

# LOVE N CARE HEALTHCARE SERVICES, INC.

## PROCEDURE FOR FILING GRIEVANCE

An individual is free to file a grievance at any given time. When an individual, legal guardian or family member, files a grievance with Love N Care Healthcare Services, Inc., the following steps below are implemented.

- An individual may bypass Love N Care Healthcare Services, Inc. procedures at any time during the grievance process and contact the Office of External Affairs. The phone number is 404-657-5964.
- The director will meet with the individual, legal guardian, or family and anyone involved in the grievance within 24 hours to discuss the issue.
- The director will work with the individual, legal guardian or family member to reach a mutually beneficial solution that is satisfactory to the individual.
- The director shall report back to the individual/legal guardian or family member with a resolution within 5 business days.
- If an individual is not satisfied with the outcome of the grievance or complaint, the individual or responsible part may contact the Department of Behavior Health and Developmental Disabilities Office of External Affairs. The contact information is:

***Office of External Affairs***

**Phone: 404-657-5964**

**Fax: 770-408-5439**

**Email: [DBHDDconstituentservices@dhr.state.ga.us](mailto:DBHDDconstituentservices@dhr.state.ga.us)**

[ ] I, \_\_\_\_\_,  
an individual of Love N Care Healthcare Services, Inc. have been fully informed about the grievance procedure for Love N Care Healthcare Services, Inc.

[ ] I, \_\_\_\_\_,  
a staff member of Love N Care Healthcare Services, Inc. have been fully trained and understands the grievance procedure Love N Care Healthcare Services, Inc.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Individual/staff

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Witness

## Reporting Abuse or Exploitation of Clients

### Short title.

This article shall be known as the "Clients' Abuse Reporting Act."

### Definitions.

As used in this article, the term:

- (1) "Abuse" means any intentional or grossly negligent act or series of acts or intentional or grossly negligent omission to act which causes injury to a client, including, but not limited to, assault or battery, failure to provide treatment or care, or sexual harassment of the client.
- (2) "Exploitation" means an unjust or improper use of another person or the person's property through undue influence, coercion, harassment, duress, deception, false representation, false pretense, or other similar means for one's own profit or advantage.
- (3) "Client" means any person receiving services from the agency.

### Reporting abuse or exploitation; records.

- (a) Any:
  - (1) Administrator, manager, physician, nurse, nurse's aide, orderly or other employee in a hospital or facility;
  - (2) Medical examiner, dentist, osteopath, optometrist, chiropractor, podiatrist, social worker, coroner, clergyman, police officer, pharmacist, physical therapist, or psychologist; or
  - (3) Employee of a public or private agency engaged in professional services to clients or responsible for inspection of agencies providing services to the elderly population who has knowledge that any client has been abused or exploited while receiving services from the facility shall immediately make a report as described in subsection (c) of this Code section by telephone or in person to the department. In the event that an immediate report to the department is not possible, the person shall make the to the appropriate law enforcement agency.
- (b) Any other person who has knowledge that a client of former client has been abused or exploited while receiving services from the agency may report or cause a report to be made to the appropriate law enforcement agency.
- (c) A report of suspected abuse or exploitation shall include the following:
  - (1) The name and address of the person making the report unless such person is not required to make a report;
  - (2) The name and address of the client or former client;
  - (3) The name and address of the facility;
  - (4) The nature and extent of any injuries or the condition resulting from the suspected abuse or exploitation;
  - (5) The suspected cause of the abuse or exploitation; and

- (6) Any other information which the reporter believes might be helpful in determining the cause of the client's injuries or condition and in determining the identity of the person or persons responsible for the abuse or exploitation.
- (d) Upon receipt of a report of abuse or exploitation, the department may notify the appropriate law enforcement agency. In the event a report is made directly to a law enforcement agency, under subsection (a) or (b) of this Code section, that agency shall immediately notify the department.
- (e) The department shall maintain accurate records which shall include all reports of abuse or exploitation, the results of all investigations and administrative or judicial proceedings, and a summary of actions taken to assist the client.

### **Investigations.**

- (a) The department shall immediately initiate an investigation after the receipt of any report. The department shall direct and conduct all investigations; however, it may delegate the conduct of investigations to local police authorities or other appropriate agencies. If such delegation occurs, the agency to which authority has been delegated must report the results of its investigation to the department immediately upon completion.
- (b) The investigation shall determine the nature, cause, and extent of the reported abuse or exploitation, an assessment of the current condition of the client, and an assessment of needed action and services. Where appropriate, the investigation shall include a prompt visit to the client.
- (c) The investigating agency shall collect and preserve all evidence relating to the suspected abuse or exploitation.
- (d) All state, county, and municipal law enforcement agencies, employees of the facility, and other appropriate persons shall cooperate with the department or investigating agency in the administration of this article.

### **Evaluation of results of investigation; protection of client.**

- (a) Upon the receipt of the results of an investigation, the department, in cooperation with the investigating agency, shall immediately evaluate such results to determine what actions shall be taken to assist the client.
- (b) The department or an agency designated by the department shall assist and prevent further harm to a client who has been abused or exploited. The department may also take appropriate legal actions to assure the safety and welfare of all other clients of the facility where necessary.
- (c) Within a reasonable time not to exceed 30 days after it has initiated action to assist a client, the department shall determine the current condition of the client, whether the abuse or exploitation has been abated, and whether continued assistance is necessary.
- (d) If as a result of an investigation a determination is made that a client has been abused or exploited, the department shall contact the appropriate prosecuting authority and provide all information and evidence to such prosecuting authority.

**Immunity from Liability.**

- (a) Any agency or person who in good faith makes a report or provides information or evidence pursuant to this article shall be immune from liability for such actions.
- (b) Neither the department nor its employees, when acting in good faith an with reasonable diligence, shall have any liability for defamation, invasion of privacy, negligence, or any other claim in connection with the collection or release of information pursuant to this article and neither shall be subject to suit based upon any such claims.

**Confidentiality.**

The identities of the client, the alleged perpetrator, and persons making a report or providing information or evidence shall not be disclosed to the public unless required to be revealed in court proceedings or upon the written consent of the personal whose identity is to be revealed or as otherwise required by law. Upon the client's or his representative's request, the department shall make information obtained in an abuse report or complaint and an investigation available to an allegedly abused or exploited client or his representative of inspection or duplication, except that such disclosure shall be made without revealing the identity of any other client, the person making the report, or persons providing information by name or inference.

**Retaliation prohibited.**

No person or facility shall discriminate or retaliate in any manner against any person for making a report or providing information pursuant to this article or against any client who is the subject of a report. Nothing in this section shall be construed to prohibit the termination of the relationship between the facility and the client for reasons other than that the facility has been made the subject of a report, that such a report has been made, or that information has been provided pursuant to this article.

**\*\*\*\*\*DETACH AND PLACE IN CLIENT'S OR EMPLOYEE'S FILE\*\*\*\*\***

By signature below, I _____,	
An employee/client of Tender Touch Adult Service, acknowledge that I have received a copy of the Clients' Abuse Reporting Act.	
_____	_____
<b>Signature</b>	<b>Date</b>