

 <p style="text-align: center;">County of Sacramento Department of Health Services Division of Behavioral Health Services Policy and Procedure</p>	Policy Issuer (Unit/Program)	BHS-CMH-YDF
	Policy Number	02-06
	Effective Date	10/2009
	Revision Date	07/2017
Title: Grievance Procedure		Functional Area: Youths' Rights
Approved By:		
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Background/Context:

Title 15, Section 1361 requires that the Youth Detention Facility (YDF) facility administrator to develop and implement written policies and procedures whereby any youth may appeal and have resolved grievances to any condition of confinement, including but not limited to health care services, classification decisions, program participation, telephone, mail or visiting procedures, food, clothing, bedding, mistreatment, harassment or violations of the nondiscrimination policy.

Purpose:

The objective of this policy and procedure is to describe the protocol Juvenile Justice Institutions Mental Health Team (JJIMHT) members will utilize to address grievances related to a youth's mental health treatment and/or lack of treatment.

Details:

1. General

- a. Probation policy "Grievances-Title XV Section 1361" provides that each living unit have grievance forms accessible to the youth without having to request a form from staff and that youth are assured there will be no reprisals from staff or other youth as a result of filing a grievance.
- b. Youth can confidentially place grievance forms in the secured grievance box located on each living unit.
- c. The grievance forms are collected by a Supervising Probation Officer (SPO) who shall promptly review and log all pertinent information into the electronic grievance folder and determine the appropriate level at which the grievance should be resolved:
 - i. If staff misconduct is alleged or present in the grievance, the grievance shall be forwarded to an institutional manager for review and possible referral to the Probation Department's Internal Affairs Division.
 - ii. If staff misconduct is not alleged or present in the grievance then the matter shall be handled at the lowest possible level of resolution and will be forwarded to the appropriate discipline for resolution.

- iii. If the grievance cannot be handled at the lowest level, the SPO will attempt to resolve the matter and/or the issue will be referred to the facility administrator, if necessary.
 - d. The JJIMHT Program Coordinator receives grievances related to mental health services and is given a due date for completion of the investigation.
 - e. JJIMHT does not document within the electronic mental health record (EHR) a grievance was filed. If necessary, a progress note without detailing a grievance was filed may be entered in the youth's EHR to document the contact with the youth.
2. Resolution
- a. The JJIMHT Program Coordinator or his/her designee speaks to the involved youth(s) about the grievance. If the youth is no longer in custody, a finding related to the grievance shall be documented on the grievance form.
 - b. The JJIMHT Program Coordinator or his/her designee provides a prompt written response to the grievance and the reasons for the decision as soon as possible and no later than the due date provided by probation.
 - c. Upon resolution of the grievance, the youth will be asked to sign the grievance form. Refusal to sign the form will be documented on the form on the youth's signature line.
 - d. The completed and signed grievance form will be submitted to the SPO or his/her designee.
 - e. If the grievance cannot be resolved at this level, the grievance shall be returned to the SPO or his/her designee with signatures of the JJIMHT member and the youth indicating the grievance was not resolved. The SPO will review unresolved grievances and attempt to resolve the issue with the youth.
 - f. Youth will be advised of the Division of Behavioral Health Services Problem Resolution process and provided with relevant information to pursue resolution through Quality Management if desired.
3. Appeal Procedure
- a. An appeal of a grievance will be heard by a person not directly involved in the circumstances which led to the grievance.
 - b. If a grievance cannot be resolved at the lowest appropriate staff level, the youth may appeal to the next level, usually an SPO.
 - c. If no resolution occurs at the SPO level, the grievance may be appealed to an Assistant Division Chief (ACD) within one day of the request for appeal.
 - d. The ACD may conduct further investigation or decide not to hear the grievance, in which case the supervisor/Due Process Officer's decision becomes final.
 - e. The ACD will, within five days of the receipt of the grievance, notify the youth of his/her decision to either proceed or let the decision stand.
 - f. The youth has the right to be present at any scheduled hearing and to receive a written statement of the outcome.
 - g. The ACD's decision is final.

Reference(s)/Attachments:

Sacramento County Probation Department Policy and Procedure “Grievances-Title XV Section 1361.”

Related Policies:

BHS-CMH-YDF-01-03-Service Overview

BHS-CMH-YDF-02-01-Basic Rights of Detained Youth

BHS-CMH-YDF-02-04-Discrimination Policy

BHS-CMH-YDF-05-02-Problem Resolution

BHS-CMH-YDF-06-09-Response and Recommendations to Probation

BHS-CMH-YDF-08-04-Documentation Guidelines

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