

# Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

## Summary of Client Grievance Procedures

November, 2005

### Who May File?

- Clients of Disability Rights Nebraska.
- Individuals who ask for our services and whose case was not accepted
- Individuals who have received Information and Referral services from Disability Rights Nebraska.
- Parents of a minor child or guardians of wards upon whose behalf a case has been accepted by Disability Rights Nebraska.

### Basis for Grievance

- You believe that an incorrect eligibility determination has been made or you believe that assistance has been denied improperly;
- You are dissatisfied with the Information and Referral services provided;
- You are concerned about the behavior of a member of our staff;
- You are dissatisfied with the representation provided by an attorney or case advocate employed by Disability Rights Nebraska; or,
- You are dissatisfied with the outcome of your case.

**ALL GRIEVANCES MUST BE SUBMITTED WITHIN THIRTY (30) DAYS OF THE DECISION OR ACTION WHICH PROMPTED THE COMPLAINT.**

### Step One – Informal Review with Chief Executive Officer

- You may file a grievance in writing or by telephone by contacting the Chief Executive Officer (CEO) at: Disability Rights Nebraska, 134 South 13<sup>th</sup> Street, Suite 600, Lincoln, NE 68508; 402-474-3183 or 800-422-6691.
- Upon receipt of a grievance, the CEO will attempt to resolve the matter with you in an informal, mutually satisfactory manner.
- The CEO or his/her designee will respond to you in person, by telephone, by letter or in a way that is effective in communicating with you.

If the matter cannot be resolved informally to your satisfaction, then you may move to Step Two of the process.

### Step Two – Written Appeal to the Disability Rights Nebraska Executive Committee

**A.** Grievances involving questions of eligibility, Information & Referral services or the behavior of Disability Rights Nebraska staff

- If you disagree with the CEO's decision, you can make a written appeal for a review or an informal hearing.

- You must submit your written request for an appeal within ten (10) working days from the date of the CEO's decision.
- Your written request for an appeal must be a brief statement:
  - Setting out the facts that caused you to be aggrieved
  - Stating what needs to change in order for you to be satisfied.
- If you need assistance in preparing your written statement, we will prepare a written statement, dictated by you.
- You may ask for either a Review or Hearing by the Executive Committee
  - (1) If you request a review, the Executive Committee will review the written documents submitted by you and the CEO. You will receive a written decision within forty-five (45) days of your written appeal.
  - (2) If you request a hearing, a meeting of the Executive Committee will be scheduled at a time and place satisfactory to all parties and you may be accompanied at the hearing by another person.
- Before the matter is reviewed by the Executive Committee, or a hearing convened, you must sign a release form consenting to the release of information in your client records at Disability Rights Nebraska and a waiver of your right to confidentiality which is protected by your attorney-client privilege.

**B. Grievances involving dissatisfaction with the representation you received or the outcome of your case**

- If the matter cannot be resolved informally, the Chief Executive Officer and the Director of Litigation, or the Director of Legal Services, will review the matter and issue a joint written decision to you within thirty (30) days of receiving your grievance.
- If both the Chief Executive Officer and the Director of Litigation or the Director of Legal Services, determine that the conduct of the case or the outcome of the case was appropriate, you may make a written appeal **for a review** by the Executive Committee within ten (10) working days of the date of the joint decision.
- Before the matter is reviewed by the Executive Committee, you must sign a release form consenting to the release of information in your client records at Disability Rights Nebraska and a waiver of your attorney-client privilege.
- The Executive Committee will consider the request and confer to make a decision but **no hearing will be held**.
- A written decision will be issued by the Executive Committee within thirty (30) days of receiving the request for review of the joint decision.

**The Executive Committee cannot specifically direct any attorney or other member of the legal staff to undertake or to refrain from any action in a case.**

**THE EXECUTIVE COMMITTEE'S DECISION WILL BE THE FINAL DECISION**

This is a summary of the grievance process. A copy of the official Client Grievance Policy is available upon request.