

Your Rights As a Home Care Client

- ◆ You have the right to help plan your care services and to get a copy of your care plan.
- ◆ You have the right to respectful treatment from agency employees, both for yourself and for your property.
- ◆ You have the right to have your personal and medical information kept private.
- ◆ You have the right to know in advance about any changes to your services.
- ◆ You have the right to check Home Health visit time sheets to see if they are filled out correctly. If you are asked to sign a time sheet with wrong information, or a blank time sheet, you should refuse, and/or make a complaint.
- ◆ If the agency plans to stop your services, you have the right to advance notice and to know the reason. If there is a problem serving you, such as a lack of workers in your area or a disagreement with you, the agency must try to solve the problem before stopping services.
- ◆ You have the right to complain to the agency about problems with your services, and the agency must investigate your complaint.

This brochure explains what you can do if you are unhappy with your home care services, or if your rights are violated.

For more information go to
<http://www.homecarecolorado.info>

IMPORTANT CONTACTS

Home Health Agency

Name: _____

Phone#: _____

Personal Care / Homemaker Agency

Name: _____

Phone#: _____

Case Manager / Case Management Agency

Name: _____

Phone#: _____

Home Health Hotline

1-800-842-8826 (toll-free 24-hour voice mail)

To report:

- poor nursing or CNA care/mistreatment
- violations by home health agencies

CO Dept. of Public Health & Environment

303-692-2800 (Denver metro area)

1-800-886-7689, ext.2800 (toll-free)

To report:

- poor care
- inadequate worker training
- abuse, neglect, or injury

Medicaid Customer Service:

303-866-3513 (Denver metro area)

1-800-221-3943 (toll-free)

For other questions and concerns

CO Attorney General's Office,

Medicaid Fraud Control Unit:

303-866-5431

To report suspected Medicaid fraud

**SUPPORT,
SERVICE,
and
SATISFACTION:**

*Resolving Problems with
Home Health, Personal
Care and/or Homemaker
Service Agencies*

Prepared by Systems Change for Real Choices Grant Staff
Real Choice Systems Change Grant #915328 from the
Centers for Medicare and Medicaid Services and the
Colorado Department of Health Care Policy and Financing

Solving Problems with Home Care Agencies

As a home care client, you should get good service. You and your home care agency should work together for high quality care, scheduling, and treatment by agency staff.

If problems arise, the steps below may help.

1 Contact your home care agency.

Communicate with the right staff person, such as the nursing director for care quality issues, or the schedule supervisor for missed or late visits. If this doesn't solve the problem, talk to the manager or owner.

▫ Describe the problem clearly and briefly. Include details such as:

- ♦ the nature of the problem
- ♦ how the problem affected you
- ♦ date(s) the problem occurred
- ♦ names of the people involved

▫ Say what you want. Ask for a solution, such as more worker training or a schedule change to meet your needs.

▫ Be firm but polite. If a staff person is rude, don't be rude in return. Speak to that person's supervisor. Start over, describing the problem and how you have tried to solve it.

▫ Take notes about all your talks with agency staff about the problem. Keep any letters.

If working with your home care agency does not solve the problem, go on to Step 2.

2 Talk to your case manager.

If you are a client of Medicaid Home and Community Based Services, you have a case manager whom you can call with problems. Your case manager may work for a Single Entry Point agency, a Community Centered Board, or some other agency. If you don't know how to reach your case manager, call Medicaid Customer Service at the number on the back of this brochure.

Your case manager can help by:

- ♦ writing down your complaint;
- ♦ talking with you and the agency to try to reach a solution;
- ♦ referring you to a different agency; or
- ♦ authorizing more services if they are needed.

If your case manager cannot help you, go on to Step 3.

3 If necessary, prepare to file a complaint.

For a serious or ongoing problem, you can file a formal complaint. To prepare a complaint, begin by photocopying all your notes and letters. Write a summary of the problem, with dates and other details. You may ask a friend or advocate to help you. When you are ready, go on to Step 4.

4 File your complaint.

Where you send your complaint will depend on the type of problem you have. State and federal rules give responsibility for investigating home care service issues to different agencies. You can see which agencies deal with what types of problems in the "Important Contacts" section on the back of this brochure.

Your complaint will usually lead to an investigation, which may include interviews with yourself, agency staff, and any other people involved, as well as reviews of agency records and other documents.

Depending on the facts of the case, the rules that may have been broken, and the agency's record of earlier complaints, the investigation of your complaint may lead to any of the following results:

- ♦ a full survey of the agency's operations;
- ♦ a finding of deficient practices followed by a requirement for a corrective action plan;
- ♦ termination of the agency's Medicaid contract (in the event of frequent, widespread, serious deficient practices); or
- ♦ no conclusive findings.

You may file your complaint without giving your name. If you do file anonymously, you may not be part of the investigation nor learn how it turns out. Also, your agency may still figure out that you have complained. If you are worried about possible retaliation, contact an advocacy group, and alert the authority to which you are submitting your complaint.