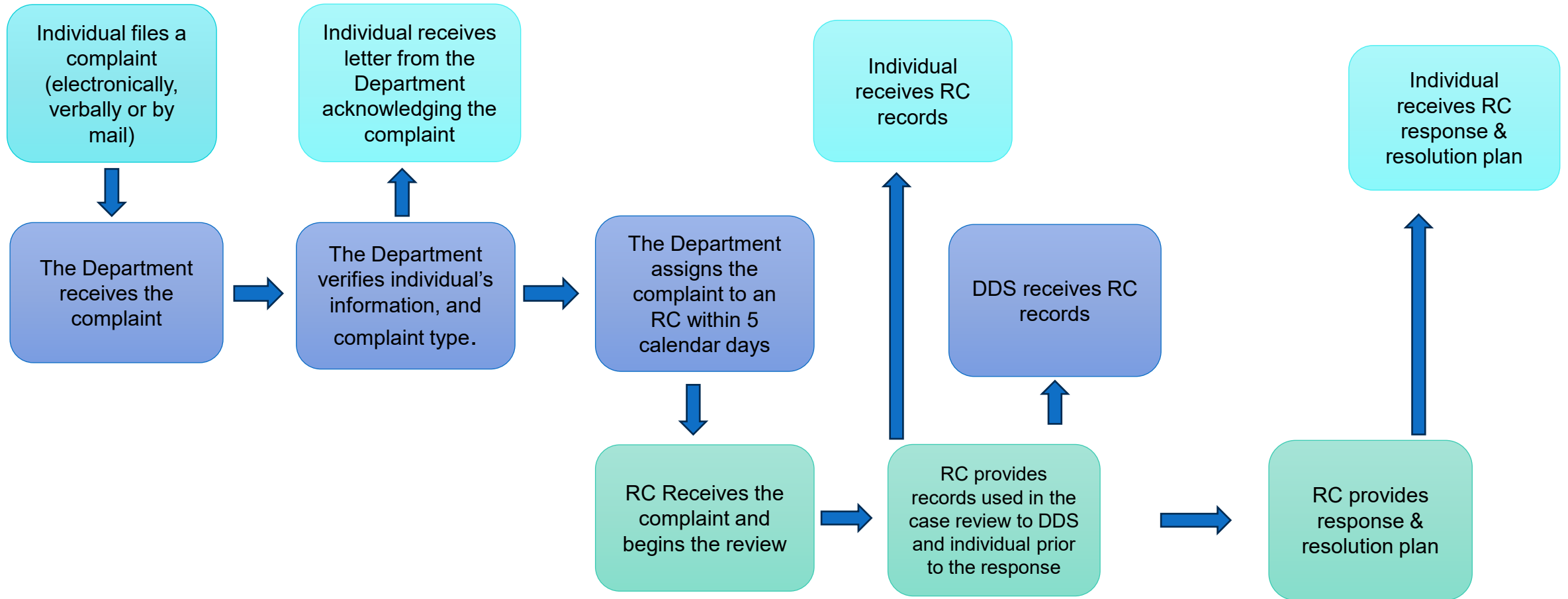
Intended Outcomes

- ✓ Align complaint processes with a simplified, user-friendly approach, including a one step process to file a complaint for any of the complaint processes.
- ✓ Reduce formality of investigations and response times.
- ✓ Focus on person-centered resolutions for individuals receiving services.
- ✓ Provide an avenue for grievances from individuals going through the intake and eligibility process.
- ✓ Improve transparency by providing records used in investigations to individuals prior to the decision and resolution plan.
- ✓ Allow the Department to focus on developing solutions to address larger systemic issues and identify areas to provide technical assistance to regional centers.
- ✓ Comply with the Federal Access Rule mandates.
- ✓ Streamline the system of record and data collection .

