



Client Grievance Process

As a client of the Fresno-Madera Area Agency on Aging, you have the right to file a grievance if you feel you have been treated unfairly or unprofessionally or have not received the service expected.

If you are a client receiving services under contract with our Agency, you have the right to file a grievance if you feel you were treated unfairly or unprofessionally or have not received the service expected.

You will suffer no repercussions in service delivery as a result of filing a grievance. All grievances will be addressed in a confidential manner. Only information relevant to the complaint may be released to the responding party without the older individual's consent.

If you are unable to file a grievance, you may authorize an individual to act on your behalf.

Complaints may involve, but not be limited to, any or all of the following:

- Amount or duration of a service provided by the Fresno-Madera Area Agency on Aging (Agency on Aging).
- Amount or duration of a service provided under contract with the Agency on Aging.
- Denial or discontinuance of a service provided by the Agency on Aging.
- Denial or discontinuance of a service provided under contract with the Agency on Aging.
- Dissatisfaction with the service being provided by the Agency on Aging.
- Dissatisfaction with the service being provided under contract with the Agency on Aging.
- If the complaint involves an issue of professional conduct that is under the jurisdiction of another entity, such as the California Medical Board or the State Bar Association, the complainant shall be referred to the proper entity.

- Failure of the Agency on Agency to comply with any of the requirements of the California Department of Aging's regulations or the California Department of Aging's contract with the Agency on Aging.
- Any complaints received by the California Department of Aging shall be forwarded to the appropriate Area Agency on Aging for resolution, and if the complaint is about a service provider, the Agency on Aging, upon receipt, will forward to the service provider in question.

I. ALL COMPLAINTS SHALL BE SUBMITTED IN WRITING TO THE EXECUTIVE DIRECTOR OF THE AGENCY ON AGING

- To file a complaint by letter, mail your complaint to:

Fresno-Madera Area Agency on Aging
 Attn: Executive Director
 2037 W. Bullard Avenue, #512
 Fresno, CA 93711

- If a complaint cannot be submitted in writing, the Agency on Aging shall take all of the following actions:
 1. Verbally accept the complaint.
 2. Prepare a written complaint.
 3. Have the complainant sign the written complaint, although not necessarily prior to the commencement of the Informal Administrative Review.
 4. To file a complaint by e-mail, submit your complaint to admin@fmaaa.org.
 5. To file a complaint by telephone, please call (559) 214-0299 and ask for the Executive Director.
- Please include the following information in your complaint:
 1. The name, mailing address and telephone number, if any, of the individual filing the complaint or the person authorized to act on the individual's behalf.
 2. The type of service provided by the Agency on Agency or the type of service provided by the company under contract with the Agency on Aging.
 3. The names of the individual(s) involved.
 4. The issue of concern or dispute.
 5. The date, time and place that the issue of concern or dispute occurred.
 6. The name of witnesses, if any.

II. INFORMAL ADMINISTRATIVE REVIEW PROCESS

1. Once the initial complaint is received, the Agency on Aging's Executive Director will begin the informal review within five (5) business days.

2. The Agency on Aging's Executive Director will make every attempt to conduct an impartial investigation of the complaint in an attempt to informally resolve the issues with the parties involved. This process shall be completed within forty-five (45) calendar days of receipt of the initial complaint.
3. A written report of the results of the Informal Administrative Review will be provided to all parties involved. If there is no further action within thirty (30) calendar days of the receipt of the written decision, the grievance shall be assumed to be settled.
4. Any complainant dissatisfied with the results of the Agency on Aging's Informal Administrative Review Process shall have thirty (30) calendar days from the receipt of the written report in which to request a hearing to present his/her/they complaint orally before an impartial hearing panel.

III. FINAL GRIEVANCE RESOLUTION PROCESS

To request an impartial hearing, which is the final step of the grievance process, the complainant must submit a request in writing or orally within thirty (30) calendar days from the receipt of the Informal Administrative Review Report.

✓ Fresno-Madera Area Agency on Aging
Attn: Executive Director
2037 W. Bullard Avenue, #512
Fresno, CA 93711

<or>

✓ (559) 214-0299; Ask for the Executive Director

1. The hearing shall be conducted by an impartial hearing panel. The impartial hearing panel shall be comprised of three Agency on Aging Governing Board members representing Fresno County, Madera County, and the City of Fresno. Governing Board Members shall be selected by the Agency on Aging Governing Board Chair who is excluded from participating on this panel.
2. Within thirty (30) calendar days from receipt of a hearing request, the complainant and other parties involved will be informed of the date, time and location of the hearing. The complainant's and other parties have a right to be present at the hearing and/or have the right to have another personal act on their behalf, including the right to have legal counsel present.
3. The complaint hearing shall take place no later than forty-five (45) calendar days from the receipt of the hearing request.

4. The hearing shall be held in an informal manner, with testimony being restricted to the issues requiring resolution.
5. All parties shall have the right to all of the following:
 - a) Be present at the hearing
 - b) Present evidence and witnesses.
 - c) Examine witnesses and other sources of relevant information and evidence.
6. The hearing shall be recorded verbatim, either electronically or stenographically. Technical rules of evidence and procedure shall not apply to the hearing. All persons testifying at the hearing shall be placed under oath or affirmation.
7. The impartial hearing panel shall prepare a proposed decision based upon all relevant evidence presented and in consideration of the policies, procedures, regulations and laws governing the program no later than thirty (30) calendar days after the date the hearing was held.
8. The proposed decision shall contain all of the following information:
 - a. A description of each issue.
 - b. A statement as to whether the complaint was upheld or denied. In the case of complaints that are upheld, an explanation of the remedy for the complaint shall also be included.
 - c. A citation of applicable laws and regulations.
9. The proposed decision shall be forwarded to either of the following, as appropriate, for the issuance of a final decision, no later than thirty (30) calendar days after the date of the impartial hearing:
 - a. The Executive Director of the Agency on Aging, unless the complaint is against the Executive Director.
 - b. The Agency on Aging Governing Board when the complaint is against the Executive Director.
10. No later than thirty (30) calendar days after receipt of the proposed decision, the Executive Director of the Agency on Aging Governing Board shall either:
 - a. Adopt the proposed decision as the final decision.
 - b. Write a new final decision.
11. The decision shall be:
 - a. Immediately transmitted to the parties involved. The complainant's right to privacy shall be ensured at all times and only information relevant to the complaint shall be released to the responding party without complainant's consent.
 - b. Final and not subject to appeal.

12. The Agency on Aging Executive Director shall ensure that the remedies, if any, specified in the final decision are implemented.

The above Grievance Process does not prohibit older individuals from seeking other available remedies, such as presenting their complaints at an open public meeting of the Agency on Aging's Governing Board.

References:

California Code of Regulations

 Title 22. Social Security

 Division 1.8. California Department of Aging

 Chapter 3. Title III Programs - PSAs and AAAs

 Article 5. Grievance Process

 7400. Grievance Process – General.

 7402. First Level of Resolution.

 7404. AAA Informal Administrative Review.

 7406. Final Grievance Resolution.