



BEHAVIORAL HEALTH DHS 92/94 COMPLAINT PROCESS

DCDHS – Behavioral Health

If you receive services from the Dane County Department of Human Services for mental health, substance use, or a developmental disability, you have certain legal rights. If you believe you have experienced a violation of your rights as a client and have a complaint, you have the right to file a grievance.

Client Rights: Your Rights When Receiving Treatment

These include (not an all-inclusive list; the complete list can be found here: [DHS 94](#)):

- Communication rights, including the right to:
 - Meet with visitors.
 - Receive and send sealed mail.
 - Make and receive private phone calls.
- Financial rights, including the right to:
 - Be informed of treatment charges.
 - Be paid for work.
 - Manage personal finances.
- Personal rights, including the right to:
 - Receive treatment in a humane environment.
 - Be treated with respect and dignity.
 - Exercise personal choice when it comes to religious worship.
- Privacy rights, including the right to:
 - Confidentiality.
 - Access to records.
- Treatment rights, including the right to:
 - Prompt and adequate treatment.
 - Not be secluded or restrained without cause.
 - Give informed consent for treatment and medicines.

Certain rights may be limited or denied due to treatment, management, or security reasons. These include the right to make and receive phone calls and the right to see visitors.

Outpatient: You will receive the [Client Rights and the Grievance Procedure for Community Services, P-23112](#), for outpatient treatment.

Inpatient: You will receive the [Client Rights and Grievance Procedure, P-20195A](#), for inpatient treatment.

Filing a complaint:

- If you are a CCS client in Dane County, follow this link to the Client Rights process for CCS clients: <https://www.danecountyhumanservices.org/Behavioral-Health/Comprehensive-Community-Services/CCS-Resources>.
 - Have you spoken directly to the program about your concerns? Although you have the right to utilize the formal grievance process at any point, you may want to start by addressing the complaint informally by discussing your concerns directly with the program.
1. To start, if you are able, write down your complaint. Be as clear as possible about what happened, those involved, and what documents related to the incident might exist. You can contact our client rights specialists or the program's client rights specialist if you need assistance with your complaint. If you have difficulties with writing or speaking, any staff member should be able to assist you in filing your complaint.
 2. Then, address your complaint directly with the program's client rights specialist where you are receiving treatment. The client rights staff will work with you to answer your questions.
 - a. Not sure if your provider has a client rights specialist? You can contact the program directly or email us, and we can assist you in identifying and connecting with the program's client rights specialist.
 3. There is a 45-day time limit from the time of the incident to file a grievance. But extensions are possible depending on the situation.
 4. Email, Fax, or mail your complaint directly to the program's client rights specialist or the County.
 - a. Email: bhclientrights@danecounty.gov
 - b. Mail: 1202 Northport Dr., Madison, WI 53704. Attn: Client Rights Specialist
 - c. Fax: 608-242-6531
 5. If you submit your complaint to Dane County, we will review it, and depending on the program your grievance is about, two different things may happen.
 - a. First, in most cases, if the agency your grievance is about is certified by the Wisconsin Department of Health Services (DHS), that program will lead the investigation. Dane County can either send the complaint to the program on your behalf or assist you in identifying the client rights specialist and providing you with their contact information so you can send your complaint directly.
 - b. Second, if the program your grievance is about is not certified by DHS, Dane County will initiate the investigation through our Dane County client rights specialist.
 - c. In either instance, Dane County will monitor timelines to ensure a timely investigation.

6. In either circumstance, if the complaint is formal, the client rights specialist must review and investigate your complaint and write a report within 30 days of filing. The report will contain facts and opinions on whether a right has been violated. It will also include recommendations for resolving the complaint. Contact the client rights specialist if you don't receive a report in 30 days. The client rights staff is required to give you a copy of their report.
7. If you are unsatisfied with the outcome, you have 14 days to inform the program that you would like to appeal. Client rights staff will tell you how to appeal the decision. The appeal information should also be outlined in the program's report that was provided to you.

Your Appeal Rights:

You may appeal if you disagree with the program's investigation and report. The program manager and the client rights staff will attempt to resolve the issue. If it cannot be resolved, the program manager must write a formal position for the service provider. You must receive a written response from the program manager within 10 days.

Appealing to Dane County Human Services:

For programs operated by the Dane County Department of Human Services, either directly or under contract, you may appeal the Level 1 – Program Level Review with the County within 14 days of the program's decision being issued. An appeal of a program manager's decision shall state the basis for the complaint's objection and may include a proposed alternative resolution. The appeal may be made in writing, orally, or through a person's alternative means of communication.

If you have not completed the Level 1 Program-Level Review with the provider, the County will ask that you first complete the Level 1 Program-Level Review following the program's grievance process. Dane County will offer to forward your complaint to the provider or assist you in obtaining the contact information for the provider's client rights specialist.

The County client rights specialist shall have access to all relevant areas of a facility or program and all records pertinent to the grievance. If such a request is made, the County Director or designee shall inform the complainant. The County client rights specialist will issue a written decision on the grievance review within 30 days of receiving the request for review.

Unless the issue is resolved, the County client rights specialist's decision shall contain findings of fact, conclusions based on those findings, and a determination of whether the grievance is founded or unfounded. If the grievance is determined to be founded, the decision shall identify the specific actions or adjustments to be carried out to resolve it. If the grievance is unfounded, the decision shall dismiss it, pending any further request for review.

The decision shall include a notice to the client and the program manager explaining how and where to request the next level of review of the decision, as well as the time limits for requesting such review. County-level decisions are appealed to the state grievance examiner.

For questions on the Dane County Human Services Grievance Process, email bhclientrights@danecounty.gov.