

	PCHP Internal Policies for All Employees Piedmont Community Health Plan	
	Name:	PCHP.ADM.107 Section 1557 Discrimination Grievances
	ID Number:	PCHP.ADM.107
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	Approved By:	Garland Morton/CentraNotes

Body

POLICY NAME: Section 1557 of ACA - Discrimination Grievances

SCOPE: Entire Piedmont Workforce and Delegated Entities

PURPOSE: To ensure Piedmont has a designated individual responsible for compliance with Section 1557 of the Affordable Care Act and a grievance procedure established that allows anyone to file a discrimination grievance in accordance with regulations of the Office of Civil Rights.

DEFINITIONS/ACRONYMS:

- ACA: Affordable Care Act
- CMS: Centers for Medicare & Medicaid
- CFR: Code of Federal Regulations
- FDRs: First Tier, Downstream and Related Entities
- FFM: Federally Facilitated Marketplace
- HHS: Department of Health and Human Services
- HICS: Health Insurance Casework System
- OCR: Office of Civil Rights
- PBM: Pharmacy Benefit Manager
- QHP: Qualified Health Plan

Piedmont: "Piedmont" collectively refers to Piedmont Community Health Plan (PCHP), Piedmont Community HealthCare (PCHC) and any future entities that are owned, affiliated with and/or operated by Piedmont

POLICY:

1. It is the policy of Piedmont not to discriminate on the basis of race, color, national origin, sex, age or disability.
2. Piedmont has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 1557 of the Affordable Care Act (42 U.S.C. § 18116) and its implementing regulations at 45 C.F.R. pt. 92, issued by the U.S. Department of Health and Human Services.
 - a. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age or disability in certain health programs and activities.
 - b. Section 1557 and its implementing regulations may be examined in the office of the Compliance Officer who has been designated to coordinate the efforts of Piedmont to comply with Section 1557.

Compliance Officer
 2316 Atherholt Road
 Lynchburg, VA 24502
 Phone: 434-947-4463
 TTY: 711

3. Any person who believes someone has been subjected to discrimination on the basis of race, color, national origin, sex, age or disability may file a grievance under this procedure.
4. It is against the law for Piedmont to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

PROCEDURE:

1. Grievances must be submitted to the Compliance Officer within (60 days) of the date the person filing the grievance becomes aware of the alleged discriminatory action.
2. A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
3. The Compliance Officer (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Compliance Officer will maintain the files and records of Piedmont relating to such grievances. To the extent possible, and in accordance with applicable law, the Compliance Officer will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.
4. The Compliance Officer will issue a written decision on the grievance, based on a preponderance of the evidence, no later than 30 days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.
5. The person filing the grievance may appeal the decision of the Compliance Officer by writing to the Chief Executive Officer within 15 days of receiving the Compliance Officer's decision. The Chief Executive Officer shall issue a written decision in response to the appeal no later than 30 days after its filing.
6. 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, which is available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.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

Complaint forms are available at: <http://www.hhs.gov/ocr/office/file/index.html>. Such complaints must be filed within 180 days of the date of the alleged discrimination.

7. Piedmont will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided 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, providing qualified interpreters, providing taped cassettes of material for individuals with low vision, or assuring a barrier-free location for the proceedings. The Compliance Officer (or her/his designee) will be responsible for such arrangements.

EQUIPMENT: None.

FORMS & LETTERS: None.

REFERENCES: Appendix C to 45 C.F.R. Part 92 – Sample Section 1557 of the Affordable Care Act Grievance Procedure.

INTERDISCIPLINARY REVIEW: None.

Document Link Manager

No Documents Linked No Documents Linked

Attachment Manager

No Attachments