

## **Darke County Board of Developmental Disabilities Administrative Resolution of Complaints**

***You have the right*** to appeal a decision made by the County Board.

***You have the right*** to appeal a decision to not give you services.

***You have the right*** to appeal a decision to reduce the services you receive.

***You have the right*** to appeal a decision to stop your services.

***You have the right*** to have the persons of your choice help you during the appeal process.

***Who can appeal?*** A person over 18 who is applying for or receiving services from a county board, the parent of a minor, or the legal guardian of a child or adult.

***Need help?*** You may contact the Darke County Board of Developmental Disabilities and request an advocate to assist you through the appeal process. If you do not want a County Board Advocate, you may seek assistance from an outside source at your own expense.

***Read the Policy.*** You may request a copy of the County Board's policy on resolution of complaints that is outlined in this brochure.

***Do you receive Medicaid services?*** You may request a copy of your Right to a State Hearing. You may also request assistance in the process from your Service & Support Administrator. (*See reverse side for guidelines*)

### ***The Process:***

1. Discuss your complaint with the staff person with whom you disagree. This is often the easiest way to solve a problem.
2. Present your complaint in writing to the Program Director.
3. You may request a conference with the Program Director.
4. The Program Director will investigate your complaint.
5. A conference will be held.
6. The Program Director will write a report and meet with you to discuss it.
7. You may appeal the Program Director's decision to the Superintendent. You must do this within 10 days of receiving the Program Director's decision.
8. The Superintendent will hold a meeting to review the Program Director's decision.
9. The Superintendent will provide you a written report with his decision.
10. You may appeal the Superintendent's decision to the County Board President.
11. The Board will hold a hearing to review your complaint.
12. The Board's decision will be sent to you by mail.
13. You may appeal the Board's decision to the Director of the Ohio Department of MR/DD.
14. The Director of ODMR/DD will review your appeal.
15. The Director will issue a decision.

***More info or help:*** If you would like more information or help, call:

Darke County Board of Developmental Disabilities Community Services – 937-548-3350  
Ohio Department of Developmental Disabilities Hot Line – 1-866-313-MRDD (6733)  
Ohio Legal Rights Service – 1-800-282-9181

## ***Your Right to a State Hearing***

(Regarding Medicaid Services)

You should receive notice from the Department of Job and Family Services (JFS) explaining any action that they plan to take on your case. If you do not understand this action, you should contact your caseworker. After discussing the reasons for the action with your caseworker, it is possible that JFS will change their decision or that you will agree with the action.

***If you do not agree with this action, you have the right to a state hearing.***

***What is a State Hearing?*** A state hearing lets you or your representative (lawyer, welfare rights worker, friend, or relative) give your reasons against the action. JFS and your Medicaid provider will also attend or be represented at the hearing to present their reasons. A hearing officer from the Ohio Department of Job and Family Services will decide who is right.

***How long do I have before the action is final?*** If you want a hearing JFS must receive your hearing request within 90 days of the mailing date of the notice sent explaining the action to be taken. You do not need to return the notice if you agree with the proposed action.

***What happens to my services until the hearing?*** If JFS receives your request within the 90 days, the action will not be taken until the state hearing is decided. If you lose your hearing, you may have to pay back benefits that you were not eligible to receive.

***Can someone assist me?*** If someone else makes a written hearing request for you, it must include a written statement, signed by you, telling JFS that person is your representative. Only you can make a request by telephone.

***Where can I obtain legal assistance?*** If you want information on free legal services, but don't know the number of your local legal aid office, you may call the Ohio State Legal Services Association, toll free, at 1-800-598-5888, for the local number.

***How do I request a State Hearing?*** If you want a hearing either request one in writing or sign the notice explaining the proposed action. Either form of request should be sent to the Ohio Department of Job and Family Services, Bureau of State Hearings, P.O. Box 182825, Columbus, Ohio 43218-2825. Please indicate whether you want a county conference and a state hearing on the action or if you want a state hearing only.

For specific details regarding the State Hearing Process please contact your local JFS office at (937) 548-4132.