

## SECTION 504 GRIEVANCE PROCEDURE

Cherry Hospital  
APM - Section IV

*Effective Date: 05-21-09*

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### **APPROVED BY: Cherry Hospital Executive Leadership Team**

**PURPOSE:** To comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act.

**POLICY:** It is the policy of Cherry Hospital not to discriminate on the basis of disability. Cherry Hospital has adopted internal grievance procedures providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act.

Section 504 states, in part, that “no otherwise qualified handicapped individual...shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...” The Law and Regulations may be examined in the office of the, Section 504 Coordinator, who has been designated to coordinate efforts of Cherry Hospital to comply with Section 504.

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for Cherry Hospital to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

### **PROCEDURE:**

1. Employee grievances are managed according to established Office of State Personnel policies and procedures.
2. Patient grievances are managed according to established hospital policy CCP VI-6-G1 “Grievance Procedure, Patient Right to.”
3. Others may submit grievances to the Section 504 Coordinator within thirty (30) days of the date the person filing the grievance becomes aware of the alleged discriminatory action. 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.
4. The Section 504 Coordinator (or his/her designee) refers the grievance to the Hospital Director for investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint.
5. The Hospital Director will issue a written decision on the grievance no later than thirty (30) days after its filing.

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6. This grievance decision may be appealed by writing to the Chief of State Operated Services within fifteen (15) days of receiving the decision.
7. If the parties lodging the complaint are not satisfied with the appeal decision, the Hospital Director's office will notify them of any further appeal processes.
8. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U.S. Department of Health and Human Services, Office for Civil Rights, 601 East 12 Street – Room 248, Kansas City, Missouri 64106, 816-426-7278, TDD 816-426-7065.

Cherry Hospital will make appropriate arrangements to ensure that disabled persons are provided other accommodations if needed to participate in this grievance process. Such arrangements may include, but are not limited to, 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 such arrangements.

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