

**Sedgwick County  
Community Developmental Disability Organization**

Policy Section	General	Policy Number	A-01-04
Policy Name	Dispute Resolution: Individual Disputes with the CDDO	Revision Date	01/2003
Former Number	2-5		

**PURPOSE:**

These procedures identify the means by which persons with developmental disabilities and/or the family, legal guardian, or support network of a person with developmental disabilities may resolve disputes with the CDDO, including access to an independent mediator.

**POLICY:**

Persons with developmental disabilities and/or the family, legal guardian, or support network of a person with developmental disabilities may request intervention from a mediator or seek resolution using internal CDDO dispute resolution procedures.

**PROCEDURES:**

1. When managing a dispute with the CDDO, other than in cases concerning eligibility determination, the person with developmental disabilities and/or the family, legal guardian, or support network of a person with developmental disabilities shall present in writing the following information to the CDDO Quality Assurance Director:
  - a. What action taken by the CDDO had a negative impact on the person with developmental disabilities;
  - b. What action the person would like the CDDO to take to correct or remedy the situation; and
  - c. Suggestions for how the CDDO could change its current practices to prevent similar situations from occurring in the future.
2. The dispute will be referred to the CDDO Dispute Resolution Committee comprised of the CDDO Director, the CDDO Quality Assurance Director, the Division of Human Services Executive Director, a member of the Board of County Commissioners appointed Physical and Developmental Disabilities Advisory Board Executive Committee, and a primary or secondary consumer appointed by the Developmental Disabilities Community Council. Any member of the of this committee who is the subject of the dispute shall not participate in the resolution process.
3. The CDDO Dispute Resolution Committee shall respond within ten (10) calendar days of receipt of the dispute and render a written decision, supported by a majority vote of the Committee within twenty (20) calendar days following the initial written appeal. Failure of the CDDO to respond within this period will result in the dispute being decided in the favor of the appellant.
4. The person may also choose to request intervention into the dispute by a mediator who has no decision-making authority and is impartial to the issues being discussed. Mediation shall be completed within forty (40) calendar days following CDDO receipt of written notice of dispute.

5. The parties involved shall equally share the cost of such mediation and no person shall be denied mediation due to inability to pay.
6. Any disputes regarding eligibility determination shall follow the procedures outlined in CDDO policy 4-2 SINGLE POINT OF ENTRY; Eligibility Determination.
7. Decision by the CDDO Dispute Resolution Committee or by mediation shall be considered binding unless either party appeals to the Community Supports and Services division of Health Care Policy.
8. Written notice of appeal shall be delivered to the Community Supports and Services division of Health Care Policy within 10 calendar days of the appealing party's receipt of the decision.
9. The decision of the Community Supports and Services division of Health Care Policy may be appealed to the Office of Administrative Appeals within the Kansas Department of Administration pursuant to Article 7.