



Youth and Family Rights and Responsibilities



It is the policy of the Partnership for Children of Essex (PCE) to ensure that your rights as a youth and family/caregiver receiving services are safeguarded and that disputes concerning your rights, and the rights of others are resolved promptly and fairly.

This document is a list of your rights and responsibilities. It also includes an explanation of PCE's conflict resolution and complaint/grievance procedures.

Rights:

It is the policy of PCE that youth and their families/caregivers have the right to:

1. Be treated with respect, dignity, and recognition regarding privacy and cultural sensitivity.
2. To be free from discrimination due to race, color, creed, age, creed, gender (including gender identity, gender non-conformity or status as a transgendered individual) pregnancy, national origin, citizenship, affectional or sexual orientation, genetic information, marital status, domestic partnership/civil union status, religion, liability for service in the armed forces of the United States, veteran status, handicap or disability, or health status and any other protected classes recognized by applicable local state and/or federal law. To be free from abuse, exploitation, retaliation, humiliation, neglect, and violation of physical boundaries.
3. Expect that PCE will disclose any potential conflicts of interest.
4. Request and receive timely information regarding their family's care and records.
5. Receive information about all partners in the Division of the Children's System of Care (CSOC).
6. Request and receive information about the policies and procedures, service guidelines, and titles and names of supervisory staff at PCE.
7. Request and receive timely information about their youth's care, and their records. Care Managers can provide information about how to get copies of records.
8. Request and receive general information about PCE.
9. Expect that, to the extent allowed by law, all information regarding current or previous services will be kept confidential.
10. Refuse to disclose information, although in some cases this choice may be a barrier to service provision.
11. Expect that, to the extent allowed by law, no identifying information will be released by PCE without a valid written authorization by the youth and/or their parent/legal guardian on file.
12. Be informed of services, benefits, and how to access care.
13. Be informed of what to expect from each provider, including proper protocol for signing Encounter Forms. This includes:
 - a. An explanation that their family should only sign encounter forms at the END OF EACH SESSION.

- b. BEFORE THE YOUTH OR CAREGIVER SIGNS, forms should be completed with the date and length of visit filled in.
 - c. Their family should only sign if the service provided was provided on the date and for the length of time set forth on the encounter form.
 - d. Notify their Care Manager if they identify differences in service length and/or dates services were performed listed on the encounter form from what was provided.
- 14. If applicable, referral to and/or information about other services and entities that may support their family in a broad array of domains (e.g. self-help, advocacy, etc.)
- 15. Assistance from PCE's Care Manager to build a Child and Family Team to support families in realizing their vision and achieving their goals.
- 16. The Child and Family Team includes formal and informal supports (pediatrician, psychiatrist, teachers/school personnel, coaches, religious clergy, friends, neighbors, etc.) chosen by the family to aid in the achievement of goals.
- 17. Choose and/or change provider(s). (Selection of providers may be limited by availability, by boundaries of participant's insurance program, including Medicaid, and by ability to pay.)
- 18. Receive care in a timely manner. (Timely manner refers to best practices and timelines established by the Children's System of Care. These timelines are part of the information available to all youth and their families/caregivers.)
- 19. Be full partners in every decision regarding their youth.
- 20. Request reasonable accommodations to remove barriers to accessing services.
- 21. Participate in an honest discussion with their Care Manager and Child Family Team about appropriate options necessary to achieve their family vision, regardless of cost or benefit coverage.
- 22. Decline services.
- 23. Openly communicate concerns, requests, complaints, and grievances about any service or service provider (including PCE), without fear of retaliation or of losing their benefits.
- 24. Have an authorized representative of their choice. An authorized representative is an individual chosen by the youth/family to act on their behalf in a conflict, complaint, or grievance process. Any cost associated with this option is the responsibility of the youth/family.
- 25. Make recommendations regarding youth and family rights and responsibilities
- 26. policies.
- 27. Initiate a complaint orally or in writing.
- 28. Timely resolution of concerns, requests, complaints, grievances, or reconsiderations, in most cases, within thirty (30) days of PCE's receipt of the written request, complaint or grievance.
- 29. Continue to receive support and assistance during and until their concern, request or complaint is resolved.
- 30. Know when your youth's service will change or end. Your Care Manager will discuss all authorized services including the start and end date for services. You are eligible for services until:

- a. Your youth becomes 21 years old, or otherwise passes the age limit for certain services or support.
- b. You, as the parent/legal guardian of the youth (and/or the youth, if applicable) give notice that you do not wish to continue with the services, or you and your youth decline to engage in services for a period of 60 days.
- c. Your youth becomes ineligible for services or services are no longer clinically indicated.
- d. You are unable or unwilling to provide the information necessary to obtain Medicaid.
- e. You and your Child and Family Team determine that you are ready to transition out of services from PCE.

