COMPLAINT OR APPEAL OF ADVERSE ACTION EXPLANATION FORM

Why would I file a complaint or appeal?

- You may file a complaint if you are dissatisfied with a program, service, policy, or practice of the county board of developmental disabilities.
- You may file an appeal of adverse action ("appeal") if your request for services is denied or if services you have been receiving are being taken away.

Do I have to file a formal complaint or appeal?

No; if you choose, you may start by trying to resolve your complaint or appeal informally with a supervisor or manager at the county board of developmental disabilities. You and the supervisor or manager can agree to work together to try and resolve your complaint or appeal. The informal process shall take no longer than 30 days.

Should I try to resolve my complaint or appeal informally before filing a formal complaint or appeal?

That is entirely up to you. Trying to resolve your complaint or appeal informally does not prevent you from filing a formal complaint or appeal.

When should I file a complaint or appeal?

- A complaint must be filed in writing within 90 days of becoming aware of the program, service, policy, or practice that is the subject of your complaint.
- An appeal must be filed in writing within 90 days of receiving notice that your services are being denied or taken away.

Important!
Except when it is necessary to stop services to ensure health and safety, the county board must notify you at least 15 days prior to the date it plans to take away your services. **If you file an appeal before the date your services are scheduled to be taken away, your services will stay in place during the appeal process.**

How do I file a formal complaint or appeal?
The complaint or appeal must be filed in writing with the supervisor or manager responsible for the program, service, policy, or practice of the county board. Staff of the county board will assist you if you need help.

How will I be notified about my complaint or appeal?
The county board will respond to you in writing. Each response will explain the next step and the timeline for completing it.

What will happen after I file a formal complaint or appeal?
The supervisor or manager will meet with you to discuss your complaint or appeal and will investigate your complaint or appeal. Within 30 days, the supervisor or manager will provide you with a written response to your complaint or appeal. The Superintendent of the county board or the Superintendent's designee will review and sign the supervisor's or manager's response. If you make a request, the supervisor or manager will discuss the written response with you.

What if I am not satisfied with the supervisor's or manager's decision?
You may file your complaint or appeal with the President of the county board. Your complaint or appeal must be filed in writing within 10 days of receiving the supervisor's or manager's written response. Staff of the county board will assist you if you need help. A hearing will be conducted within 20 days of receipt of your complaint or appeal.

What will happen at the hearing?
The hearing may be conducted by the full county board, by a committee of two or more members of the county board appointed by the President of the county board, or by a hearing officer appointed by the President of the county board. You will have an opportunity to explain your complaint or appeal. You may be represented by an attorney. You have the right to question officials or employees of the county board who have information related to your complaint or appeal. You may be asked questions about your complaint or appeal.

What will happen after the hearing?
You are entitled to receive, at no cost, an accurate written transcript of the hearing. Within 30 days of a hearing conducted by the county board or the county board's receipt of the report and recommendation from a hearing officer, the President of the county board or the President's designee will send you the county board's decision regarding your complaint or appeal. The decision must include a rationale and a description of what you should do if you are still dissatisfied.

What if I am not satisfied with the county board's decision?
You may file your complaint or appeal with the Director of the Ohio Department of Developmental Disabilities. Your complaint or appeal must be filed in writing within 15 days of receiving the county board's decision. Staff of the county board will assist you if you need help. The Director may request additional information from you. Within 45 days of receipt of necessary documents related to your complaint or appeal, the Director will send you the decision regarding your complaint or appeal.

What if I am not satisfied with the Director's decision?
You may file a claim through the court system.

Who else can help me with my complaint or appeal?
Arc of Ohio at 1-800-875-2723
Disability Rights Ohio at 1-800-282-9181
Ohio Department of Developmental Disabilities at 1-800-617-6733