

Policy Title: Statement of Service Rights and Grievance

Rule Reference: 0940-5-38-.06(1)(e)

Effective Date: November 20, 2024

Revised: September 1, 2026

Approved by: Tonya Reagan

Purpose: This policy ensures that all individuals receiving personal support from Affordable Assist Private Care are aware of their rights and responsibilities as service recipients, as well as the process for filing grievances. It adheres to Tennessee regulation 0940-05-38-.10 and promotes transparency, dignity, and respect in service delivery.

Service Recipient Rights

All individuals receiving services from Affordable Assist Private Care have the following rights:

1. Right to Information

- Service recipients have the right to be fully informed, both orally and in writing, before the initiation of services, of: the specific rights guaranteed by Tennessee law and these rules; the agency's grievance procedures; a list of available advocacy services; and a copy of all agency rules and regulations relevant to service recipients.
- The information will be presented in a manner that promotes understanding and allows recipients to ask questions.
- If a service recipient is unable to understand the information initially but later gains the ability, the information will be provided again. For those unable to understand indefinitely, the information will be given to a guardian or an appropriate representative.

2. Right to Voice Grievances

- Service recipients have the right to voice grievances about services received or denied.
- Grievances may be directed to Affordable Assist Private Care and/or to outside representatives of the recipient's choice.
- The grievance process is free from restraint, interference, coercion, discrimination, or retaliation.

3. Right to Respect and Dignity

- Service recipients have the right to be treated with respect, consideration, and full recognition of their individuality and dignity.

4. Privacy and Confidentiality

- Health information will be handled confidentially and only disclosed as permitted by law.
- Clients will be informed about and must consent to any sharing of information in accordance with HIPAA regulations.

5. Right to Protection

- Service recipients have the right to be protected from neglect, physical, verbal, and emotional abuse (including corporal punishment), as well as any form of misappropriation or exploitation.

6. Right to Civil Rights Assistance

- Service recipients have the right to assistance from the agency in exercising their civil rights.

7. Informed Consent

- Obtain clear and comprehensive information regarding your care plan, available services, and any modifications.
- Participate actively in decision-making related to your care.

8. Quality of Care

- Access services delivered by qualified professionals who adhere to standards of safety, appropriateness, and timeliness.
- Services are provided based on individual needs, free from discrimination or bias.

9. Participation and Involvement

- Engage in the development and ongoing revision of your service plan.
- You may invite family members or designated representatives to be involved in care decisions.

10. Choice and Control

- Within agency capacity, select caregivers or providers involved in your care.
- Request changes in caregivers when feasible.

11. Freedom from Abuse and Neglect

- Be protected against abuse, neglect, exploitation, or any form of mistreatment.
- Report any suspected abuse or neglect with assistance and support from the agency.

12. Emergency Procedures

- Clients should be aware of the steps to take in case of an emergency. This includes contacting emergency services by dialing 911 and notifying the agency's emergency contact at (931) 200-3058 or (931) 200-8322. The agency will provide guidance and support during emergencies to ensure client safety.

13. Advance Directives

- Clients have the right to create advanced directives, such as living wills or durable powers of attorney for healthcare. The agency will honor these directives and ensure that clients' wishes regarding their healthcare are respected. Clients are encouraged to provide copies of their advanced directives to the agency for inclusion in their care plan.

14. Cultural Competence

- The agency is committed to providing culturally competent care that respects the cultural, linguistic, and spiritual needs of clients. This includes accommodating language preferences, dietary restrictions, and religious practices to the best of the agency's ability.

15. Feedback and Surveys

- The agency values client feedback and may conduct surveys to gather input on the quality of care provided. Clients are encouraged to participate in these surveys and provide honest feedback to help the agency improve its services.

16. Medication Reminder

- The agency is permitted only to remind clients to take their medications. Clients should inform the agency about any changes to their prescriptions and are responsible for managing, storing, and recording their own medications.

17. Client Education

- The agency is dedicated to educating clients about their health conditions, treatment options, and self-care practices. Clients will receive information and resources to help them make informed decisions about their care and maintain their health and well-being.

18. Grievance and Complaint Process

- Submit complaints or grievances regarding services or treatment without fear of retaliation.
- Receive prompt replies and be provided with resources if issues persist.

Grievance Procedure

Affordable Assist Private Care encourages open communication to resolve concerns or grievances. The following steps outline the grievance process:

1. Reporting a Grievance

- Service recipients, guardians, or their representatives may file a grievance verbally or in writing to the Supervisor or designated staff.

2. Acknowledgment of Grievance

- Within 3 business days of receiving the grievance, the agency will acknowledge receipt and provide a timeframe for resolution.

3. Resolution of Grievance

- Affordable Assist Private Care will investigate the grievance thoroughly and work toward a resolution within 14 business days.
- A written response will be provided detailing the findings and actions taken.

4. Escalation

- If the resolution is unsatisfactory, the grievance may be escalated to the agency president.

5. External Advocacy

- Service recipients have the right to seek assistance from external advocacy organizations or regulatory agencies at any time during or after the grievance process.

Agency Responsibilities and Regulatory Cooperation

- Affordable Assist Private Care will cooperate with the department when investigating any case of alleged abuse, neglect, mistreatment, misappropriation, or exploitation of a service recipient.
- To facilitate any such investigation, the agency will provide department licensure staff with access to personal support services workers to discuss any service provided.

Mandatory Reporting to TDMHSAS Office of Licensure

In accordance with Rule 0940-5-2-.20, the following incidents must be reported to TDMHSAS by the close of the next business day after occurrence or awareness:

- Death or suicide attempt of a service recipient.
- Self-harm or attempted self-injury.
- Abuse, neglect, or exploitation by staff.
- Sexual misconduct or inappropriate behavior between staff and recipients.
- Unauthorized restraint or seclusion.
- Elopement or absence from supervision exceeding 15 minutes.
- Theft or financial exploitation by staff.
- Injuries requiring emergency medical care beyond basic first aid.

