

SECTION: 1.20

SUBJECT: Corporate Compliance

TOPIC: Discrimination Grievances – Against People Supported

APPROVAL: Board Committees- Full Corporate Compliance Committee, Annually

POLICY

It is the policy of Ontario ARC to not discriminate on the basis of race, color, national origin, sex, age or disability. Ontario ARC has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Affordable Care Act.

Any person who believes someone has been subjected to discrimination on the basis of race, color, national origin, sex, age or disability may file a grievance under this procedure. It is against the law for Ontario ARC to retaliate against anyone who files a grievance or participates in the investigation of a grievance.

VALUES

Integrity, Commitment, Quality

PROCEDURE

Person(s)

Responsibility

Individual Supported, their
Family/Advocate or Staff

Must submit to the agency Grievance Coordinator (Corporate Compliance Officer) within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.

Submits the complaint in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.

If the person is unable to submit the complaint in writing, he/she requests assistance from the Grievance Coordinator, to write their complaint.

May also call the agency Customer Service Hotline, (585) 394-6798, to report their concern. The caller must leave sufficient information to allow us to follow up on the issue.

Grievance Coordinator
(
Corporate Compliance
Officer)

Conducts an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint.

1.20 Grievances, cont.

Person(s)	Responsibility
Grievance Coordinator	Maintains files and records relating to such grievances. To the extent possible, and in accordance with applicable law, takes appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.
Corporate Compliance Officer	Issues a written decision on the grievance, based on a preponderance of the evidence, no later than 30 days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.
Person filing the Grievance	May appeal the decision of the Grievance Coordinator by writing to the Ontario ARC Executive Director and Board of Directors within 15 days of receiving the Grievance Coordinator's decision.
Executive Director/Board of Directors	Issues a written decision in response to the appeal no later than 30 days after its filing.

Other Grievance Options

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of race, color, national origin, sex, age or disability in court or with the U.S. Department of Health and Human Services, Office for Civil Rights.

A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue SW., Room 509F, HHH Building, Washington, DC 20201.

Complaint forms are available at: <http://www.hhs.gov/ocr/office/file/index.html>. Such complaints must be filed within 180 days of the date of the alleged discrimination.

Translation Requirements

Ontario ARC will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing audio tape of the material for individuals with low vision, or assuring a barrier-free location for the proceedings. Ontario ARC is registered to use the OPWDD translation services. The Grievance Coordinator is responsible for such arrangements.

DATE: 10/13/16

REVIEW/REVISION: 11/13/17, 10/16/18, 3/21/19 11/19/19, 10/20/20, 12/27/2021, 1/18/2022