

Network #17 Patient Grievance Protocol

Patients or family members have a right to address problems they identify in a facility without fear of discrimination or punishment.

The purpose of this article is to describe how you can get help if you have a problem concerning the ESRD care you receive from your dialysis center or transplant center.

Generally, when you want help to solve a problem, you should:

- Make every attempt to work it out informally with your facility staff.
- Follow the grievance procedure at your own facility.
- Carefully review ESRD Network #17 Statement of Patient Rights and Responsibilities

The Network's Role

The Network is a facilitator. It can assist in the resolution of a grievance by acting as a third party or intermediary between a patient and a facility or a professional provider.

If you need help, or information, you can write or call the Network office. Here are some rules you will have to follow:

- It is sometimes beneficial to have you put your issues in writing, if you make the initial contact by phone, though this is not a requirement.
- You may designate anyone you choose as your representative, though you must designate in writing if you want someone to act in your behalf.
- You are not required to use the facility grievance procedure before contacting the Network, but it is recommended in most cases; however, if you fear reprisal by your facility, you are free to contact the Network first.
- You can withdraw a grievance at any time.

The Network will:

- Keep your identity confidential and will not release it without your permission.
- Send you a written acknowledgment within 5 days that your complaint has been received.
- Respond in writing if we determine that the problem is not a Network issue, or is more appropriately handled by another agency.
- Conclude our mediation/resolution activities within 90 days of receipt of the inquiry, and make a written response to you, including results, agreements and options to follow if you are not satisfied.
- Keep statistics on the number and kind of complaints/grievances facilities have from year to year and help facilities improve, when necessary.

CMS Regional Office Issues

The Network cannot handle issues dealing with money, payment of bills, or State or Federal licensing or certification issues. These are handled by the CMS Regional office:

If you live in:

Northern California, Hawaii, Guam, American Samoa, or Saipan (CMS Region IX)

DHHS, Region IX, CMS, Providers and Policies
90 7th Street, Suite 5-300 (SW)
San Francisco CA 94103-6707
415.744.3701

Your identity will be kept confidential throughout the process unless you specifically authorize a release.

The Network address is: Western Pacific Renal Network, LLC
 505 San Marin Drive - Building A, Suite 300
 Novato CA 94945

Network phone numbers: 415.897.2400 or 1.800.232.3773

Legislative Authority for this procedure:
Section 9335 of PL 99-509, The Omnibus Reconciliation Act of 1986, (OBRA), which amended Section 1881 of the Social Security Act relating to ESRD Networks, and requires that an ESRD Network Organization implement a procedure for evaluating and resolving patient grievances, and the ESRD Federal Regulations of June 3, 1976, section 405.2138 which requires that facilities inform patients of their rights and responsibilities, including the grievance process.

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