

## Leadership Team Members

### Superintendent

**Kellie Brown**

740-453-4829 ext. 1212

### Business Manager

**Stephanie Neuhart**

740-453-4829 ext. 1413

### Human Resources

**Melinda Russell**

740-453-4829 ext. 1213

### Director of Educational Services/Starlight School

**Mary Ann Cluse**

740-455-4176 or 740-455-4177

### Director of Service Coordination

**Chanda Busse**

740-453-4829 ext. 1233

### Administrative Services

**Jordon Searls**

740-453-4829 ext. 1209

### Facilities Manager

**Patrick Fisher**

740-453-4829 ext. 1407

## Importance of Time Limits!

***The Due Process procedures, as noted, have time limits in which items MUST be completed. If you do not follow the time limits, as noted, you may lose your case. Some of these time limits may be changed if you and Muskingum County Board of Developmental Disabilities agree on the change.***

## Important Contact Numbers

### Muskingum County Board of DD

1304 Newark Road  
Zanesville, Ohio 43701  
**740-453-4829**

### Emergency Number

**1-888-905-0787**

The emergency number should be called when the program is not open to report abuse or neglect or any other emergency that threatens the health and safety of an individual. This number is for after 4:00 p.m. during the week, weekends, holidays and any other time the Service Coordination Office is not open. Leave your name and number and you will be contacted as soon as possible.

### Ohio Department of DD

**1-800-617-6733**

### Disability Rights Ohio

**1-800-282-9181**

## Our Mission Statement

*Working in partnership with individuals with developmental disabilities and their families, providing opportunities utilizing public and private supports, to live, learn, work and play in the community.*

Revised October 2019\_JS



# Resolution of Complaints & Appeals of Adverse Action

## Explanation of Complaints and Appeals of Adverse Action for Non-Medicaid Services

## Additional Information on other Avenues of Resolving Complaints and Appeals for the following services:

Delegated Nursing  
Medicaid Funded Services  
Early Intervention Services  
School-Age Services

## Complaint or Appeal of Adverse Action for Non-Medicaid Services

### Why would I file a complaint or appeal?

- You may file a complaint if you are dissatisfied with a program, service, policy, or practice of the MCBDD.
- You may file an appeal of adverse action ("appeal") if your request for services is denied, reduced in frequency or duration, suspended or terminated.

### Do I have to file a formal complaint or appeal?

- No; if you choose, you may start by trying to resolve your complaint or appeal informally with a supervisor or manager at the specific department with MCBDD. You and the supervisor or manager can agree to work together to try and resolve your complaint or appeal. The informal process shall take no longer than 30 days.

### Should I try to resolve my complaint or appeal informally before filing a formal complaint or appeal?

- This is entirely up to you. Trying to resolve your complaint or appeal informally does not prevent you from filing a formal complaint or appeal.

### When should I file a complaint or appeal?

- A complaint or appeal must be filed within 90 days of becoming aware of the program, service, policy, or practice that is the subject of your complaint.
- An appeal must be filed within 90 days of receiving notice that your services are being denied, reduced in frequency or duration, suspended, or terminated.

### Important!

- In most cases, MCBDD must notify you at least 15 days prior to the date it plans to take away your services. If you file an appeal before the date, your services are scheduled to be taken away; your services will stay in place during the appeal process.

### How do I file a complaint or appeal?

#### Step 1:

- The complaint or appeal must be filed in writing with the supervisor or manager responsible for the program, service, policy, or practice of the MCBDD. A Service Coordinator will assist you if you need help.
- The Supervisor/Manager will respond to you in writing. Each response will explain the next step and the timeline for completing it.
- The Supervisor/Manager will meet with you to discuss your complaint or appeal and will investigate your complaint or appeal. Within 15 days, the Supervisor/Manager will provide you with a written response to your complaint or appeal. If you make a

request, the Supervisor/Manager will discuss the written response with you.

#### Step 2:

- You may file your complaint or appeal with the Superintendent. Your complaint or appeal must be filed in writing within 10 days of receiving the supervisor's or manager's written response. A Service Coordinator will assist you if you need help. The Superintendent or his or her designee will meet you within 10 days of receipt of your complaint or appeal and provide you with written response within 15 days of receipt of your complaint or appeal.

#### Step 3:

- You may file your complaint or appeal with the President of the Board. Your complaint or appeal must be filed in writing within 10 days of receiving the Superintendent's written response. A Service Coordinator will assist you if you need help. A hearing will be conducted within 20 days of receipt of your complaint or appeal.
- The hearing may be conducted by the full Board, by a committee of two or more members of the Board, appointed by the President of the Board, or by a hearing officer appointed by the President of the Board. You will have an opportunity to explain your complaint or appeal. You may be represented by an attorney. You have the right to question officials or employees of the MCBDD who have information related to your complaint or appeal. You may be asked questions about your complaint or appeal.
- You are entitled to receive, at no cost, a written transcript of the hearing. Within 15 days of a hearing conducted by the Board or the Board's receipt of the report and recommendation from a hearing officer, the President of the Board will send you by certified mail, the Board's decision regarding your complaint or appeal. The decision must include a rationale and a description of what you should do if you are still dissatisfied.

#### Step 4:

- You may file your complaint or appeal with the Director of the Ohio Department of Developmental Disabilities. Your complaint or appeal must be filed in writing within 15 days of receiving the Board's decision. A Service Coordinator will assist you if you need help. The Director or his or her designee may request additional information from you. Within 45 days of receipt of necessary documents related to your complaint or appeal, the Director or his or her designee will send you by certified mail, his or her decision regarding your complaint or appeal.

### What if I am not satisfied with the Director's decision?

- You may file a claim through the court system.

### Who else can help me with my complaint or appeal?

- Arc of Ohio at 1-800-875-2723
- Disability Rights of Ohio at 1-800-282-9181
- Ohio Department of Developmental Disabilities at 1-877-464-6733

## Additional Formal Avenues for Resolving Complaints and Appeal of Adverse Actions:

**Delegated Nursing:** Complaints related to delegated nursing practices may be referred to the Ohio Board of Nursing and the Ohio Department of DD.

**Medicaid-Funded Services:** Any decision to terminate, reduce or deny Medicaid-funded services (State Plan Services, and/or Waiver Services) is subject to the Ohio Department of Job and Family Services (ODJFS) appeal process. Individuals and families will be provided prior notice of proposed actions and have the right to a hearing with ODJFS. If an intent to appeal a decision of the Board is received within fifteen (15) days of the proposed action, all services will continue uninterrupted until the dispute is resolved. If the complaint is received after the fifteen (15) day period but prior to ninety (90) days after the proposed action, the services may be reinstated based upon the results of the hearing.

**Early Intervention Services:** Families have a right to appeal decisions related to services provided by the Early Intervention program by contacting the Ohio Department of Health and presenting their concerns in a formal hearing process.

**School-Age Services:** Families have a right to appeal decisions related to educational programs by using the due process protections afforded by their local educational agency.

