

NEW BEGINNINGS ENTERPRISES, INC.
COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION

Policy Number: **112.0 Dispute Resolution**

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Regarding: K.A.R. 30-64-32

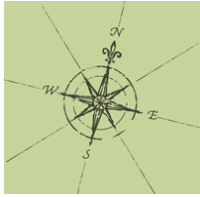
Effective Date: 7.31.02

Revised Date: 1.13.09; 9.11.09; 11.26.12; 10/8/18

The CDDO and all affiliated Community Service Providers (CSP) will provide persons served, guardians, support networks or CSPs the means by which grievances arising from the provision of services may be resolved to the mutual satisfaction of those involved.

Procedure:

1. In the case of a dispute regarding eligibility for services, the involved party may request reconsideration by an independent third party. This request must be made in writing within 30 days of the determination. The CDDO will make arrangements with another CDDO to review the information and provide a decision on eligibility.
2. If upon reconsideration the decision remains unchanged, the party will be notified of their right to an administrative hearing, which must be provided in writing within 30 days of the final notification to the Office of Administrative Hearings in Topeka.
3. Parties who believe their provision of service or response to individual rights do not conform to the Developmental Disability Reform Act, related regulations or current CDDO/Kansas Department for Aging and Disability Services (KDADS) contract may take the following action:
 - a. The parties to the dispute will be encouraged to first follow any internal grievance/dispute process of the CSP involved.
 - b. If the dispute remains unresolved, one or both of the parties must present written notice to the CDDO within thirty (30) days of the issue for dispute resolution.
 - c. The CDDO will notify the CDDO Quality Assurance/Dispute Resolution Committee comprised of the CDDO Director and three representatives from the Community Council. The CDDO Director will not be allowed a vote in the event the dispute involves the CDDO.
 - d. Within 20 calendar days of the dispute being received by the CDDO, the CDDO Quality Assurance/Dispute Resolution Committee will hear oral presentations from grieving parties and attempt to reach a mutually satisfactory solution.
 - e. If the grievance cannot be resolved, either party may request intervention into the dispute by a mediator who has no decision-making authority and is impartial to the issues being discussed. Mediation must be completed within 40 calendar days following the original notice of the dispute.



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- f. The cost of a professional mediator will be shared equally by the disputing parties. Persons receiving services will not be denied mediation solely because of inability to pay applicable mediation fees.
 - g. Any party to the dispute may decline to enter mediation if the party prefers to proceed directly to the next step or believes further efforts at mediation will not resolve the dispute.
 - h. If the dispute remains unresolved, any party to the dispute may appeal to the Kansas Department for Aging and Disability Services (KDADS) by presenting written notice of appeal within 10 calendar days of the appealing party's receipt of the decision.
 - i. The decision of KDADS may be appealed to the Office of Administrative Appeals within the Kansas Department of Administration.
4. The dispute resolution policy is shared annually with all individuals receiving services, to any individuals whom a negative action has been initiated, and is available upon request.