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# HOW TO FILE A COMPLAINT ABOUT THE QUALITY OF YOUR SERVICES

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**If You are Not Satisfied with the Quality of Your Services from Your Developmental Service Agency:**

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- ➡ You have a right to file a complaint about the quality or accessibility of your services.
- ➡ Your agency will support your decision to file a complaint.
- ➡ No one at your agency is allowed to punish or discriminate against you because you decide to file a complaint.







## ***Making a complaint:***

Many people find it difficult to make a complaint.

Some people get help from a friend, advocate or supporter. This makes complaining a lot easier.

### **Remember:**

If you need help to make a complaint, give this pamphlet to your guardian, if you have one, or to a friend or family member. These people can help you make a complaint.



You only have 90 days to make a complaint after the day you decided you were not satisfied.

Your complaint must be in writing.

**Your  
guardian, a  
friend or  
a family  
member can  
help you  
make a  
complaint.**



## **Examples of complaints about quality are:**

*You want to live somewhere else.*



*Your staff isn't nice to you.*

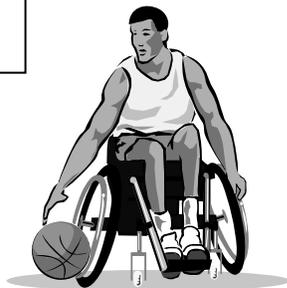


*No one is helping you find a job.*

**You have a right to make a complaint about the quality or accessibility of services.**

## **Examples of complaints about accessibility are:**

*You are left out of activities because you are in a wheelchair.*



*You want to go to peer support meetings but you don't have a way to get there.*

*You need someone who can support you with facilitated communication.*





## ***If you are not satisfied, about your services, let your agency know.***

Most problems about quality and accessibility can be solved if you tell your agency you are ***not*** happy. You don't have to file a complaint to get changes made.



First, tell your case manager or someone else you trust what you want. But if no one does anything about it, you have a right to file a complaint.

## ***How much time do I have to make a complaint?***

You have 90 days.



**You have 90 days to file a complaint about the quality of your services.**

## ***What if things were OK at first and later I became dissatisfied?***

You have 90 days from the day you decided you were not satisfied to file a complaint.



## ***How do I make a complaint?***

Your complaint must be in writing.  
Mail it or take it to the Executive  
Director of your agency.



## ***Is there a special form I need to fill out?***

**Your  
complaint  
must be in  
writing.**



No, but just telling your case manager  
that you are unhappy will **not** start  
your complaint. It must be in writing.  
If you need help writing your  
complaint, ask someone to help you.

## ***What does the Executive Director do with my complaint?***

The Executive Director will look into your complaint or give it to  
someone else to look into.

The person who does this has to be someone who is not involved  
with the problem you are complaining about.



The Executive Director may ask to meet with you to try to work things out. If you go to talk to the Executive Director, it is a good idea to bring someone with you that you trust.

The Executive Director has 10 workdays (days that are not weekends or holidays) to investigate your complaint. He or she can take longer if you say that is OK.



After the investigation, the Executive Director has 5 more workdays to send an answer to your complaint. The answer will be in writing.

**Your  
agency will  
answer a  
written  
complaint  
in writing.**

### ***What if I don't like the answer from the Executive Director?***

You can ask for a hearing by writing or by talking to the Executive Director. You have 10 days from the day you get the answer from the Executive Director to ask for a hearing.

The hearing will be in 20 days or less after the Executive Director gets your request for a hearing





## ***What is a Hearing?***

A hearing is a time to tell your complaint in your own words. Your agency also gets to tell its side of things. You can bring witnesses or other people who support you to the hearing; so can your agency.

You can bring a lawyer if you want, but you don't have to have a lawyer. If you want one, you can get help from the Disability Law Project.



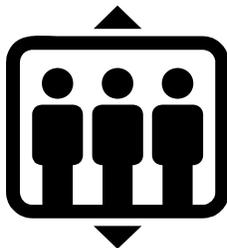
Phone number: 1-800-642-3190.

