

Consent Decree Paragraph 27 Report
Grievances filed from January 1, 2007 to June 30, 2007
July 22, 2007

As a component of the Bates vs. DHHS Consent Decree Settlement Agreement DHHS Office of Adult Mental Health Services is required to report on the numbers of grievances filed within the adult mental system on a semi-annual basis. This report summarizes Level II and Level III Grievances filed from January 1, 2007 to June 30, 2007.

Paragraph 27 states “Defendants shall prepare semi-annual reports of all complaints and of all grievances appealed to the Superintendent of AMHI (Riverview), the Director of Bureau of Mental Health (now Office of Adult Mental Health Services) and the Commissioner. Said reports shall summarize the issues raised, findings made, and remedial actions taken, and shall be submitted to the master, counsel for the plaintiff’s and the Office of Advocacy.”

Numbers of Grievances Filed Grievance data summary shows that a total of thirteen (13) Level II grievances by 10 consumers in the time period of January 1, 2007 to June 30, 2007. These were filed in the community and at Riverview Psychiatric Center. Two community grievances were appealed to Level III for hearings. Results of both hearings are pending. Dorothea Dix Psychiatric Center did not have any Level II or Level III Grievances filed in that time period. All grievances were processed within the required time frames as required by DHHS Rights of Recipients of Mental Health Services.

In the time frame of January 1, 2007 to June 30, 2007 the following grievances were addressed:

Community Based Grievances

- In the community four (4) grievances were filed at Level II by four consumers.

Issue

1. Lack of Timely ISP One consumer grieved regarding alleged lack of a timely ISP.

Finding Level II Grievance Officer found that consumer’s rights had not been violated. Grievance found to be without apparent merit..

Remedy Not applicable

Issue

2. Lack of Courtesy and Dignity One consumer grieved alleged lack of courtesy and dignity from community support worker.

Finding Consumer participated in dispute resolution process at the agency and withdrew the grievance at Level II.

Remedy Not applicable

Issue

3. Confidentiality One consumer grieved alleged lack of confidentiality on the part of his community support worker.

Finding Level II Grievance Officer found that consumer's rights had not been violated. Consumer appealed the Level II Decision to Level III for hearing. Results of hearing are pending.

Remedy Results of Level III hearing pending.

Issue

4. Lack of Confidentiality and Access to Records Consumer grieved alleged lack of confidentiality in the release of information from his primary care physician.

Finding Level II Grievance Officer found that consumer's rights had not been violated. Consumer appealed the Level II Decision to Level III for hearing. Results of hearing are pending.

Remedy Results of Level III hearing pending.

- **Riverview Psychiatric Center**

At Riverview Psychiatric Center nine (9) grievances were filed at Level II by seven patients.

Issue

1. Confidentiality One patient grieved that the use of a camera in the visitors' room constituted an alleged violation of her confidentiality.

Finding Superintendent found that her rights had not been violated. Patient did not appeal this decision.

Remedy Not applicable

Issue

2 Restrictive Treatment One patient grieved that the hospital policy on phone calls was an alleged restriction of his treatment.

Finding Superintendent found that her rights had not been violated. Patient did not appeal this decision.

Remedy Not applicable

Issue

3.Restrictive Treatment One patient grieved the smoking policy was an alleged restriction of his treatment.

Finding Superintendent found that patient's rights had not been violated. Patient did not appeal the Level II Decision..

Remedy Not applicable

Issue

4. Restrictive Treatment Patient grieved that he had been restricted to the treatment unit in violation of his rights.

Finding Superintendent found that his rights had not been violated. Patient did not appeal this decision.

Remedy Not applicable

Issue

5. Restrictive Treatment Patient grieved for a second time that the smoking policy was an alleged restriction of his treatment.

Finding Superintendent found that patient's rights had not been violated. Patient did not appeal the Level II Decision.

Remedy Not applicable

Issue

6. Courtesy and Dignity Patient stated "Doctor talking to me like I am a five year old."

Finding Superintendent found that patient's rights had not been violated. Patient did not appeal the Level II Decision.

Remedy Not applicable

Issue

7. Personal Freedom Patient grieved that she was not allowed to watch a religious show on the community TV in the dayroom area.

Finding Superintendent found that patient's rights had not been violated. Patient did not appeal the Level II Decision.

Remedy Not applicable

Issue

8. Access to Medical Services Patient grieved that she was not allowed to see a neurologist on a special consult.

Finding Superintendent found that the patient's rights had not been violated. Patient did not appeal the Level II Decision.

Issue

9. Personal Freedom Patient grieved that a peer is constantly harassing her. Wants client moved to another unit.

Finding Superintendent found that the Patient's rights had not been violated. Patient did not appeal the Level II Decision.

Remedy Not applicable

Dorothea Dix Psychiatric Center

- At Dorothea Dix Psychiatric Center no Level II Grievances or Level III Grievances were filed in this time period of January 1, 2007 to June 30, 2007.