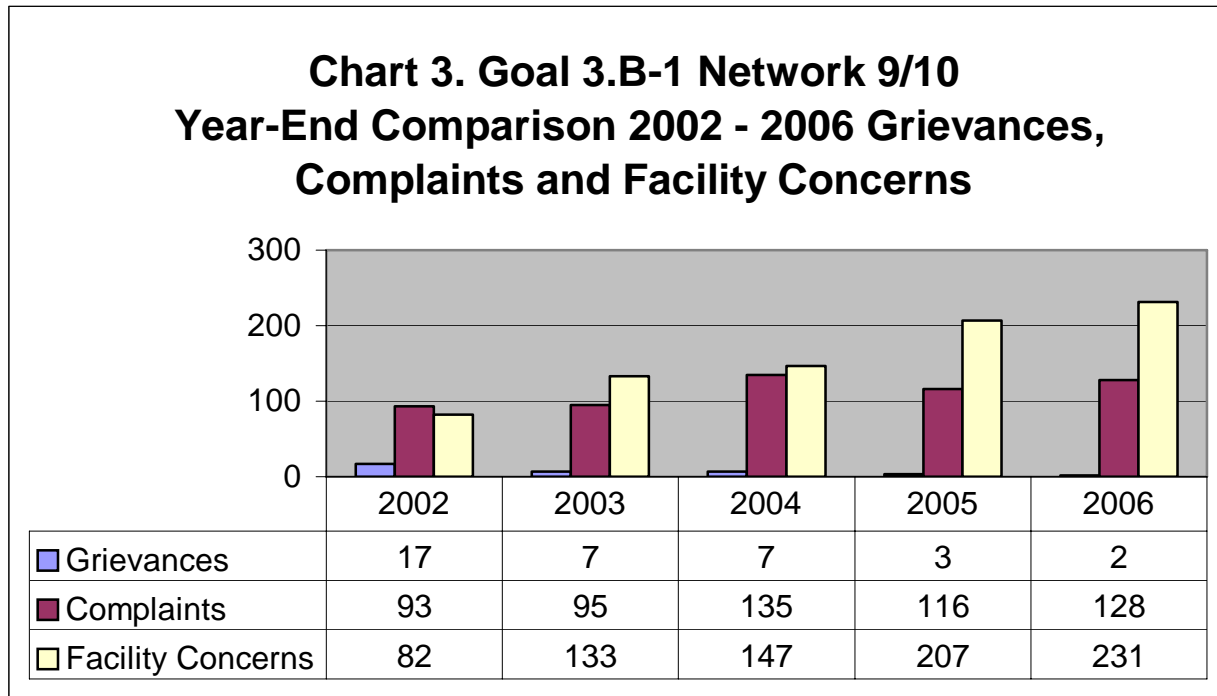


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3. Goal 3 - B. 2006 Formal Grievances:

Grievances are formal, written complaints filed by patients or their representatives, or by facility staff members. A special subcommittee of the Medical Review Board is designated to review grievances and make recommendations to the facilities and patients. Of the 128 complaints filed in 2006, only two proceeded to the formal grievance phase. The number of grievances over the last four years has declined as detailed in Chart 3.Goal 3.B-1.



Beneficiaries filed the two grievances. In the first case, a hemodialysis patient filed a grievance against his dialysis facility for involuntarily discharging him due to non-compliance. The patient was discharged because he refused to take Epogen subcutaneously and the facility stated they were unable to satisfy his needs. The patient believed he was being discharged in retaliation for complaining; the Department of Public Health had surveyed the unit and found various citations and the patient was discharged shortly thereafter. The MRB Patient Relations Subcommittee substantiated the grievance and concluded that the patient should not have been discharged for behavior that only put him at risk. It was recommended that the facility be more flexible on administration of Epogen to meet the needs of all patients; to utilize the DPC toolbox in conflict situations; and to develop ways to work with challenging patients rather than discharge them, meeting with them face-to-face to address their issues and concerns.

In the second case, a patient filed a grievance due to dissatisfaction with the resolution of her complaint filed at the facility regarding a charge of sexual harassment. The facility hired an independent attorney to investigate the concern and interviewed the patient and a number of staff. However, the facility was not able to substantiate the complaint

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and did not fire the technician. The facility did assign a different technician to the patient and offered the services of a female social worker to the patient. The MRB Patient Relations Subcommittee did not substantiate the grievance but did provide suggestions to the facility to adhere to grievance policy timelines and to offer in-service training programs on professionalism and sexual harassment.