

POLICY

Developmental Pathways, Inc. (DP) is committed to person-and-family-centeredness and strives to create and support an inclusive and belonging environment for individuals and their families, our internal team members, and external community partners.

In any service system, there will be disagreements and the need to escalate issues, including (but not limited to) complaints, grievances, disputes, and/or the desire to petition for alternative outcomes. DP supports each person's right to have their concerns taken seriously and to receive consistent, timely, and fair attention in addressing their concerns.

DP invites feedback and encourages clients and their families, our internal teams, and external community partners to let us know when something has gone wrong or is not to their satisfaction. DP also welcomes positive feedback.

PURPOSE

This policy affirms DP's commitment to addressing internal and external escalations [including complaints, grievances, disputes, and requests for appeals consistently, fairly, and timely.

This policy also affirms DP's commitment to fostering a safe, respectful environment for raising concerns: DP will not intimidate, threaten, coerce, or retaliate against anyone for engaging in complaints, grievances, disputes, or appeals procedures.

This policy sets the guidelines for various programmatic procedures for handling escalations [complaints, disputes, grievances, and appeals] within the stated scope.

PROTOCOL

Scope

DP is a designated Case Management Agency (CMA) for long-term care services, one of Colorado's Community Centered Boards (CCB), and one of Colorado's largest Early Intervention (EI) providers. These are DP's primary pillars of community programming, which allow DP to connect individuals, families, and the community at large with essential resources funded through federal, state, county, and private funding.

To provide programming under these three pillars, DP must follow guidance specific to each programming area outlined by our contracts, the Colorado Code of Regulations (CCR), and Colorado Revised Statutes (CRS). DP must also adhere to other state and federal laws, including employment and labor laws and non-discrimination laws, including Title VI of the Civil Rights Act.

This policy will outline the overarching protocol for addressing concerns within the following scope:

1. This policy applies to all employees, contractors, and departments at DP [hereinafter referred to as "staff"] and covers all programming provided by DP, including local programming, long-term care programming, early intervention programming, etc.

2. Internally: This policy is applicable for complaints other than those relating to acts of misconduct, discrimination, sexual misconduct, separation from employment, or related to performance appraisals.
3. Externally: This policy applies to the work of Developmental Pathways as defined in its contracts with each program area other than those relating to critical incidents such as an actual or alleged event of mistreatment, abuse, neglect, or exploitation. It covers general escalations, complaints, grievances, disputes, and requests for appeals / and/or the desire to petition for alternative outcomes
4. This policy is not intended to address privacy or protected health information such as that covered under the Health Insurance Portability and Accountability Act (HIPAA) or the Family Educational Rights and Privacy Act (FERPA).

Common Terminology

Each programming area uses specific terminology to refer to specific procedural outcomes; these terms can sometimes be perceived as interchangeable by the community but may not be interchangeable in the context of receiving supports with DP. Below are the acting definitions based on DP's contracted programmatic areas.

Escalation

An escalation is a request for support from someone in a higher position of authority (such as a supervisor or manager) to help resolve a situation or problem.

Complaint

A complaint is an informal term and generally applies to criticism about supports, such as poor quality, lack of communication, or poor customer service. A complaint means a person disagrees with certain things DP does or does not do; complaints also cover instances when someone feels DP has treated them in a manner they do not like or appreciate within the scope of this policy.

Grievance

A grievance is, effectively, a more official version of a complaint and usually covers general processes and procedures and their specific outcomes; however, for purposes of this policy, "complaints" and "grievances" are interchangeable and are treated equally within most of our programming.

Dispute

At DP and in the Colorado disability system, a dispute is a disagreement regarding a specific agency decision, adverse action, or other outcome, which includes situations like

- The approval or denial of certain funding.
- The termination from specific programming.
- A specific employment action within the scope of this policy.