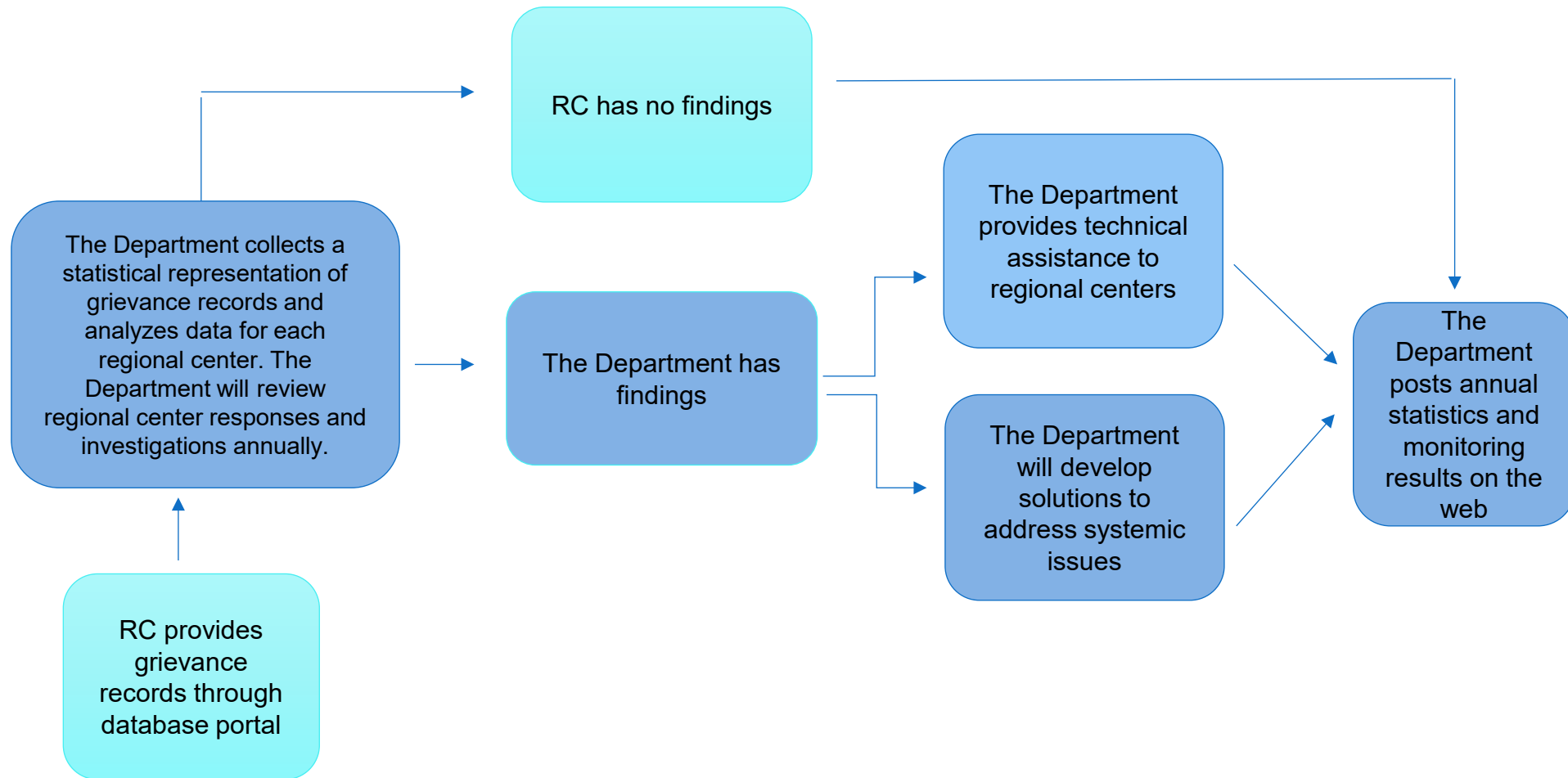
Grievance Process Overview

- All grievances are submitted to the Department for tracking and monitoring.
- The Department assigns grievances to the associated regional center for investigation within 5 days of receipt. If the complaint involves health and safety components the timeline will be expedited.
- Individuals will have the opportunity to provide their narrative and supporting evidence of the complaint
- Regional centers will release the records used during their review to the individual and the Department prior to their response.
- Within 60 days, the regional center will provide an informal response and proposed resolution to the individual.
- The Department will monitor grievance responses by conducting annual reviews of a sampling of investigations and responses.
- Individuals who are unsatisfied with the response can work with regional center towards a solution and request a review by the Department.
- The Department will conduct an annual review of RC decisions and resolution plans by taking a statistical sample size for each RC.
- The Department will use collected data to identify both regional center specific and systemic issues.
- The Department will develop solutions to assist with both technical and systemic issues.
- The Department will post the findings annually on the website.

Grievance Process Overview



Annual Monitoring Process Overview



What is changing?

CURRENT PROCESS **(4731 & Citizen Complaints)**

- Confusing when to use which form for which process
- Convoluted complaint process with several steps for RCs and the Department
- Resolutions focus on violations
- The Department focuses on formal response letters
- Records are released through a separate process - Public Records Act
- No complaint process for individuals going through intake and eligibility
- No complaint process for issues with Home & Community Based Waiver compliance
- No complaint process for families, friends and community members with concerns.

NEW GRIEVANCE PROCESS:

- ✓ Streamlined process for all complaint types
- ✓ One form/One-Step complaint process.
- ✓ Resolutions focus on individual outcomes.
- ✓ The Department focuses on systemic issues and providing technical assistance
- ✓ Records are automatically provided
- ✓ Process is available for individuals going through intake and eligibility
- ✓ Process is available to address issues with Home & Community Based Waiver compliance
- ✓ Process is available to families, friends and community members with concerns.

What is not changing

- Welfare & Institution Code §4502 & §4503, rights provided in the law
- Lanterman Act Service and Eligibility Appeals process
- Whistleblower Complaint process
- Early Start Complaints/Due process mediation and appeals processes
- Individuals will still receive an acknowledgment of their complaint
- Individuals can still provide their narrative and supporting evidence
- The community will still be able to contact the Office of Community Appeals and Resolutions for questions and complaints

Please provide your input on this process at grievance.process.input@dds.ca.gov.