UNIT PROCEDURE

Title

SCHOOL OF DENTISTRY
PROCEDURE FOR RESOLVING GRIEVANCES

Introduction

The University of North Carolina at Chapel Hill School of Dentistry is committed to providing quality comprehensive, primary, and specialized oral health care to adults and children throughout the state. In accordance with this commitment, the UNC School of Dentistry has adopted an internal procedure providing for the prompt and equitable resolution of patient-initiated complaints and grievances relating to patient care, including any civil rights grievances arising under applicable Federal law.

The UNC School of Dentistry does not discriminate on the basis of race, color, national origin, sex, age, or disability in its health programs and activities. Any such discrimination is fundamentally incompatible with the UNC School of Dentistry’s mission to provide quality care for all patients, and is expressly prohibited by Section 1557 of the Affordable Care Act and its implementing regulations issued by the U.S. Department of Health and Human Services.

Definitions

Complaint: Any patient-initiated issue or concern about patient care, a care provider, access to care, or service quality. Complaints may be expressed verbally or in writing.

Grievance: Any complaint that cannot be resolved to the satisfaction of the patient by School of Dentistry personnel on the spot. The term "grievance" excludes complaints that are made anonymously or solely as a response to a patient satisfaction survey.

General Grievance: Any grievance other than a Section 1557 grievance. Common examples of general grievances include quality of care, billing, or professionalism complaints.

Section 1557 grievance: Any grievance that alleges that the School of Dentistry has discriminated against someone on the basis of race, color, national origin, sex, age, or
disability in its health programs or activities, as prohibited by Section 1557 of the Affordable care Act (42 U.S.C. 18116) and its implementing regulations at 45 CFR part 92.

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**Procedure**

Complaints are encouraged to be addressed by those persons directly involved the patient’s care. Grievances will be recorded, investigated, and resolved pursuant to the following procedure:

A. **General grievances.** If a concern cannot be satisfactorily resolved by those directly involved in the patient’s care, the faculty or staff member involved must contact the Department of Clinical Affairs to act as an objective liaison to handle the general grievance. Patients or those involved in their care may also contact the Department of Clinical Affairs to communicate their concerns directly. The Director of Patient Relations will facilitate the investigation and resolution process. The Director of Patient Relations will maintain documentation relating to the reporting, investigation, and resolution of all general grievances.

B. **Section 1557 grievances.** Any person who believes someone has been subjected to discrimination in the School of Dentistry’s health programs and activities 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 the UNC School of Dentistry to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

1. The Section 1557 Coordinator is the Director of Risk Management (see “Contact Information” section below).

2. Section 1557 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.

3. Section 1557 grievances must be in writing and must contain:
   
   a) The name and address of the person filing it;
   b) The problem or action alleged to be discriminatory; and
   c) The remedy or relief sought.
4. The Section 1557 Coordinator shall conduct an investigation of the 1557 grievance. The investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the Section 1557 grievance.

5. The 1557 Coordinator shall issue a written decision, based upon a preponderance of the evidence, no later than 30 days after its initial written filing. This decision shall include a notice informing the complainant of his or her right to pursue further administrative or legal remedies.

6. The person filing the Section 1557 grievance may appeal the Section 1557 Coordinator's decision. The appeal must be made in writing, and submitted to the Section 1557 Coordinator no later than 15 days of receiving the decision. The Section 1557 Coordinator will forward the appeal to the Dean. The Dean shall issue a written decision in response to the appeal no later than 30 days after its filing.

7. The Section 1557 Coordinator shall maintain the files and records of the School of Dentistry relating to 1557 grievances.

8. To the extent practicable and in accordance with applicable laws, the Section 1557 Coordinator shall take appropriate steps to preserve the confidentiality of files and records relating to 1557 grievances.

9. The School of Dentistry will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided free auxiliary aids and services in order to meaningfully participate in the 1557 grievance process. The Section 1557 Coordinator will be responsible for such arrangements.

10. 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, available at [https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf](https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf), or by mail or phone at:

    U.S. Department of Health and Human Services
    200 Independence Avenue SW.
Complaint forms are available at [http://www.hhs.gov/hipaa/filing-a-complaint/complaint-process/index.html](http://www.hhs.gov/hipaa/filing-a-complaint/complaint-process/index.html). Such complaints must be filed within 180 days of the date of the alleged discrimination.

**Related Statutes, Regulations, and Policies**

**EXTERNAL REGULATIONS**

- Patient Protection and Affordable Care Act § 1557
- Health Insurance Portability and Accountability Act of 1996

**UNIT POLICIES, STANDARDS, OR PROCEDURES**

- School of Dentistry “Policy on Non-Discrimination in SOD Health Programs or Activities”

**Contact Information**

Any inquiries or requests for further assistance should be directed to the following personnel:

**General grievances relating to patient care**

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**Discrimination in UNC SOD programs or activities**

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Important Dates

- Effective Date: October 16, 2016
- Last Revised Date: February 28, 2018
- Other Revision Dates: (none)