In Colorado's long-term care (LTC) system, a dispute is the path forward when disputing outcomes for locally funded programming and/or state-funded programming; it is **not** the process followed for appealing outcomes related to Medicaid service denials, determinations, etc.—those are covered under formal appeal actions.

Appeal

In the Colorado LTC system, an appeal is required to contest outcomes resulting from State actions and/or regulations. It shall be handled in accordance with existing appeals regulations and operational guidance delineated by our state and/or federal partners.

Designated Department(s) and/or Business Section(s)

Designated departments and/or business sections will have oversight related to escalations based on their core business functions.

Department / Business Section	Core Business
1. Community Affairs	<ul style="list-style-type: none">- Locally funded programming- Community outreach, public affairs, government relations- All media affairs, including print, online, and social media.
2. Early Intervention	<ul style="list-style-type: none">- Early Intervention programming- Pediatric Home Health programming
3. Long-term Care/Case Management & Program Quality	<ul style="list-style-type: none">- Long-term Care (LTC) case management and related programming
4. People Strategies	<ul style="list-style-type: none">- Staff / internal agency concerns
5. Other Departments /Sections	<ul style="list-style-type: none">- Vendor relationships and related complaints.

Agency Authority

The DP Board of Directors, its committees, and its designated executive team have final policy and governance authority within the scope allowed by local/state/federal laws, rules, and regulations.

Designated departments and/or business sections will have operational authority within the scope of their core business and as allowed by local, state, and federal laws, rules, regulations, contractual commitments, and operational guidance.

Procedures

Designated departments and/or business sections will:

1. Establish and maintain additional policies (if needed) and procedures related to managing and overseeing escalations for their core business area(s)
2. Make established policies and procedures available to internal and external stakeholders as appropriate and/or as outlined by local, state, and federal laws, rules, regulations, contractual commitments, and operational guidance.
3. Create and maintain tracking and reporting mechanisms as appropriate and/or as outlined by local, state, and federal laws, rules, regulations, contractual commitments, and operational guidance.
4. Ensure procedures for managing escalations are:
 - a. Person-centered,
 - b. Managed consistently, fairly, and timely.
 - c. Maintain and support safe and respectful environments for raising concerns.
 - d. Protect against intimidation, threats, coercion, and/or retaliation.
 - e. Inform recommendations to address negative trends.
5. Procedures shall, minimally, outline:
 - a. How to submit escalations
 - b. Key contacts
 - c. Key timelines, including any protocols for prioritization
 - d. Resolution and communication processes.

If and as required designated departments and/or business sections will also:

6. Work with internal and external committees and/or councils to address complaint/grievance trends including, but not limited to:
 - a. The DP Staff Advisory Committee
 - b. The DP Community Advisory Committee
 - c. The Family Support Services Council
 - d. The Board of Directors and/or its subcommittees

Training, Awareness, and Competence

DP is committed to ensuring staff are fully informed of policies and procedures related to supporting each person's right to have their concerns taken seriously and to receive consistent, timely, and fair attention in addressing their concerns.

1. New staff will receive training on requirements and related agency policies and procedures as required for their job functions.
2. As needed, DP will provide refresher training to staff on requirements as required for their job functions.

RELATED POLICIES & KEY PROCEDURES

Appeals Procedures
Complaint/Grievance Procedures
Confidentiality Policies
Discharge Procedures
Dispute Procedures
Employee Guidebook
Equal Employment Opportunity & Non-discrimination Policies
Escalation Procedures
Open Door Policy
Person-Centered Policy

AUTHORITY

Programmatic specific authority citations will be included in relevant policies and procedures.

DEFINITIONS

Programmatic specific definitions will be included in relevant policies and procedures.

Change Log

Date	Revised By (name, title)	Approved By (name, title)	Revision Description
7/24/2024	Darcy Tibbles, Vice President of Community Affairs		Initial overarching draft policy
10/2/2024	Darcy Tibbles, Vice President of Community Affairs	Erica Kitzman, Chief Operations Officer	Revised draft for publication

Policy Owner

Community Affairs