



PENINSULA RSN

ADMINISTRATION POLICIES AND PROCEDURES

Policy Name: PROTECTIONS AGAINST RETALIATION

Policy Number: 2.22

Reference: DSHS contract, WAC 3888-865-0208

Effective Date: 6/2000

Revision Date(s): 11/2010

Approved by: PRSN Executive Board

CROSS REFERENCES

- Plan: Compliance Plan
- Policy: Corrective Action Plans
- Policy: Fraud and Abuse Compliance Reporting Standards

PURPOSE

The Peninsula Regional Support Network (PRSN) will prevent any incidence of retaliation, intimidation, coercion, or harassment directed against any consumer, Ombuds, PRSN Advisory Board, Quality Review Team (QRT) member, PRSN staff and Board of Directors, and investigate any alleged incidents thereof.

Individuals may perform functions that may put themselves and/or family member consumers at risk or perceived risk of retaliation. The PRSN shall assure these individuals may perform their duties free from retaliation or threat of retaliation.

DEFINITIONS

Retaliation refers to any actions perceived as revengeful, grudgeful, or vindictive in nature.

POLICY

Retaliation is completely incompatible with the values and goals of the PRSN and will not be tolerated. Retaliation, whether actual or threatened, destroys a sense of community and trust that is central to a quality mental health care program.

1. There will be no retaliation, intimidation, coercion or harassment directed against any consumer for filing a complaint or grievance, or for disclosing or alleging official misconduct. The term retaliation shall have the meaning that it does under state whistleblower laws.
2. The PRSN prohibits retaliation of any kind against the Ombuds and QRT, PRSN staff, Board of Directors or Advisory Board members for the completion of their official duties, in accordance with PRSN policies and procedures.
3. The PRSN believes that the improvement of the quality of services through the complaint and grievance process is vital to Quality Management and Quality Improvement processes.

PROCEDURE

1. If an individual experiences any action perceived as retaliatory in nature (as defined above) from a PRSN network mental health provider, subcontractor, ancillary community provider, or individual members of the community, or PRSN staff, the individual must report the incident to the PRSN Regional Administrator.
 - The PRSN Regional Administrator will review all substantiated complaints regarding retaliation. The PRSN Regional Administrator may delegate the issues of concern to the PRSN Compliance Officer.
2. The PRSN will take action in accordance with the provider contract, allied system coordination plan, and/or personnel policies and procedures to prevent and correct behavior that violates this policy.
 - If the incident involves an employee of a network provider agency, the incident will be reported to the agency human resources department and the employee's direct supervisor.
 - A PRSN employee who violates this policy, or acts in a way that is contrary to this policy, is subject to progressive disciplinary action in accordance with the PRSN/Kitsap County personnel policies and procedures.
 - If the complaint involves the Regional Administrator, the individual will report the incident to the Kitsap County Personnel and Human Services Department Head or Assistant Department Head.
 - If the complaint involves the Kitsap County Department Head or a member of the PRSN Executive Board, their respective county will be informed so that they may follow their own policies and procedures.
3. The PRSN will investigate any acts reported and perceived as retaliatory in nature within thirty (30) days from the date of report.

4. The PRSN will provide a written conclusion of the investigation to the complainant within fifteen (15) days of the completion of the investigation.
5. The PRSN may consult with the Department of Social and Health Services (DSHS), Division of Behavioral Health and Recovery or their subcontractor, such as the external quality review organization (EQRO) entity or WIMRT, to adopt procedures to prevent retaliation or deal with a noted trend of retaliation.
6. The PRSN will participate, to the fullest extent, with any investigation facilitated by the Department or their formal designee.
7. Remedial action to retaliation allegations determined to be founded may include:
 - Education and training
 - Referral to Employee Assistance Programs (EAP)
 - Employee disciplinary action
 - Employee or member appointment suspended
 - Employee or member appointment terminated
8. Full records of all complaints regarding retaliation will be maintained in confidential files by the PRSN Regional Administrator or designee.

MONITORING

This policy is mandated by statute and contract.

1. The PRSN will monitor this policy through the use of:
 - Annual PRSN Provider and Subcontractor Administrative Review
 - Biennial Provider Quality Review Team On-site Review
 - Quality Management Plan activities and Quality Improvement Committee (QUIC) oversight, such as review targeted issues for trends and recommendations
2. Due to the nature of this policy, policy monitoring activities and Corrective Action Plans may be individualized to address the threat of retaliation concerns. Reference PRSN Corrective Action Plan Policy