What goes on at the hearing is confidential, unless *you* decide you want the information to be public.

**A hearing  
lets you  
tell your  
complaint  
to some  
independent  
people.**

## ***Who will make the decision at my hearing?***

The decision will be made by a panel of three people. Two will be members of your agency's board of directors or developmental services standing committee. One will be from the state Division of Developmental Services. The people on the panel should be people both you and your agency think will be fair.





## ***Can the panel collect information outside of the hearing?***

Yes, if the panel thinks it needs more information, the panel can ask for an independent evaluation or for an investigation by the Division of Developmental Services. If they do this, the panel must tell you how long it will take.

The panel can also decide that arbitration or mediation would be a better way to settle the complaint.



## ***How long will it take to get a decision from the panel?***



They will send you an answer in writing 10 days or sooner after they have gotten all the information they need.

**The panel  
makes the  
final  
decision.**

## ***What if I disagree with the decision of the panel?***

The decision of the panel is final.





## ***Is there any other way to handle my complaint besides asking for a hearing?***

Yes. You can ask for mediation or arbitration.

In *mediation*, a trained mediator helps the people who are disagreeing come to a decision that everyone can accept. Mediation can work only if everyone involved in the problem agrees to take part in mediation. If you are not satisfied with the results of the mediation, you can still appeal.

In *arbitration*, a trained arbitrator listens to all the information and arguments of the people involved in the problem, and makes a decision. That decision is final and there is no appeal.

To request mediation or arbitration, or to get more information about them, write to:

Mediation/Arbitration Request  
Div. of Developmental Services  
103 South Main Street  
Waterbury, VT 05671-1601  
phone: 802-241-2614



**You can ask  
for  
mediation  
or  
arbitration.**

## Who makes a complaint if I have a guardian?

If you are a *child*, your parent or legal guardian must sign the complaint.



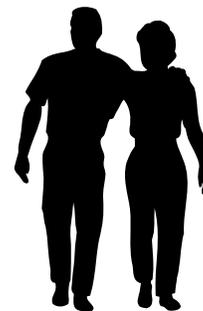
If you are an *adult* with a guardian, your guardian must sign the complaint, or must agree to have you go ahead with the complaint.

If someone who knows you thinks a complaint should be filed for you, that person should contact your guardian and talk to your guardian about it.

## What if my guardian won't file a complaint?

If your parent (if you are a child) or guardian refuses to file a complaint because of a *conflict of interest*, the person who is helping you can file the complaint for you. A *conflict of interest* is when the guardian has a reason, usually a financial reason, why he or she won't do what is best for you.

The person that is helping you should be identified on the complaint letter as your "*next friend*," and must send a copy of the complaint to your guardian. Your "*next friend*" must be someone who knows you really well.



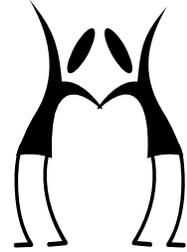
You and your guardian must be notified of all decisions about the complaint.

**Your  
guardian  
needs to  
know about  
your  
complaint.**



## **Who makes a complaint if I don't have a guardian?**

You do.



## **Can someone help me make a complaint?**

If someone who knows you really well thinks you need to make a complaint, and thinks you are not able to file a complaint, that person can file a complaint for you.

On the complaint letter, the person should be identified as your "*next friend*."

You must be notified of all decisions about the complaint.

**You can get  
free legal  
help if you  
want.**

## **Do I need a lawyer?**



No, but if you want one, you can get help from the Disability Law Project.

Their phone number is:  
1-800-642-3190

This service is free.

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The complaint rights described in this pamphlet come from Part 9 of the Regulations Implementing the Developmental Disabilities Act of 1996. You can get a copy by writing:

The Division of Developmental Services  
103 South Main Street  
Waterbury, VT 05671-1601.  
(802) 241-2614

They are also on our website at [www.ddmhs.state.vt.us](http://www.ddmhs.state.vt.us)





**How to Contact Your Agency:**

