

Current Status: *Active*

PolicyStat ID: 10176374



Hamilton
Behavioral

Origination Date:	02/1989
Effective:	07/2021
Last Approved:	07/2021
Last Revised:	01/2019
Next Review:	07/2024
Owner:	Yana Pogolian
Policy Area:	<i>Admin 500 Administrative & Operations</i>
Applies To:	<i>Hamilton Behavioral MD PA Network</i>
Applicability:	<i>Hamilton Behavioral MD PA Network</i>

Non-Discrimination Policy

Purpose

To prevent discrimination and provide a grievance procedure for any person who feels their rights have been violated.

Policy

Hamilton Behavioral MD PA does not discriminate against persons in its admission, services, or employment on the basis of age, race, color, ethnicity, national origin (including immigration status and English language proficiency), religion, culture, language, physical or mental disability, socioeconomic status, sex, pregnancy, childbirth and related medical conditions, sex stereotyping, sexual orientation, and gender identity or expression (including with respect to access to facilities).

Hamilton Behavioral MD PA operates its program in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and the Age of Discrimination Act of 1975, and the Regulations of the Department of Health and Human Services implementing these laws.

If you have any questions about the accessibility of our programs or facility, you may contact the Office of Patient Experience at telephone number (848) 888-4407 and/or via the New Jersey State Relay Service at (800) 852-7899 (TDD) or (800) 852-7897 (voice).

For more information about this policy, or if you believe that you have been discriminated against on the basis of disability, please contact Thomas Flynn, Senior Vice President, Chief Compliance Officer, 504 Coordinator or contact:

Department of Health and Human Services
Office of Civil Rights - Region II
Jacob Javits Federal Building
26 Federal Plaza, Room 3312
New York, New York 10278

(212) 264-3313
(800) 368-1019 (Toll Free)

(212) 264-2355 (TDD/TTY)

(212) 264-3039 (Fax)

The law and regulation may be examined by contacting the Office of Patient Experience, Hamilton Behavioral MD PA Network Office at 300 A Forest Ave, Paramus, NJ 07653, **(201) 490-5158**, which has been designated to coordinate the efforts of Hamilton Behavioral MD PA to comply with the regulations.

Administration

The Executive Vice President, Network Chief Operating Officer, and the Section 504 Coordinator: Senior Vice President, Chief Compliance Officer, is responsible for the administration and subsequent revisions to this policy and procedure.

Scope

All Hamilton Behavioral MD PA-affiliated facilities, including but not limited to, hospitals, ambulatory surgery centers, outpatient imaging centers, home health agencies, long term care facilities, physician practices, service centers, imaging services and all Corporate and affiliated Departments.

Procedure

To file a complaint under Section 504, please follow the procedure outlined below:

1. A complaint should be in writing, contain the name and address of the person filing it, and briefly describe the action alleged to be prohibited by the regulations.
2. A complaint should be filed in the office of the Section 504 coordinator within a reasonable time after the person filing the complaint becomes aware of the action alleged to be prohibited by the regulations
3. The Regional President or his/her designee shall conduct such investigation of a complaint as may be appropriate to determine its validity. These rules contemplate informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. The respective General Counsel, the Executive Vice President of Risk Management or his/her designee and the Executive Vice President for Human Resources or his/her designee will be involved in the investigation as appropriate.
4. The Regional President shall issue a written decision determining the validity of the complaint no later than 30 days after its filing.
5. The Section 504 coordinator shall maintain the files of records of Hamilton Behavioral MD PA relating to complaints filed hereunder. The Section 504 coordinator may assist persons with the preparation and filing of complaints, participate in the investigation of complaints, and advise the Regional President of this resolution.
6. The right of a person to prompt and equitable resolution of the complaint filed hereunder, shall not be impaired by the person's pursuit of other remedies such as the filing of a section 504 complaint with the Office of Civil Rights of the U.S. Department of Health and Human Services. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
7. These rules shall be liberally construed to protect the substantial rights of interested persons, to meet appropriate due process standards and to assure Hamilton Behavioral MD PA's compliance with Section 504 and the regulation.

Procedure

To file a grievance under Section 1557 of the ACA, please utilize the following procedure:

It is the policy of Hamilton Behavioral MD PA not to discriminate on the basis of race, color, national origin, sex, age or disability. Hamilton Behavioral MD PA has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 1557 of the Affordable Care Act (42 U.S.C. 18116) and its implementing regulations at 45 CFR part 92, issued by the U.S. Department of Health and Human Services. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age or disability in certain health programs and activities. Section 1557 and its implementing regulations may be examined in the office of the Section 1557 Coordinator, Yana Pogolian, Senior Office Admin 300 A Forest Ave, Paramus, NJ 07653; **(201) 490-5158**, Email:

Admin@hamiltonbehavioral.com, who has been designated to coordinate the efforts of Hamilton Behavioral MD PA to comply with Section 1557.

Any person who believes someone has been subjected to discrimination on the basis of race, color, national origin, sex, age or disability may file a grievance under this procedure. It is against the law for Hamilton Behavioral MD PA to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

Procedure:

Grievances must be submitted to the Section 1557 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.

A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.

The Section 1557 Coordinator (or his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 1557 Coordinator will maintain the files and records of Hamilton Behavioral MD PA relating to such grievances. To the extent possible, and in accordance with applicable law, the Section 1557 Coordinator will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.

The Section 1557 Coordinator will issue a written decision on the grievance, based on a preponderance of the evidence, no later than 30 days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.

The person filing the grievance may appeal the decision of the Section 1557 Coordinator by writing to applicable Regional President, within 15 days of receiving the Section 1557 Coordinator's decision. The Regional President shall issue a written decision in response to the appeal no later than 30 days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of race, color, national origin, sex, age or disability in court or with the U.S. Department of Health and Human Services, Office for Civil Rights. A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue SW., Room 509F, HHH Building, Washington, DC 20201. Show citation box

Complaint forms are available at: <http://www.hhs.gov/ocr/office/file/index.html>. Such complaints must be filed within 180 days of the date of the alleged discrimination.

Hamilton Behavioral MD PA will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing taped cassettes of material for individuals with low vision, or assuring a barrier-free location for the proceedings. The Section 1557 Coordinator will be responsible for such arrangements.

Attachments

No Attachments

Approval Signatures

Step Description	Approver	Date
	Yana Pogolian Senior Office Admin	07/2021
	Claritza Huertas	07/2021

Applicability

Hamilton Behavioral MD PA Inc.,