

Appeal Procedure

CAP

COMMUNITY ACCESS PROGRAM

APPEAL PROCEDURE

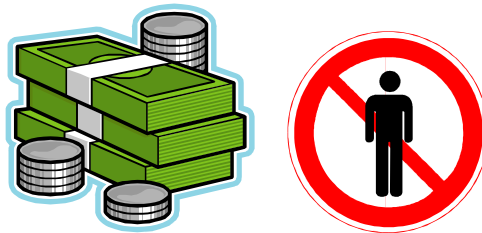


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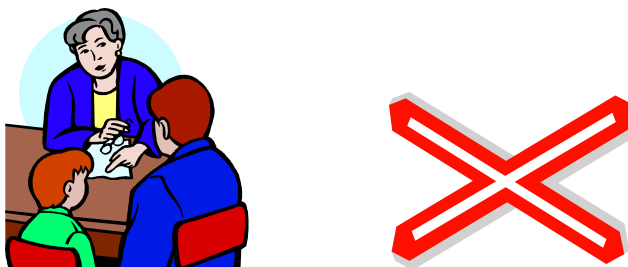
HOW TO APPEAL A DECISION ABOUT GETTING SERVICES OR HOW MUCH SUPPORT YOU GET

YOU HAVE THE RIGHT TO APPEAL A
DECISION MADE BY CAP WHEN:

→ YOUR FUNDING IS NOT APPROVED

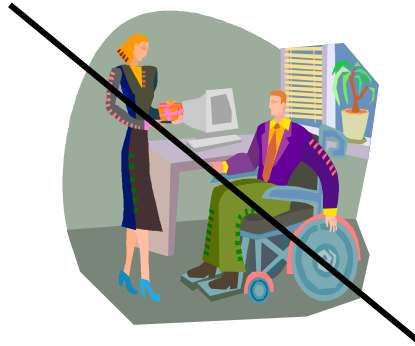
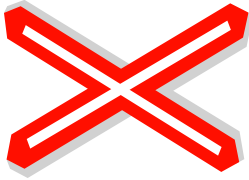


→ YOU ARE FOUND NOT ELIGIBLE FOR
SERVICES

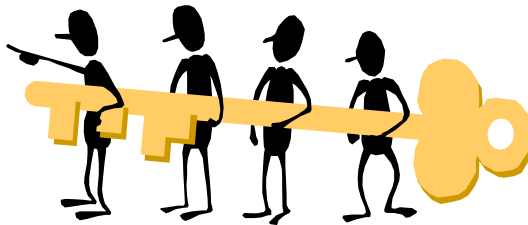


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→ YOUR SERVICES ARE REDUCED OR STOPPED



CAP WILL SUPPORT YOUR DECISION TO APPEAL.



YOU CAN ASK YOUR CASE MANAGER TO HELP YOU.

NO ONE AT CAP IS ALLOWED TO PUNISH OR DISCRIMINATE AGAINST YOU BECAUSE YOU DECIDE TO FILE AN APPEAL.

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HOW DO I APPEAL A DECISION?

SOMETIMES PEOPLE NEED HELP WHEN FILING AN APPEAL. SOME PEOPLE GET A FRIEND, ADVOCATE, GUARDIAN, OR FAMILY TO HELP WITH AN APPEAL.



THIS MAKES FILING AN APPEAL A LOT EASIER.

IF YOU WANT TO FILE AN APPEAL IN WRITING YOU WILL NEED TO SEND A LETTER TO:

Grievance and Appeal Coordinator
RUTLAND MENTAL HEALTH SERVICES
PO BOX 222
RUTLAND, VT 05702



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YOU HAVE 90 DAYS TO FILE AN APPEAL FROM THE DATE A DECISION HAS BEEN MADE.

IF YOU WANT TO FILE AN APPEAL VERBALLY YOU CAN CALL:

*Grievance and Appeal Coordinator
at: 802-775-2381*



YOU MAY ALSO SEND A LETTER TO THE DIVISION OF DISABILITY AND AGING SERVICES (DDAS) TO REQUEST AN APPEAL. YOU SHOULD SEND YOUR LETTER TO:

*DIRECTOR OF INDIVIDUAL SUPPORT UNIT
DIVISION OF DISABILITY AND AGING SERVICES
103 SOUTH MAIN STREET
WATERBURY, VT 05671*



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IF YOU NEED HELP FILING AN APPEAL, GIVE THIS PAMPHLET TO YOUR GUARDIAN, IF YOU HAVE ONE, OR TO A FRIEND OR FAMILY MEMBER. THESE PEOPLE CAN HELP YOU WITH AN APPEAL.

THERE ARE SEVERAL DIFFERENT WAYS THAT YOU MAY FILE AN APPEAL:

1. RECONSIDERATION (Not Part of the Appeal Process)
2. INTERNAL REVIEW
3. HUMAN SERVICES BOARD
4. MEDIATION
5. ARBITRATION



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HOW MUCH TIME DO I HAVE TO APPEAL?



