

If You Disagree With The Findings of The Appeals Committee

A written appeal may be filed with the Department of Community Health in Lansing within forty-five (45) days after receiving the written notice regarding the decision of the Appeals Committee.

Within thirty (30) days, the Department of Community Health will review the appeal and respond in writing. This review of the appeal shall be based on the same standards as described earlier.

Mediation

At any time during the complaint process the parties may agree to mediate the dispute. The mediator shall be an individual who is trained in mediation and is not involved in any way with the dispute or a service provider to the person filing the appeal and/or CMH customer.

- Both parties shall sign an agreement that is reached in mediation.
- If no agreement is reached, the mediator shall document the situation within ten (10) days after the end of the mediation process and send a copy to both parties.
- If the parties engage in mediation, all appeal and response time frames will be suspended during the period of time the mediation process is taking place.
- The suspension of time periods begins on the day the parties agree to mediate and expires five (5) days after the day the mediator provides the written documentation to the parties and the office that mediation was not successful.



Where To Turn

To report customer rights violations, customer concerns or issues, please contact one of the following:

VBCMh
Customer Service Representative
Sandy Thompson
269-427-6602

**Southwest Michigan
Behavioral Health**
Customer Service Representative
800-890-3712

Recipient Rights
Customer Service Representative
269-782-7604



Southwest Michigan Behavioral Health complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex.

" **ATENCIÓN:** Si habla **español**, hay servicios gratuitos de asistencia con el idioma para usted. Llame al 1-800-890-3712 (TTY: 711)."

"انتبه: إن كنت تتحدث العربية، فتوجد خدمات مساعدة لغوية، مجانية، ومتاحة لك. اتصل بـ 1-800-890-3712 (رسالة مبرقة: 711)."



Respecting Individuality,
Developing Community

Appeal and Mediation

801 Hazen Street, Suite C
Paw Paw, MI 49079
269- 657-5574

24-Hour Crisis Line: 800-922-1418

Office Hours: 8:30AM—5:00PM

Visit our WEB site: www.vbcmh.com
711 Relay available for the hearing impaired



After the Investigation

The agency's Chief Executive Officer will send a written summary to the customer, person who filed the concern, and/or the legal representative. A written request for an appeal may be filed within forty-five (45) business days, based on one (1) of the following standards:

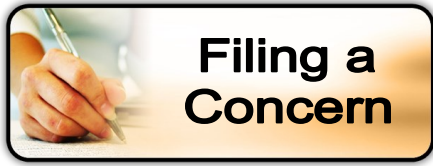
- Investigative finding is not consistent with the facts or with laws, rules, policies, or guidelines.
- The action taken or plan of action proposed by the respondent does not provide an adequate remedy.
- The investigation was not initiated or completed on a timely basis.



Assistance in Filing an Appeal

Advocacy groups may be available to assist the complainant in preparing a written appeal. If an advocacy group cannot be contacted, the Customer Relations Office shall:

- Assist the complainant in meeting the procedural requirements of a written appeal.
- Provide the complainant with information regarding the option of mediation.
- Within five (5) business days, the Appeals Committee will review the appeal to determine if it meets the criteria for appeal.



Filing a Concern

Any customer may file a rights concern with our Customer Relations Office. Another person may file a concern on behalf of a customer.

Concerns may be filed with the Customer Relations Office by telephone, in person, or in writing. A person may ask any Community Mental Health employee or someone in the Customer Relations Office to help in filing a concern.

The person reporting the claim should supply the following information:

- The accusation.
- How the right (s) may have been violated.
- An explanation of the result the reporting party is seeking.

The Customer Relations Office shall:

- Provide written acknowledgement and a copy of the concern within five (5) days of its receipt.
- Provide complainant with a notice if no investigation is warranted.
- Initiate an investigation of apparent or suspected violations in a timely manner.
- Provide a complete the investigation within ninety (90) days of receipt of the concern.
- Investigate cases right away involving alleged abuse, neglect, serious injury, or the death of a customer.
- Issue a written status report to the complainant and agency every thirty (30) calendar days during the investigation.

- The complainant will be notified in writing if the appeal is denied because it does not meet the criteria.
- If the appeal is accepted, the complainant will be given written notice and the agency given a copy of the appeal.
- The Appeals Committee shall meet within thirty (30) days to review the facts as stated in the investigation documents.



After an Appeal is Filed

After the review, the committee will choose to do one of the following:

- Uphold the investigative findings and the action taken or agree with the plan of action.
- Return the investigation to the office and request that the case be reopened or re-investigated.
- Uphold the investigative findings but recommend that additional or different action be taken to remedy the violation.
- Recommend that the Community Mental Health Board request an external investigation by the State Office of Recipient Rights.

The Appeals Committee shall document its decision in writing and provide copies of the decision, within ten (10) working days, to the complainant, customer, and/or legal representative.