Responsibilities:

It is the policy of PCE that youth and their families/caregivers have the responsibility to:

1. Remain in contact with your Care Manager.
2. Be an active participant in realizing your vision and achieving your goals.
3. Attend regularly scheduled Child and Family Team meetings and face-to-face meetings.
4. Participate in regularly scheduled meetings with all providers authorized by PCE.
5. Provide, to the extent possible and deemed appropriate by you and your family, information that PCE and other service providers need to arrange and provide care for the youth and family/caregiver.
6. Collaborate with all system partners to develop a mutually agreed upon plan.
7. Follow the plans and instructions for care that you and your family have developed with your teams.
8. Provide information and documentation necessary to obtain Medicaid.
9. Assert your rights as appropriate (see above).

IMPORTANT NOTICE: PCE does not condone or tolerate the use and/or possession of illegal drugs, or weapons; nor the illegal use of over the counter, prescription medication, or regulated controlled substances. PCE will take necessary actions to ensure the safety of the individual, all Child and Family Team members, employees, and the community at large.

Conflict Resolution and Complaint/Grievances Guidelines:

As stated in the Rights section of this document:

- You have the right to the assistance of an independent/authorized person and witnesses in presenting a complaint. Any costs associated with this assistance are your responsibility.

Conflict Resolution:

Occasionally, a disagreement may arise between you and your PCE Care Manager about how to address a need you have identified. Should this happen, you are encouraged to present your concern(s) regarding the disagreement as soon as possible so that a resolution can be found.

First Level Conflict Resolution:

1. The first level of conflict resolution should be directed to the Care Manager and/or the
2. Care Manager Supervisor. The report of this conflict can be verbal or written. We strongly encourage you, or the person assisting you, to attempt to resolve any conflicts with the Care Manager and/or Care Manager Supervisor directly.
3. The Care Manager or Care Manager Supervisor will provide a response to your reported concern(s) within 5 business days.
4. You have the right to accept the first level conflict resolution decision.

Second Level Conflict Resolution:

1. If you are dissatisfied with the resolution, within the next 10 days, you or the person assisting you, may appeal the first level decision to the Operations Manager, either verbally or in writing.
2. The Operations Manager will provide a response to the appeal within 5 business days.

Third Level Conflict Resolution:

1. If you remain dissatisfied with the second level decision, you may further appeal to the CEO and/or the Director of Operations verbally or in writing.
2. A decision will be made as quickly as possible but is dependent on the level of investigation needed
3. If you continue to be dissatisfied with the third level response received, you may also file a complaint with the Centralized System Administrator (PerformCare) at 877-652-7624.

Complaints/Grievances:

A formal complaint/grievance should be filed with PCE if you feel that there has been a violation of your privacy rights, you disagree with a decision PCE has made regarding the handling of your Protected Health Information (PHI), you have concern(s) about potential fraud committed by a PCE staff member. The steps for addressing a complaint/grievance are different for privacy issues than they are for potential fraud.

For Privacy and PHI Issues**First Level Complaint/Grievance:**

1. The first level of complaint/grievance should be directed to the PCE Compliance Manager. The Compliance Manager will provide you, or the person assisting you, with a form to complete in order to submit your complaint/grievance in writing. If you need additional assistance, the Compliance Manager will help you complete the form.

2. The Compliance Manager will investigate the complaint and notify you, and the person assisting you, in writing of the result of his/her investigation. If it is determined that your HIPAA privacy rights were violated, the Compliance Manager will provide you with a summary of the action taken to address the complaint/grievance.

Second Level Complaint/Grievance:

1. If you filed a complaint/grievance regarding privacy issues or handling of your PHI, and you are dissatisfied with the response from the Compliance Manager, you have the right to file a written complaint to the Secretary of the U.S. Dept. of Health and Human Services via email at OCRComplaint@hhs.gov or through the mail at 200 Independence Ave., S.W.; Rm. 509F; HHH Bldg. Washington, D.C., 20201.

For Potential Fraud Concerns:

First Level Complaint/Grievance:

1. If you have concerns that a PCE staff member may have committed fraud such as falsifying visits to you or knowingly billing for services not provided, please contact Safe Hotline to report your concerns. You may anonymously call or text Safe Hotline at 1.855.662.SAFE or complete a complaint form at SafeHotline.com/SubmitReport. You must use PCE's Company ID (5681180846) when making your complaint.
2. Safe Hotline will share the anonymous report with the PCE Compliance Manager who will investigate the charge and respond accordingly to any allegations proven to be true.

**PLEASE REMEMBER, PCE WILL NEVER TAKE RETALIATORY ACTION
AGAINST YOU IF YOU FILE A COMPLAINT IN GOOD FAITH!**