

## Region 5 Systems

Network Management Procedures

Effective: 4/99

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### ■ Complaint Reporting Procedures

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The following procedures are established for Region 5 Systems (the Network) and its Provider Network when addressing complaints.

Region 5 Systems maintains a Corporate Compliance Program to address incidences of waste, fraud, abuse, and other questionable activities and practices as well as to address formal complaints from employees, persons served, Network Providers, and the community at large. This means that any person/entity has the right to file an incident or complaint without fear of being harassed, fired or disciplined from an employer, retaliated against, or removed from services, or funding consequences as a result from action or behaviors by coworkers, peers, management, or Region 5 Systems' governance authority. The following definitions should be used to determine when an individual/entity needs to file a formal complaint/appeal:

**Grievance:** Dissatisfaction by a person with some aspect of the operations, activities, services, or employee behavior at Region 5 Systems or by its Provider Network, but his/her grievance can be resolved at an informal level (this is considered a perceived concern).

*NOTE: A grievance is **not considered a complaint** as the situation can be informally resolved without filing a written complaint.*

**Complaint:** A formal written grievance by a person to express dissatisfaction with any aspect of the operations, activities, services, or employee behavior at Region 5 Systems or by its Network Provider for which such grievance cannot be resolved at an informal level. NOTE: Generally, complaints about Network Providers must first be addressed by following the Network Provider's established protocol for written complaints.

**NOTE 1:** A formal complaint is considered different than an individual reporting an "incident," which is generally defined as an event or occurrence that happened to an individual or likewise that the individual observed. This may include situations involving waste, fraud, abuse, or other questionable activity. An incident also includes health and safety occurrences, such as workplace accidents/injuries. The individual is required to report these incidences but is not making a complaint about the situation. "Incident" reporting is handled under Region 5 Systems' organizational response and prevention initiative practices as part of its Corporate Compliance Program.

**NOTE 2:** An *Incident / Complaint Report* may be completed, but the report will be assessed to determine if the concern can first be addressed on an informal basis as described below before considering it a formal complaint.

**Appeal:** A formal request is made by a person/entity for review and reconsideration of the outcome of his/her/its formal written complaint when the person/entity is unhappy with the action taken to remediate the complaint. NOTE: Appeals directed at the Network Provider must follow whatever appeal process is set up by the Network Provider.

### **Levels of Review Related to Complaint**

#### **A. Informal Basis**

Grievances should be handled on an informal basis if possible. Persons who are dissatisfied with a decision or action should first attempt to work out the issue with the parties directly involved. This includes reporting the concern to a supervisor, if applicable. If the grieving party does not know who to start the informal conversation with, he/she can call Region 5 Systems' receptionist (402-441-4343) for assistance in whom to contact.

If a resolution to the concern cannot be agreed upon at an informal level, the person grieving the situation should continue with the steps as listed below.

#### **B. Filing Formal Complaint**

1. Complaints may be filed within 30 days following any action which is perceived to have violated the person's rights or situations that cause the person dissatisfaction under the "complaint definition" above.

2. Complaints must be submitted in writing by completing Region 5 Systems' *Incident / Complaint Report*. A blank *Incident / Complaint Report* can be accessed by contacting Region 5 Systems' receptionist at 402-441-4343 or by downloading the form at [www.region5systems.net](http://www.region5systems.net).

The Corporate Compliance Officer shall be available to provide assistance or answer questions if help is needed in completing the *Incident / Complaint Report*.

The *Incident / Complaint Report* must be sent to the Corporate Compliance Officer, c/o of Region 5 Systems, 3600 Union Drive, Lincoln, NE 68516. **NOTE:** If the report contains allegations involving the Corporate Compliance Officer, the person initiating the report shall file it directly with the Regional Administrator at same address.

3. Region 5 Systems' Corporate Compliance Officer shall provide the individual completing the *Incident / Complaint Report* with written confirmation that the *Incident / Complaint Report* was received.

4. The Corporate Compliance Officer shall assess the *Incident / Complaint Report* to determine the appropriate initial steps to be taken to investigate the report as well as the timeliness needed to address it, using the following guidelines:

- a. Briefing the Corporate Compliance Team, receiving directives as needed to address the concern/issue. Exceptions to this are:
  - If the report contains allegations involving the Regional Administrator, the Corporate Compliance Officer shall work directly with the Regional Governing Board Executive Committee.
  - If the report contains allegations involving a personnel matter, the Corporate Compliance Officer will initially work with the Regional Administrator.

5. Region 5 Systems' Corporate Compliance Team shall determine the best course of action regarding the *Incident / Complaint Report* (unless the incident falls under the exception rules stated above).
6. Once the complaint has been appropriately addressed by Region 5 Systems' Corporate Compliance Team, the Regional Administrator, or his/her designee, shall provide a written response within five (5) business days to the individual who submitted the *Incident / Complaint Report*. The response shall include the specific action to be taken by Region 5 Systems regarding the complaint.

**C. Appeal Process**

The person who filed the complaint may appeal the Regional Administrator's decision to the Regional Governing Board, taking the following steps:

1. Within 14 business days of the date of the Regional Administrator's written response, the person who filed the complaint may submit a request in writing to the Corporate Compliance Officer to appeal the decision. Upon receipt of this request, the Corporate Compliance Officer must forward all complaint documentation within 5 business days to the Regional Governing Board chair.
2. The complaint shall be placed on the next available agenda of the Regional Governing Board.
3. Within five (5) business days of the scheduled Regional Governing meeting, the Regional Governing Board chairs.
4. The decision of the Regional Governing Board is final.

**Confidentiality**

All information related to the complaint and/or its proceedings shall be kept confidential by all parties.

**Advocacy Assistance**

Upon request, individuals who filed a complaint and request outside advocacy assistance shall be referred to the Nebraska Ombudsman's Office:

402-471-2035 or Toll Free 1-800-742-7690

E-mail: [ombud@leg.ne.gov](mailto:ombud@leg.ne.gov)