

Non-Discrimination Section 504 Grievance Procedure

Federal Regulations: Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)	Effective Date: February 2014
State Regulations: CA Article 6, Section 6.2	Revision Date(s): March 2015

PURPOSE: To provide a grievance procedure for any person who believes they have been discriminated against on the basis of a disability.

POLICY: Any person(s) who believes that he/she or any class of individuals has been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973, may file a complaint pursuant to the procedures set forth below, on his/her own behalf, or on behalf of another person or on behalf of handicapped persons as a class. All persons are encouraged to file grievances in order to resolve any disputes arising under Section 504. Filing a complaint does not subject the employee to any form of adverse action, reprimand, retaliation or otherwise negative treatment by Hospice personnel.

Accordingly, Hospice has adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging any action prohibited by the United States Department of Health and Human Service Regulations (45 C.F.R. Part 84), implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794). Section 504 states, in part, that "no otherwise qualified handicapped individual...shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance..." The law and regulations may be examined in the office of **Elena Verdugo, Administrator** who has been designated to coordinate the efforts of Hospice to comply with the regulations.

PROCEDURE:

1) Complaint processing procedures are as follows:

- A. All complaints involving patient/family matters prohibited by Section 504 are first be filed with **Elena Verdugo, Administrator** who renders an initial determination and resolution within five (5) days of receipt of the complaint.
- B. All complaints involving employee matters prohibited by Section 504 are first filed with the head of Human Resources at **1-866-569-7922**, who renders an initial determination and resolution within five (5) days of receipt of the complaint.
- C. If the complainant is not satisfied with the results achieved in Step A, the complainant may file an appeal with the Administrator, **Elena Verdugo**, who renders a decision within ten (10) days.
- D. If satisfactory resolution is not achieved at Step B, the complainant may request a hearing with Executive Committee of the Governing Body of Hospice, for a final determination. The final determination is made within fifteen (15) days of presentation.

2) A complaint should be in writing, contain the name and address of the person filing it, and briefly describe the action(s) alleged to be prohibited by the Section 504 regulations.

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- 3) All complaints should be filed as set forth above within 30 days after the complaining party becomes aware of the action(s) allegedly prohibited by the Section 504 regulations.
- 4) All complaints should also be referred to the office of the Section 504 Coordinator who maintains the files and records of Hospice relating to complaints filed hereunder. The Section 504 Coordinator may assist persons with the preparation and filing of complaints, participate in the investigation of complaints, and advise the Governing Body of Hospice concerning their resolution.
- 5) The Governing Body of Hospice takes steps to insure an appropriate investigation of each complaint to determine its validity. These rules contemplate informal, but thorough, investigations affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
- 6) The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Office for Civil Rights of the United States Department of Health and Human Services. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 7) These rules are liberally construed to protect the substantial rights of interested persons, to meet appropriate due process standards, and to assure Hospice's compliance with Section 504 and the regulations.