

## Sedgwick County Developmental Disability Organization

Policy Section	<b>General</b>	Policy Number	<b>A-03</b>
Policy Name	<b>Dispute Resolution: Individual Disputes with Affiliated Providers</b>	Revision Date	<b>09/2017</b>
Former Number	<b>A-01-03</b>	SRS Approval Date	<b>7/2011</b>
		KDADS Approval Date	<b>01/24/2018</b>

### **PURPOSE:**

These procedures identify the means by which individuals eligible for Intellectual and/or Developmental Disability (IDD) Program services and/or their family, legal guardian, or support network may resolve disputes regarding the services they receive from a community service provider (CSP) consistent with K.A.R. 30-64-32.

### **POLICY:**

Unresolved disputes with a CSP may be addressed through a review by Sedgwick County Developmental Disability Organization (SCDDO) and/or a mediator.

### **PROCEDURES:**

1. At any time during the dispute resolution process, the individual may request and receive assistance from SCDDO to navigate the process.
2. Each CSP is required to have internal procedures which:
  - a. Afford the aggrieved party a means to voice concerns and have those concerns responded to by CSP staff or administration in a timely manner;
  - b. Assure there is no retaliation against individuals who complain or utilize dispute resolution procedures; and
  - c. Refer unresolved disputes to SCDDO for an external process of resolution.

3. When managing a dispute with a CSP, the aggrieved party must make reasonable attempts to resolve the issue using the CSP's dispute resolution processes.
4. If a reasonable attempt has been made to resolve the dispute using internal provider processes and the dispute remains unresolved, the CSP and/or the aggrieved party shall forward the dispute in writing to SCDDO within 30 days of a written decision from the provider.
5. SCDDO will investigate the dispute and assure the CSP has followed their established procedures for management of disputes, and that the aggrieved party made reasonable attempts to resolve the dispute using those procedures.
6. If the procedures of the CSP were not properly followed, SCDDO shall oversee the process and assure that dispute resolution methods are properly followed no longer than ten (10) business days after SCDDO receives written notification of the dispute.
7. If the individual with the dispute did not make reasonable attempts to resolve the dispute using internal CSP procedures, the individual will be required to do so prior to accessing any further means for resolution.
8. If the dispute was properly managed by the CSP, but unresolved and further intervention is requested, SCDDO will provide the following options to the individual requesting resolution:
  - a. The individual may request the dispute be referred to the SCDDO Dispute Resolution Committee per SCDDO Policy A-10.
  - b. The individual may 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. When mediation is used to resolve disputes, the parties involved (CSP and aggrieved party) shall equally share the cost, however no individual shall be denied mediation due to inability to pay. Any agreement reached through mediation shall be considered binding.