

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF BEHAVIORAL HEALTH



Grievance and Dispute Resolution Procedure
Finding Answers, Improving Relationships (FAIR)

FAIR is the DBH formal grievance process through which you, or someone who represents you, can voice a complaint within the DBH network through the Consumer and Family Affairs Administration (CFAA): (202) 673-4377; Ombudsman: 1 (844) 698-2924. Also, you have the option to initiate a grievance with any of the following: Disability Rights DC at University Legal Services: (202) 547-0198; Consumer Action Network: (202) 842-000; and Long Term Care Ombudsman Telephone Number: (202) 434-2190.

How to file a grievance within the DBH Network

1. Report your grievance orally or in writing. Oral reports will be transferred in writing. The Grievance Form shall be made available to you upon your request from CFAA and shall be completed. Your representative or CFAA may assist you.

2. Submit completed form within six months from the date of the incident to any of the following:

A. Grievance Coordinator of your provider.

B. CFAA, in turn, may refer to the provider involved in the grievance. Note: If the grievance is about a DBH rule or the actions of a DBH employee (e.g., staff at Saint Elizabeths Hospital), you must file the grievance with the CFAA.

Note: A grievance will not be entertained if it complains of a specific action that occurred more than six months prior to the filing of the grievance unless there are extenuating circumstances (§ 304.1, 22-A DCMR, "Consumer Grievance Procedures").

What to expect after grievance is received by Provider

1. The provider shall review and investigate cause of grievance and respond to you within five business days for allegations of abuse and ten business days for other grievances.
2. As much as possible, the provider investigator will contact you for your input within ten business days.
3. DBH shall ensure that the provider has responded before initiating an external review and resolution of the grievance.

4. If you are not satisfied with the response, you have ten business days to appeal through DBH which will refer you for an external review within five business days upon receipt of your request.

External Review

1. DBH shall contract an external reviewer and provide you with a written notice of the method, date and time of the external review, a list of participants, and contact information for the independent peer advocacy program.

2. The external reviewer may hold a fact-finding hearing and issue a written advisory opinion within five days. This time can be extended with consent of all parties. You have a right for representation. In some cases, the reviewer, upon consent of parties, may attempt to mediate towards an agreeable resolution prior to issuing an advisory opinion. In some situations, as chosen by you, the external reviewer may conduct a fact-finding process and issue a written advisory opinion without a hearing. The advisory opinion shall include the following: (a) summary of the evidence, (b) applicable laws and regulations, (c) Findings of Fact, and (d) Conclusion and recommendations.

3. The advisory opinion is submitted to the Director of DBH, provider CEO, with copies to consumer, his/her representatives. Mentioned parties may, within five business days of receipt of this written notice, may provide their reactions to the Director.

4. The DBH Director shall, in writing, accept in full, or in part or reject the recommendations of the external reviewer and set time limits and responsible parties for carrying out any accepted recommendations within ten business days of receipt of the advisory opinion.

5. Any party to a grievance who is dissatisfied with the final determination may request for a fair hearing, pursuant to the DC Administrative Procedure Act and federal regulations.

For assistance, contact:

Consumer and Family Affairs Administration
(202) 673-4377 Fax (202) 671-8049