Reporting Channels:

- Phone: 866-797-9470
- Email: LicensureInv.Fax@tn.gov
- Fax: 615-401-7644

Documentation: Incident reports must include all relevant attachments and be retained in accordance with inspection standards.

Agency Rules for Service Recipients

To ensure a safe, respectful, and efficient care environment for both clients and staff, all service recipients are expected to adhere to the following agency rules and regulations:

- **Hours of Service:** Services are scheduled and provided during standard operating hours as outlined in your individual Service Agreement. Any services requested outside of these hours must be arranged in advance.
- **Service Cancellation Policy:** We request a minimum of 1 hour's notice for any service cancellation. Cancellations made with less than 1 hour's notice may be subject to a fee as detailed in your Service Agreement.
- **Code of Conduct:** All clients and their household members are expected to interact with agency staff in a professional and courteous manner. The agency maintains a strict zero-tolerance policy regarding harassment or violence toward its caregivers.
- **Home Environment Safety:** For the safety of our caregivers, clients must maintain a home environment that is safe, respectful, and free from hazards. This includes ensuring clear and accessible pathways, securing any pets that may pose a threat, and maintaining a sanitary environment.
- **Payment Policy:** Clients are responsible for meeting all financial obligations for services rendered as outlined in their Service Agreement. Please address any billing inquiries or concerns with the agency promptly.

Client Responsibilities

As a client of Affordable Assist Private Care, you are required to:

Communication and Cooperation

- Furnish accurate, comprehensive information regarding your health, care needs, and any changes in your condition.
- Collaborate constructively with caregivers and adhere to the established care plan.

Respect for Caregivers

- Interact with all agency staff and caregivers professionally and courteously.
- Observe the agency's strict zero-tolerance policy regarding harassment or violence.

Adherence to Care Plan

- Actively participate in your individualized care plan by attending scheduled appointments and following provided instructions.
- Provide advance notice to agency representatives if you are unable to attend any appointments or receive services.

Financial Responsibility

- Meet all financial obligations as described in your service agreement, ensuring timely payment when due.
- Address billing inquiries or concerns with the agency promptly.

Safe Environment

- Ensure the home environment is safe and respectful for all residents and caregivers.
- Adhere to all agency safety guidelines relevant to your home setting.

Notification of Changes in Condition

- Notify the agency without delay about significant changes in your health status, care requirements, or living arrangements.
- Notify the agency promptly of changes to your contact details, emergency contacts, or living situation.

Use of Equipment and Supplies

- Operate and maintain all agency-provided equipment appropriately, following all instructions.
- Report any damage or malfunction of equipment to the agency immediately.

List of Advocacy Services

Tennessee Department of Mental Health and Substance Abuse Services

- If you have concerns about yourself or a loved one, contact our Helpline: Monday-Friday, 8:00 a.m. to 4:30 p.m. Phone: 800-560-5767. Email: OCA.TDMHSAS@tn.gov.
- If you need free and confidential referrals to addiction treatment or other substance use services, call or text the Tennessee REDLINE at 800-889-9789.
- If you are experiencing a mental health emergency, call or text 988 and press 0 for a crisis counselor, or chat at 988lifeline.org.

Adult Protective Services (APS)

- 1-888-APS-TENN (1-888-277-8366)

Disability Rights Tennessee

- 1-800-342-1660
- disabilityrightstn.org/get-help

The Local Ombudsman

- District 4 - Upper Cumberland - Aging Services for the Upper Cumberland. Tracie Long, Ombudsman.
- 1225 South Willow Avenue, Cookeville, TN 38506. Work: 931-432-4210. Website: ucdd.org.
- Area Served: Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, Warren, White counties.

TN Dept. of Children's Services - DCS - Cumberland County

- 136 Dooley Street, Suite 201, Crossville, TN 38555. Phone: (931) 459-6600. Website: tn.gov/dcs.

Office on Aging

- Contact the Area Agency on Aging and Disability (AAAD), part of the Upper Cumberland Development District. Phone: (931) 432-4111. Website: ucdd.org.

Community Mental Health Centers

- Volunteer Behavioral Health Care System (Crossville Office). Phone: (931) 484-8020. Crisis Line: (800) 704-2651. Website: vbhcs.org.

Free Health Clinics

- Cumberland County Good Samaritan Clinic. Phone: (931) 484-1338. Address: 281 10th St, Crossville, TN 38555.

Mental Health Hospitals

- Cumberland Mountain Mental Health Center. Phone: (931) 484-8020. Crisis Line: (800) 704-2651.

Mobile Crisis

- Volunteer Behavioral Health - Mobile Crisis. Phone: (800) 704-2651.

Food Banks

- Cumberland County Connect Ministries Food Bank. Phone: (931) 456-6800. Website: connectministriestn.org.

Transportation

- UCARTS (Upper Cumberland Area Rural Transit System). Phone: (931) 456-0691 or (931) 432-4111.

The VA (Veterans Affairs)

- Crossville VA Outpatient Clinic. Phone: (931) 484-7572. Address: 3400 Miller Ave, Crossville, TN 38555.

Acknowledgement:

I _____ have reviewed and understand the content, requirements, and expectations of the Statement of Service Rights and Grievance Policy. I have received a copy of the policy and agree to abide by the policy guidelines as a condition of my employment and my continuing employment with Affordable Assist Private Care.

I understand that if I have questions, at any time, regarding this Policy, I will consult with my immediate supervisor.

(Caregiver Signature)

(Affordable Assist Private Care, Owner/Administrator)

(Date)