

GRIEVANCE PROCEDURE – HEART OF SAN DIEGO SURGICAL CENTER

CMS 416.50(d) SUBMISSION AND INVESTIGATION OF GRIEVANCES

This facility has established a grievance procedure, which will document the existence, submission, investigation, and disposition of a patient's written or verbal grievance to the ASC.

(SECTION 504 OF THE REHABILITATION ACT OF 1973)

This facility complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. In the event that a patient or the patient's representative feels that he or she has experienced discrimination, mistreatment, neglect, or verbal, mental, sexual or physical abuse at Heart of San Diego Surgical Center. Based on any of the above, the patient or representative shall make a complaint in writing.

A written complaint should contain the name and address of the patient, patient's representative, or patient's surrogate filing the complaint, and briefly describe the action alleged to have been in violation of the regulation. The complaint form is available upon request. Complaints should be addressed to:

Heart of San Diego Surgical Center
8705 Complex Drive - San Diego, CA 92123
Attn: Administrator

The complaint should be filed within a reasonable time by the patient, patient's representative, or patient's surrogate. All reported grievances will be immediately reported to the Grievance Officer/Administrator. Only substantial allegations will be reported to the State authority or the local authority, or both.

The Grievance Officer/Administrator, in responding to the grievance, will investigate all grievances made by a patient, patient's representative, or the patient's surrogate, regarding treatment or care that is (or fails to be) furnished. Additionally, a thorough investigation of all alleged violations/complaints relating, but not limited to, mistreatment, neglect, verbal, mental, sexual, or physical abuse, which will be fully documented. Investigations will be conducted in a manner appropriate to determine its validity and resolution in a timely and appropriate manner. The ASC will document the steps taken regarding how the grievance was addressed, the results of the grievance process, and the date the grievance process was completed. The patient, patient's representative, or the patient's surrogate, will be provided an opportunity to submit evidence relevant to the complaint. The complaint resolution process should promote the resolution of the patient, patient's representative, or the patient's surrogate concerns as well as support and enhance the overall goal of improving the quality of care.

As both the Grievance Officer and the Section 504 Coordinator, the Administrator will fully document the existence, submission, investigation and disposition of the patient's, patient's representative, or the patient's surrogate's written grievance. The Grievance Office/Administrator will maintain the files and records relating to the complaints, participate in the investigation of complaints, and assist and cooperate in their resolution.

The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of the other remedies such as the filing of a Section 504 complaint with the Office of Civil Rights of the U.S. Department of Health and Human Services. Utilization of this grievance is not a prerequisite to the pursuit of other remedies. Only substantiated allegations must be reported to the State authority or the local authority, or both.

Upon receipt of grievance, the person filing the complaint will be notified in 7 working days regarding the investigation of the grievance. Additionally, the filing party will be notified of the resolution by mail within thirty (30) working days.

The decision regarding any grievance will contain the name of our facility contact person, the steps taken to investigate the grievance, the result of the grievance process and the date the grievance process was completed.

These rules shall be liberally constructed to protect the substantial rights of interested persons, to meet appropriate due process standards and to ensure that Heart of San Diego Surgical Center. is in compliance with Section 504 and CMS regulations.

REFERENCE: CMS Conditions of Participation 416.50(b)(d), Affordable Care Act Section 1557
Quad A Medicare 1-D-6, 1-D-7, 1-D-8, 1-D-9, 1-D-10, 1-D-11, 1-D-12