

Personal Assistance Services Council (PASC)

Complaint Handling Policy and Procedures

I. Introduction:

The PASC is committed to improving the In-Home Supportive Services (IHSS) Program and enhancing the quality of life for all people who receive and provide IHSS services.

As a part of its mission, and the nature of its official functions, the PASC interacts with and provides services to a diverse IHSS community, which includes consumers, homecare providers, case managers, and social workers. Given this context, from time to time the PASC receives complaints from service users regarding a variety of issues including, but not limited to, elder or dependent adult abuse, IHSS delivery methods and service authorization policies, homecare providers' conduct on the job, and PASC' services and staff. PASC views all complaints as an opportunity for service improvement and staff development. So complaints made to the PASC are reviewed and investigated as teaching moments, which benefit the organization and its service delivery mechanisms.

II. Policy Statement:

Complaints, where possible, are resolved informally by directing the complaints to the entity or agency "closest" to the complaint, and which has the responsibility to address such complaints. Specific complaints against PASC personnel are handled by PASC management utilizing different approaches such as counseling, retraining, reprimand, warnings, and any other applicable educational or disciplinary action, all of which are handled in a confidential manner.

Complaints can be made verbally or in writing, and are addressed to the best of the organization's ability, respectfully, and in a timely manner, applying principles of transparency, impartiality, and confidentiality.

This policy applies to all circumstances except, among a few others, the following:

- Complaints which fall outside PASC's scope of service or jurisdiction
- Complaints which are handled according to the PASC-SEIU Agreement.
- Complaints which by nature are handled by other organizations or agencies (i.e., dissatisfaction over IHSS service allotment hours, workman's compensation claims, unfair labor practice complaints, etc.)

This policy is implemented through the Complaint Handling Procedures. These procedures can be accessed at www.pascla.org.

Procedures:

A. Consumer Abuse Complaints:

PASC personnel are mandated reporters, so upon receipt of a complaint related to the suspected abuse of a senior or dependent adult, a designated staff will make a report to Adult Protective Services (APS), with or without the consent of the victim, either by telephone or electronically. Upon submission of the report, within 24 hours a completed hard copy of the report (SOC 341) will be mailed to the following two addresses:

Adult Protective Services
3333 Wilshire Blvd
Los Angeles, CA 90010

And

Mr. Ruben Egoyan
Administrative Services Manager II
Department of Public Social Services
12900 Crossroads Parkway South
City of Industry, California 91746-3411

Five days following the initial report to APS, a designated staff will contact APS for an update on the status of the complaint. Due to confidentiality reasons, very little information is provided to us with respect to the outcome of these reports, but we use any information we obtain to determine what additional action must be taken on our end.

If we learn that the alleged victimizer is a PASC Registry provider participant, he/she will not be referred to any Registry consumer participants until such time that PASC obtains solid information on the outcome of the investigation conducted by APS. If APS' investigation reveals that more likely than not the abused was committed by the accused, the provider will be removed from the Registry.

B. Complaints Against IHSS Providers:

Upon receipt of a complaint against an IHSS homecare provider, staff will document the complaint and then attempt to reach the provider to compare the information given by the claimant and the information we gather from the provider against whom the complaint was made. If the complaint relates to a function for which the consumer-employer is responsible (i.e., work schedules, task assignments, worker performance, etc.), PASC staff will advise the claimant of his/her rights and responsibilities as an employer under the IHSS Program, and remind the providers of their responsibility as homecare providers. In addition, within two weeks of the complaint filing, PASC will mail a personalized letter to the claimant reminding him/her of his/her rights and responsibilities as an employer.

If the complaint is filed against a Registry provider participant (about his or her failure to follow Registry or IHSS policies and procedures), PASC staff will document the complaint and then contact the provider to hear the provider's point of view regarding the complaint. A summary of the provider's response will be stored in our database, so that this information can be accessed if another consumer were to file a similar complaint against the same provider. If the Registry provider continues to exhibit the same behavior for which he/she was reported on, he/she may be suspended or removed from the Registry.

C. Complaints About IHSS Service Delivery:

Upon receipt of a complaint which falls outside of PASC's scope of work (i.e. IHSS payment, enrollment, and service delivery), PASC will complete a claim form and forward it to the corresponding IHSS office electronically for further intervention. PASC will make periodic status check calls to claimant until the complaint has been resolved or all available avenues have been exhausted in the pursuit of a resolution of the complaint.

IHSS consumers or providers who experience difficulties with the IHSS program are invited to participate in PASC's voluntary trainings on how to navigate the IHSS program and address service delivery problems.

D. Complaints Against PASC's Personnel:

If an individual wishes to complain about the conduct of a PASC employee, he/she should ask to speak to the employee's immediate supervisor. The supervisor will speak to the claimant as soon as practicable, and listen to his/her complaint. The complaint is to be documented and the claimant informed when he/she can expect to hear back from that supervisor. (It is advisable to try to resolve these matters within the shortest period of time possible.). The supervisor will then meet with the staff against whom the complaint was made, and gather information from the staff as to what action (or lack of) might have prompted the complaint. If there is a recording of the conversation or interaction between the parties, the supervisor will listen to recording and try to see what if anything went wrong. After conducting the internal investigation, the supervisor or person conducting the investigation must come to a conclusion as to what action needs to be taken (i.e., apologize to claimant, retrain staff, etc.).

If the claimant is not satisfied with the action taken by the supervisor, the claimant can ask to have his/her complaint escalated to the head of department. If the claimant is still not satisfied with the action taken by the head of the department, the claimant may request to have the matter referred to the Executive Director. The Executive Director is the final escalation point for these kinds of complaints. He/she will render the final decision in these matters.

E. Civil Rights Violation Complaints:

If PASC receives a complaint that an individual feels that he or she has been discriminated against during the course of his or her dealings with PASC, a designated staff will talk to the claimant to try to learn why he/she feels this way. The staff will also inform the individual about his or her right to file a civil rights violation complaint, and educate the claimant on how

to obtain the proper form needed for this purpose. If needed, the staff will mail the claimant the PA-607 form, so that the individual may take the actions necessary to address his complaint.

Civil rights violation complaints are handled by the Civil Rights Division of the Department of Public Social Services.