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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 8@ Intermediate Care Facilities for the Developmentally Disabled

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Article 4@ Administration

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Section 76531@ Clients' Rights-Complaint Procedure

76531 Clients' Rights-Complaint Procedure

(a)

The list of rights that shall be posted, and provided or explained to the client shall contain: (1) Notification that any client who believes a right of his or hers has been abused, punitively withheld or unreasonably denied may file a complaint with the clients' advocate or the local licensing office of the Department. (2) The name of the clients' advocate and district administrator of the local licensing office who have been assigned to handle such complaints, their telephone numbers and the times during which they may be contacted.

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Notification that any client who believes a right of his or hers has been abused, punitively withheld or unreasonably denied may file a complaint with the clients' advocate or the local licensing office of the Department.

(2)

The name of the clients' advocate and district administrator of the local licensing office who have been assigned to handle such complaints, their telephone numbers and the times during which they may be contacted.

(b)

When a complaint is received by the clients' advocate, he or she shall, within two working days, take action to investigate and resolve it.

(c)

If the complainant expresses dissatisfaction with the action taken, the matter shall be referred, within five working days, to the regional center director or executive director of the state hospital if the client is receiving services from a state hospital.

(d)

If the complaint cannot be satisfactorily resolved by the regional center director or the executive director of the state hospital within 10 working days, it shall be referred to the Clients' Rights Officer, Department of Developmental Services, whose responsibility it shall be to make a decision in the case. Appeal from the decision of the Clients' Rights Officer may be made to the Director of the State Department of Developmental Services or designee.