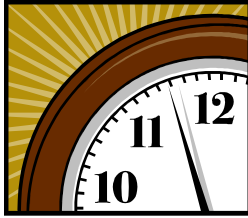
YOU MAY FILE AN APPEAL IN WRITING OR VERBALLY WITHIN 90 DAYS OF THE DECISION FROM CAP!!



REMEMBER:

YOU HAVE ONLY 90 DAYS TO START THE APPEAL.

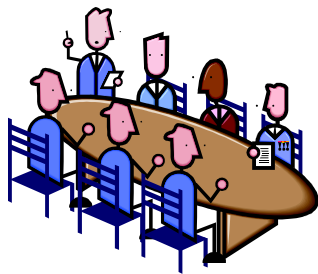
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IF YOU WANT ADDITIONAL HELP IN FILING AN APPEAL, CONTACT THE DISABILITY LAW PROJECT: 1-800-889-2047

YOUR APPEAL WILL BE CONFIDENTIAL UNLESS YOU DECIDE TO TELL SOMEONE ABOUT IT.

WHAT IS AN INTERNAL REVIEW?



AN INTERNAL REVIEW ALLOWS DDAS AND THE AGENCY TO LOOK OVER YOUR APPEAL.



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THE INTERNAL APPEAL SHOULD BE COMPLETED WITHIN 45 DAYS OF REQUESTING THE INTERNAL REVIEW. HOWEVER, YOU OR CAP CAN ASK FOR AN EXTENSION FOR UP TO 14 DAYS.

YOU HAVE 30 DAYS AFTER YOU GET THE DECISION FROM CAP TO FILE TO THE HUMAN SERVICES BOARD.



DO I HAVE TO DO AN INTERNAL REVIEW?

NO, YOU CAN GO STRAIGHT TO THE HUMAN SERVICES BOARD.

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HOW DO I APPEAL TO THE HUMAN SERVICES BOARD?



YOU CAN SEND A LETTER TO THE HUMAN SERVICES BOARD:

*HUMAN SERVICES BOARD
120 STATE STREET
MONTPELIER, VT 05620*



REMEMBER! YOU HAVE 90 DAYS FROM THE ORIGINAL DECISION TO FILE TO THE HUMAN SERVICES BOARD, OR 30 DAYS AFTER THE DECISION FROM THE INTERNAL REVIEW.



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IT CAN TAKE QUITE A WHILE TO GET AN ANSWER FROM THE HUMAN SERVICES BOARD.



SOMETIMES DDAS AND CAP GET INVOLVED AND TRY TO WORK THINGS OUT FASTER.

IS THERE ANY OTHER WAY TO HANDLE MY APPEAL BESIDES GOING TO HUMAN SERVICES BOARD?



YES. YOU CAN ASK FOR MEDIATION OR ARBITRATION.



IN *MEDIATION*, A TRAINED MEDIATOR HELPS THE PEOPLE WHO ARE DISAGREEING

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TO COME TO A DECISION THAT EVERYONE CAN ACCEPT.

MEDIATION CAN ONLY WORK IF EVERYONE INVOLVED IN THE PROBLEM AGREES TO TAKE PART IN MEDIATION.



DDAS WILL PAY A TRAINED MEDIATOR TO HELP.

HOWEVER, EVERYONE MUST AGREE TO PARTICIPATE IN MEDIATION.

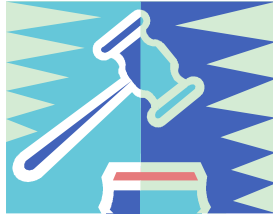
THE MEDIATION REQUEST MUST BE COMPLETED WITHIN 60 DAYS.

IF THERE IS AN AGREEMENT MADE THROUGH MEDIATION, ANY APPEALS THAT HAVE BEEN MADE WILL STOP.

IN **ARBITRATION**, A TRAINED ARBITRATOR LISTENS TO ALL THE INFORMATION AND ARGUMENTS OF THE PEOPLE INVOLVED

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AND MAKES A DECISION. THAT DECISION IS FINAL AND THERE IS NO APPEAL.



TO ASK FOR A MEDIATION OR ARBITRATION OR TO GET MORE INFORMATION ABOUT THEM WRITE TO:

*MEDIATION AND ARBITRATION REQUEST
DIVISION OF DISABILITY AND AGING SERVICES
103 SOUTH MAIN STREET
WATERBURY, VT 05671*

OR CALL DDAS AT:

802-241-2648

IF YOU HAVE ANY QUESTIONS ABOUT HOW TO FILE AN APPEAL, YOU CAN ASK YOUR CASE MANAGER FOR HELP.