

**THE CENTER FOR FAMILY SUPPORT, NJ, INC.**

- TITLE:** Review and Appeal Procedures
- PURPOSE:** To establish the policies and procedures that govern the appeal procedure.
- STANDARDS:** The standard for this policy is derived from N.J.A.C. 10:44A-2.11.
- POLICY:** In order to address concerns or objections of individuals served and their advocates regarding house guidelines, admission, program planning, or transfer/discharge issues, CFS has established grievance procedures.
- PROCEDURES:**
- (1) Adult persons, parents and guardians may object to and appeal any plan of services or part thereof and proposed changes to their care or treatment, house guidelines, plans for placement or a proposal initiated by the agency to discharge with which they disagree.
  - (2) A capable adult person, i.e., a person who is not mentally deficient and in need of a guardian, may refuse the initiation of a formal objection or subsequent appeal on his or her behalf.
  - (3) A person and/or his or her parent or guardian may select a representative of his or her choice to provide assistance and/or representation, including legal counsel.
  - (4) Any of the above-mentioned in Number One (1) can approach any Community Residence Staff or the Director of Program Services to address issues of objection.
  - (5) The person receiving services and his or her parent and guardian shall be advised of the mechanism to process an objection, at least upon admission and as changes occur.
  - (6) To resolve an objection:

## REVIEW AND APPEAL PROCEDURES (continued)

- A. An informal resolution between the objecting party and the staff person with the coordination responsibility for the person's plan of services, the program planning team, and the Director of Program Services will be attempted. Written confirmation of resolution or inability to reach a resolution shall be sent to the objecting party by the Chief Operating Officer.
  - B. If, through this informal mechanism, a resolution cannot be reached, the objecting party shall be given the opportunity to submit a formal written objection requesting assistance from the Chief Executive Officer. Within five days of receipt of a formal written objection, the Chief Executive Officer or designee will meet with parties to the dispute. Within ten (10) days of this meeting, the Chief Executive Officer will issue a decision in writing.
  - C. If any party to the proceeding is not satisfied with the decision, they are free to bring the matter to the attention of the local DDD office.
- (7) No person shall be denied the opportunity to participate in any meetings related to the objection to any plan of services or part thereof and proposed changes to their care or treatment, house guidelines, plans for placement or a proposal initiated by the agency to discharge.
  - (8) During the period that an objection is undergoing administrative review, a person shall participate in programming mutually agreeable to the objecting party, the service provider, the person, and his or her parent and guardian. Every effort feasible shall be made to maintain the person in at least his or her current level of programming. However, to protect a person's health, safety or welfare or the health, safety or welfare of others, nothing herein shall preclude a change in programming for, or the relocation or discharge of a person.
  - (9) Treatment may be given, other than treatment for which informed consent is required, despite objection, in a situation where the treatment is deemed necessary to avoid serious harm of life or limb of that person or others, at the discretion of the Chief Executive Officer and in accordance with agency policies/procedures.