

NONDISCRIMINATION POLICY AND GRIEVANCE PROCESS

Policy No. 8-013

PURPOSE

To prevent organization personnel from discriminating against other personnel, patients, or other organizations on the basis of race, color, religion, age, sex, disability (mental or physical), communicable disease or national origin.

POLICY

Consistent with applicable law, St. Croix Hospice will, directly or through contractual or other arrangements, admit and treat all persons without regard to race, color, national origin (including limited English proficiency and primary language), age, disability, sex, religion or communicable disease in its provision of services and benefits, including assignments or transfers within facilities. The organization should not honor a patient's request for a same-race physician, nurse or volunteer caregiver.

A copy of this policy will be posted in the reception area of St. Croix Hospice and posted on the website.

A nondiscrimination statement will be posted in a conspicuous place, such as the reception area of the organization, and will be printed, as appropriate, on brochures, other printed public materials and in a conspicuous location on the organization's website accessible from the home page. The statement will be published in English and at least the top-15 non-English languages spoken in the state.

PROCEDURE

A. SECTION 504/ADA

1. The Section 504/ADA Compliance Coordinator designated to coordinate the efforts of St. Croix Hospice to comply with the regulations is Kelsey Derrick. Contact Kelsey Derrick at 651-212-4359 or kderrick@stcroixhospice.com.
2. St. Croix Hospice will identify an organization or person in their service area who can interpret or translate for persons with limited English proficiency and who can disseminate information to and communicate with sensory impaired persons. This person will be a qualified interpreter, translator or

bilingual/multilingual staff member. These contacts will be listed and kept in the policy manual. (See "[Facilitating Communication](#)" Policy No. 9-006.)

3. Any person who believes they or he has been subjected to discrimination or who believes they or she has witnessed discrimination, in contradiction of the policy stated above, may file a grievance under this procedure. It is against the law for St. Croix Hospice to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
4. Grievances must be submitted to the Section 504 Coordinator within 30 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
5. A complaint may be filed in writing, or verbally, containing the name and address of the person filing it ("the grievant"). The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought by the grievant.
6. The Section 504 Coordinator (or her/his representative) will conduct an investigation of the complaint to determine its validity. This investigation may be informal, but it must be thorough, affording all interested people an opportunity to submit evidence relevant to the complaint.
7. The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
8. The grievant may appeal the decision of the Section 504 Coordinator by filing an appeal in writing to St. Croix Hospice within 15 days of receiving the Section 504 Coordinator's decision.
9. The Chief Compliance Officer will issue a written decision in response to the appeal no later than 30 days after its filing.
10. The Section 504 Coordinator will maintain the files and records of St. Croix Hospice relating to such grievances for at least three years from the date the grievance is resolved.
11. The availability and use of this grievance procedure do not preclude a person from filing a complaint of discrimination based on handicap with the regional office for Civil Rights of the U.S. Department of Health and Human Services.

12. All organizational personnel will be informed of this process during orientation.
13. St. Croix Hospice will make appropriate arrangements to assure that persons with disabilities can participate in or make use of this grievance process on the same basis as the nondisabled. Such arrangements may include, but will not be limited to, the providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for providing such arrangements.

B. SECTION 1557

1. Grievances must be submitted to the Section 1557 Coordinator, Kelsey Derrick, within 30 days of the date the person filing the grievance becomes aware of the alleged discriminatory action. Contact Kelsey Derrick at 651-212-4359 or kderrick@stcroixhospice.com.
2. A grievance should generally be in writing, containing the name and contact information of the person filing it as well as the alleged discriminatory action and alleged basis (or bases) of discrimination, the date the grievance was filed, the date the grievance was resolved, the grievance resolution, and any other pertinent information.
3. When a grievance includes allegations that would violate Section 1557, the Section 1557 Coordinator shall investigate the grievance. This investigation may be informal, but it will be thorough, affording all interested people an opportunity to submit evidence relevant to the grievance.
4. St. Croix Hospice shall inform an individual that they have a right to reasonable modifications in the grievance procedure if they need them.
5. The Section 1557 Coordinator will keep confidential the identity of an individual who has filed a grievance under this part except as required by law or to carry out the purposes of this part, including investigating the grievance.
6. The Section 1557 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
7. The grievant may appeal the decision of the Section 1557 Coordinator by filing an appeal in writing to St. Croix Hospice within 15 days of receiving the Section 1557 Coordinator's decision.

8. The Chief Compliance Officer will issue to the person who filed the appeal a written decision on the appeal no later than 30 days after its filing. The decision shall include the resolution date and a notice to the complainant of their right to pursue further administrative or legal remedies.
9. The Section 1557 Coordinator will maintain the files and records relating to such grievances for at least three years from the date St. Croix Hospice resolves the grievance.

St. Croix Hospice, through the Section 1557 Coordinator, will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided reasonable modifications, appropriate 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 qualified interpreter/translators when necessary, providing these services in a timely manner and without cost to individuals being served to ensure that individuals have an equal opportunity to participate in the grievance process.

Filing a grievance does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination based on race, color, national origin, sex, age, disability, association or any combination of these characteristics, 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 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
Room 509F, HHH Building
Washington, D.C. 20201
1-800-368-1019
TDD: 1-800-537-7697

It is against the law for St. Croix Hospice to intimidate, threaten, coerce, retaliate or otherwise discriminate against anyone who files a grievance or participates in the investigation of a grievance for the purpose of interfering with any right or privilege secured by Section 1557 or Section 504.