



MICHIGAN PROTECTION & ADVOCACY SERVICE, INC. CLIENT GRIEVANCE PROCEDURE

Michigan Protection & Advocacy Service, Inc. (**MPAS**) is required by federal law to “establish a grievance procedure for clients or prospective clients of this system to assure that individuals with disabilities have full access to the system and for individuals who have received or are receiving mental health services, family members of such individuals with mental illness or representatives of such individuals or family members to assure the eligible system is operating in compliance with the provisions of this title and Title III.” 42 USC 10805 (a)(9).

Similarly the Developmental Disabilities Assistance and Bill of Rights Act of 1990 requires **MPAS** to “establish a grievance procedure for clients or prospective clients of the system to assure that persons with developmental disabilities have full access to services of the system.” 42 USC 6042 (a)(2)(D).

MPAS has also expanded this grievance procedure to other clients or prospective clients of the agency.

I. You have the Right to File a Grievance if:

A. You are a client or prospective client of **MPAS** who:

1. Asked for help from **MPAS** but were told you were not eligible for help;
2. Currently receives help from **MPAS** and is dissatisfied with the help provided;
or
3. Received help from **MPAS** that was concluded or if further help was denied for reasons with which you disagree.

B. You are or have been a recipient of mental health services, or developmental disability services or other eligible services/protection for people with disabilities, a family member of such an individual, or a representative of such an individual or family member who believes **MPAS** has violated any of the federal assurances, which require that **MPAS** must:

1. Be independent of service provider;
2. Have the capacity to protect and advocate rights;
3. Have trained staff;
4. Have the authority to investigate allegations of abuse & neglect;
5. Have the authority to pursue legal, administrative and other appropriate remedies;
6. Have access to clients, records and facilities;
7. Maintain confidentiality of records
8. Not take actions duplicative of clients' legal representative;
9. Exhaust administrative remedies prior to legal action, except in an emergency;
10. Have a multi-member governing board which jointly develops priorities and includes members who are broadly representative of MPAS clients and includes the Advisory Council Chair;
11. Have an Advisory Council that offers advise on policies and priorities, has 60% of its membership comprised of recipients, former recipients, or family members of people with mental illness, and completes a section of the Annual Report;
12. Provide the public with an opportunity to comment on priorities;
13. Use court judgments to further purposes of federal laws; and
14. Use federal allotment to supplement, not supplant non-federal funds.

II. Procedural Issues

- A. Client Grievance – A client or prospective client with an individual grievance about his/her case as described in I.A. should start with Step A, and use the **CLIENT GRIEVANCE FORM**.
- B. Assurance Grievance – A recipient, family member or representative or family member with a grievance about **MPAS** as described in I.B. should start with Step C, and use the **ASSURANCE GRIEVANCE FORM FOR SYSTEMIC COMPLAINTS**.
- C. Timelines - If **MPAS** staff fails to meet any of these timelines, you can proceed to the next step. If you do not file your grievance within the timelines in the procedure, the grievance will be dropped. If you missed a timeline, you can contact the Executive Director to ask that the grievance process be continued.



D. Where to File – File all written grievances in the Lansing office at:

Michigan Protection & Advocacy Service, Inc
Attn: Camilia Limas
4095 Legacy Pkwy Ste 500
Lansing, MI 48911

E. You may use this grievance procedure if you believe that **MPAS** has violated Section 504 of the Rehabilitation Act or the Americans with Disabilities Act by discriminating against you on the basis of disability. Please contact Mark McWilliams at 1-800-288-5923 if you wish to do so. You may file a civil rights complaint without using this procedure.

III. Grievance Procedure Steps

A. **Step A – MPAS Employee** – You and/or your representative are encouraged to discuss your disagreement with the **MPAS** employee with whom you have been in contact. However, you are not required to do so and may proceed directly to Step B.

B. **Step B – Program Director** – If you and/or your representative are dissatisfied with the employee's response, or do not wish to talk directly with him/her, contact the employee's supervisor and discuss the complaint with the supervisor within fifteen (15) working days of the event/denial which you disagree.

C. **Step C – Program Director**

1. If you and/or your representative have a clear reason to believe that **MPAS** has violated any of the assurances in Procedure Section I.B., you may file a written complaint with the Program Director of the employee with whom you are dealing, within thirty (30) days of the knowledge of the violation. Include copies of any documentation supporting your claim, along with your name, address, and telephone number. If you need assistance in writing your complaint, you may ask the Executive Director at the Lansing office to assign someone not in the service area which you have a complaint to help write the complaint.

2. If within ten (10) working days of receiving your complaint, the Program Director has not investigated your complaint and responded in writing, you may proceed to the next step.

D. Step D – Executive Director

1. If you and /or your representative are dissatisfied with the Program Director's response or proposed action, you may put your complaint in writing to the Executive Director at the Lansing office within fifteen (15) working days of the Program Director's response and proposed action. Include the basis of your complaint, any documentation, the names of any **MPAS** employees with whom you have had contact, and your name, address, and telephone number.
2. If within ten (10) working days of receiving your complaint, the Executive Director has not investigated your complaint or responded in writing, you may proceed to the next step.

E. Step E – Board of Directors

1. If you and /or your representative are dissatisfied with the Executive Director's response or proposed action, you may put your complaint in writing to the Compliance Committee of the **MPAS** Board of Directors within fifteen (15) working days of receiving the Executive Director's response or proposed action. Your complaint should be sent to the Executive Director at the Lansing office, who will forward it to the Compliance Committee of the Board of Directors.

You must provide written permission to allow your identifying information and the nature of your grievance to be shared with volunteer board members of MPAS. MPAS cannot assure confidentiality once your information has been shared with volunteer members of the MPAS Compliance Committee on the volunteer Board of Directors.



2. The Compliance Committee will review your complaint and the **MPAS** responses. The Compliance Committee may ask to meet with you and/or your representative if additional information is needed to make a decision as to whether or not MPAS staff properly complied with applicable laws, professional ethical standard, casework standards, agency procedures and priorities of the agency. The Compliance Committee will send its written decision to you within thirty (30) days of receiving your request(s) for review.

Board Approval February 28, 1992

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