

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

OPR: Quality Manager

Certified by: Medical Director

Pages: 3

1. PURPOSE: This operating instruction (OI) serves to ensure that Cascade Health Alliance (CHA) members receive all benefits and services to which they are entitled without discrimination.

1.1. This policy demonstrates CHA's obligation and commitment to ensuring that no person is excluded or denied the benefits of our services on the basis of race, color, religion, national origin, gender, age, disability, citizenship, or veteran status.

2. REFERENCES: The following publications are sources for this OI. These documents can be found on the shared drive at G:\CCCDATA\OPERATING INSTRUCTIONS\9 - Quality Management\Resources.

2.1. The Age Discrimination Act of 1975

2.2. Oregon Administrative Rule 943-005-0005

2.3. Title II of the Americans with Disabilities Act of 1990

2.4. Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973

2.5. Title II of the Americans with Disabilities Act of 1990

2.6. Title 45 Code of Federal Regulations (CFR) Parts 80, 84, 86 and 91; and 28 CFR 35

3. ROLES AND RESPONSIBILITIES:

3.1. All CHA staff will:

3.1.1. Conduct their daily duties in accordance with this policy.

3.2. The Quality Manager will:

3.2.1. Process and investigate complaints of discrimination.

3.2.1.1. If the subject of the investigation is a CHA employee, the results of the investigation will be delivered to the individual's supervisor and the Human Resources Manager.

3.2.1.1. If the investigated individual is a CHA provider, subcontractor, or other CHA stakeholder, the results of the investigation will be delivered to the Quality

Committee and any other required entities, including but not limited to the Department of Justice and/or Office of the Inspector General.

3.3. The Quality Committee will:

3.3.1. Review the results of any investigations that are forwarded to the body and take action as they deem appropriate.

4. DEFINITIONS:

4.1. Discrimination is the denial of services to individual(s) or group(s) because the individual(s) or group(s) is/are part of a protected class. It includes policy or treatment resulting in unequal access to programs and services or having disparate impact on a protected class.

5. EXECUTION:

5.1. CHA provides assistance and/or communication aids for impaired hearing, vision, or speech as needed. CHA and its delegated entities will make reasonable accommodations.

5.2. CHA's notice of nondiscrimination is communicated to all participants, beneficiaries, and other interested persons via multiple methods. All members are notified via CHA's Member Handbook and website, and some are notified through assigned delegated entities.

5.3. Complaint Process: CHA has adopted an internal grievance procedure for equitable resolution of complaints alleging any action prohibited by the U.S. Department of Health and Human Services regulations (45 CFR Part 84), implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794). Section 504 states that "no otherwise qualified disabled individual... shall solely by reason of his/her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance..."

5.3.1. The complaint must be in writing, contain the name and address of the person filing it, and briefly describe the discriminatory act.

5.3.2. A complaint should be filed with the office of Quality Management no more than 30 days after the person filing the complaint becomes aware of the alleged discriminatory act.

5.3.3. The Quality Management Manager/Director or designee will investigate the complaint. The investigation will be informal but thorough, affording all interested persons and their representatives an opportunity to submit evidence relevant to the complaint.

5.3.4. The Quality Management Manager/Director or designee shall mail a written decision determining the validity of the complaint no later than 30 days after its filing.

5.3.5. The Quality Management Manager/Director shall maintain electronic records relating to all complaints filed. These records will be filed in the Quality Management folders.

5.3.4 The Quality Management Manager/Director may assist persons with the preparations and filing of complaints and advise the Medical Director concerning their resolution.

5.4. These rules and procedures shall be liberally construed to protect the substantial rights of the interested persons, meeting the appropriate due process standards and ensuring CHA's compliance with section 504 of the Rehabilitation Act of 1973.

5.5. Address questions regarding this operating instruction or complaints alleging violations of the above to:

Quality Management Department Manager/Director
2900 Daggett Ave STE 225
Klamath Falls, OR 97601
(541) 883-2947

An individual who files a complaint may pursue other remedies, including filing with:

Office of Civil Rights
U.S. Department of Health and Human Services
2201 Sixth Avenue – M/S: RX-11
Seattle, WA 98121-1831
Voice Phone: (800)368-1019
Fax: (206)615-2297
TDD: (800)537-7697

6. UPDATES:

6.1. This OI will be reviewed and updated on a biennial basis and submitted for approval to the Quality Committee as necessary. This biennial review should incorporate any changes in applicable laws, regulations and other program requirements that have occurred throughout the year and have not already been updated.

Created by:

Date:

Amanda A. Blaggett
3 Dec 2015

Certified by:

Date:

Robert Decker
2015

Approved by: Quality Committee

Date:

Revised by: