

Sedgwick County Developmental Disability Organization

Policy Section	General	Policy Number	A-04
Policy Name	Dispute Resolution: Disputes with SCDDO	Revision Date	11/2010
Former Number	A-01-04	SRS Approval Date	7/2011

PURPOSE:

This policy outlines steps to be followed by Community Service Providers (CSP) and persons with developmental disabilities and/or the family, legal guardian, or support network of a person with developmental disabilities in resolving disputes with the Sedgwick County Developmental Disability Organization (SCDDO), including access to an independent mediator.

POLICY:

CSPs and 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 SCDDO dispute resolution procedures.

PROCEDURES:

1. When managing a dispute with the SCDDO, other than in cases concerning eligibility determination, CSPs and persons 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 SCDDO within 30 days of the decision being disputed:
 - a. What action taken by the SCDDO had a negative impact on the CSP or person with developmental disabilities;
 - b. What action the CSP or person would like the SCDDO to take to correct or remedy the situation; and
 - c. Suggestions for how the SCDDO could change its current practices to prevent similar situations from occurring in the future.
2. The dispute will be referred to the SCDDO Dispute Resolution Committee comprised of the SCDDO 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 committee who is the subject of the dispute shall not participate in the resolution process.

3. The SCDDO 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 SCDDO to respond within this period will result in the dispute being decided in the favor of the appellant.
4. The CSP or 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 SCDDO 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 SCDDO policy B-02; Eligibility Determination.
7. The decision of the SCDDO Dispute Resolution Committee is final unless the disputing party appeals to the Kansas Department of Social and Rehabilitation Services, Division of Disability and Behavioral Health Services, Community Supports and Services (SRS/DBHS/CSS).
8. Written notice of intent to appeal the decision of the Dispute Resolution Committee shall be delivered to the SRS/DBHS/CSS within 10 calendar days of the appealing party's receipt of the decision.
9. The decision of the SRS/DBHS/CSS may be appealed to the Office of Administrative Appeals within the Kansas Department of Administration pursuant to Article 7.