

## PATIENT-CONSUMER GRIEVANCE POLICY

This grievance process is available to provide a method of consideration for concerns, complaints, or grievances of ESRD patient-consumers.

A COPY OF THIS POLICY SHOULD BE PLACED IN A LOCATION THAT IS EASILY ACCESSIBLE BY ALL PATIENT-CONSUMERS OF THE FACILITY. **Facilities are required to document, in all patients' Long Term Programs (LTP), that a copy of this policy has been received and understood (with assistance if necessary) by the patient. It is the right of all ESRD patient-consumers to file a grievance when needed. Annually, facility staff should review this grievance policy with patients to ensure accessibility, understanding and receipt of revisions (if any).**

All patients are encouraged to utilize the facility grievance resolution process prior to filing a grievance with the Network.

It is the policy of the ESRD Network 13 Grievance Committee to process all grievances in a timely, impartial and confidential manner.

### STEPS OF THE GRIEVANCE PROCESS

If an ESRD patient-consumer has a concern, unanswered question, or complaint regarding his/her treatment or quality of care, the patient-consumer may exercise their right to file a grievance by following the steps listed here:

**STEP 1** The patient-consumer should first address their question, concern, complaint or grievance to the person perceived as the source of the confusion or conflict. It is anticipated that most conflict will be resolved in this step. If not resolved by direct communication at the source of the problem, or if the patient-consumer does not wish to address the other person involved, they may proceed to Step 2.

**STEP 2** The patient-consumer may consult the facility Social Worker (or designee), explain the conflict and solicit the Social Worker's intervention as a conflict resolution mediator. It is the duty of the Social Worker to inform all involved parties of the conflict, collect information, conduct an investigation and interviews, and help facilitate a mutually agreeable resolution. If the patient-consumer wishes to remain anonymous, or appoint a representative as their spokesperson/advocate, the Social Worker should accommodate and protect the wishes of the patient-consumer.

**STEP 3** The patient-consumer may consult the facility Administrator, explain the conflict and any resolution steps taken. The patient-consumer may request a meeting of all involved parties and solicit the assistance of the Social Worker or Administrator as mediator. A mutually agreed upon neutral party may also serve as a mediator. Notes of this meeting should be taken for documentation purposes.

**STEP 4** The patient-consumer may choose to by-pass Steps 1, 2 and 3, and initiate a grievance directly to the Network 13 office. This step may be taken with or without the knowledge of the facility staff involved in the grievance. The grievance may be communicated by telephone or letter. A letter is preferred for the purpose of clear and unquestionable understanding. (If the patient-consumer wishes to maintain anonymity, it should be approached with the understanding that a full investigation may not be achieved.) Grievances should be addressed to:

Chairperson  
Medical Review Board  
ESRD Network 13  
4200 Perimeter Circle Drive Suite 102  
Oklahoma City, Oklahoma 73112-2314  
or call 1-800-472-8664

## GRIEVANCE COMMITTEE INTERNAL PROCESS

When a grievance is received at the Network office written notification must be sent to the complainant with fifteen (15) calendar days. It is incumbent upon the Grievance Subcommittee to conduct a professional, impartial, timely and thorough investigation. In some cases the Committee may also provide suggested resolution options and or request an Improvement Plan from the facility involved. A findings letter/report will be generated at the conclusion of all investigative activities. These findings will be forwarded to the complainant after the facility has been offered an opportunity to comment. The facility comment period may be up to thirty (30) days. The final findings report will be sent to the complainant accompanied by any comments provided by the facility. If the facility chooses to comment, the comments will be included in the findings report in the exact form and content received at the Network office. All Network Grievance Committee activities with the complainant will conclude within ninety (90) days of grievance initiation. If the facility is requested to submit an Improvement Plan, this activity may be on going as determined by circumstances of the case.

## FACILITY OR OTHER SOURCE GRIEVANCES

Any facility complaint or complaint received from other sources in the renal community will be initiated as Complaints and handled informally utilizing conflict resolution techniques. If the matter cannot be resolved informally, a Grievance may be filed regarding the QUALITY OF MEDICAL/HEALTH CARE PRACTICES in any ESRD Network 13 facility by forwarding a letter to the Network office addressed to the Medical Review Board Chairperson. This letter should provide facts leading to the grievance.

Upon receipt of a Grievance letter as defined above, the Medical Review Board Grievance Subcommittee Chairperson, and/or other members of the committee as designated, aided by Network staff, will conduct an investigation to determine the validity of the facts noted in the Grievance

letter. Based upon the determination of the Grievance Committee, aided by Network staff, a findings report or letter will be forwarded to the parties involved and recommendations regarding resolution options may accompany the findings report.

This policy WILL NOT address, intervene, apply or circumvent any Personnel Policies within ESRD facilities. Personnel issues or conditions of employment in ESRD facilities are separate and distinct matters, to be addressed through facility's internal processes.

This policy WILL NOT address facility complaints or grievances against patients. There are a host of other mechanisms in place to address such concerns: i.e. application of "Dealing With Challenging Situations," behavioral modification contracts, physician intervention, patient referral, patient transfer, patient "rotation" or patient service termination.

## THOUGHTS ABOUT CONFLICT

Conflict occurs when the needs of someone are not being met. Conflict happens when there is a breakdown in communication; listening and talking. There can be many causes for this, from having a problem in communicating your needs, not listening closely, to feelings of being ignored. Conflict can occur over one situation or several situations. Creating a conflict may be the last option for the person in distress to be noticed. What may not seem important to one person can be very important to another.

As a professional do you truly listen to your patients and acknowledge their needs? Do you respond to your patients and inform them of progress or delays? Do you communicate and talk at a level that your patients understand? Do you have them summarize what is said to clear up any possible misperceptions?

As patients do you let staff know of needs you have? Do you ask staff for help when they are busy or when they have time to listen? Do you ask staff for a time to talk to you when both of you would not be rushed to discuss an important matter? Do you ask or demand help from staff?

Ask yourself “What is the real issue”? “ How did this situation happen”? “What can be done to clear it up”?

## STEPS TO RESOLVE CONFLICT

- Never talk about a situation when angry, be in control
- Actively listen, repeat back what is said to avoid confusion
- Do not interrupt others when they are talking
- If the issue cannot be resolved in a short time (10 mins.) ask for help from others or stop. Try one more time. If you cannot resolve the issue get the social worker or administrator involved.
- Use a mediator that both people agree on and accept their decision
- Write things down as this helps in easing feelings and helps people focus on issues not emotions.
- Focus on the problem not the person or personality
- Be flexible
- Do not leave a conflict unresolved so that resentment is created
- Every conflict has a solution if those involved want it