

NONDISCRIMINATION POLICY AND GRIEVANCE PROCESS

Policy No. 1-011

PURPOSE

To prevent hospice personnel or organization from retaliation or discriminating against colleagues, patients or other organizations on the basis of race, color, religion, age, gender, sexual orientation, disability (mental or physical), communicable disease, or place of national origin.

POLICY

In accordance with Title VI of the Civil Rights Act of 1964 and its implementing regulation, Mission Hospice and Home Care will, directly or through contractual or other arrangement, admit and treat all persons without regard to race, color, or place of national origin in its provision of services and benefits, including assignments or transfers within facilities.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, Mission Hospice and Home Care will not, directly or through contractual or other arrangements, discriminate on the basis of disability (mental or physical) in admissions, access, treatment or employment. The Executive Director/Administrator has been designated as the coordinator for implementation of this policy.

In accordance with the Age Discrimination Act of 1975 and its implementing regulation, Mission Hospice and Home Care will not, directly or through contractual or other arrangements, discriminate on the basis of age in the provision of services unless age is a factor necessary to the normal operation or the achievement of any statutory objective.

In accordance with Title II of the Americans with Disabilities Act of 1990, Mission Hospice and Home Care will not, on the basis of disability, exclude or deny a qualified individual with a disability from participation in, or benefits of, the services, programs or activities of the organization.

In accordance with other regulations, the organization will not discriminate in admissions, access, treatment, or employment on the basis of gender, sexual orientation, religion, or communicable disease.

PROCEDURE

1. The Section 504/ADA Coordinator designated to coordinate the efforts of Mission Hospice and Home Care to comply with the regulations will be the CEO/Executive Director/Administrator. Contact the CEO/Executive Director/Administrator at (650) 554-1000.
2. Mission Hospice and Home Care will identify an organization or person in its service area who can translate for persons with limited English proficiency and who can disseminate information to sensory-impaired persons. These contacts will be listed and kept in the policy manual. (See "[Facilitating Communication](#)" Policy No. 1-012.)

3. A copy of this policy will be made available to staff, organization personnel and each referral source.
4. The following statement will be printed on brochures and other public materials: "Patient services are provided without regard to race, color, religion, age, gender, sexual orientation, disability (mental or physical), communicable disease, or place of national origin."
5. Any person who believes he or she has been subjected to discrimination or who believes he or she has witnessed discrimination, in contradiction of the policy stated above, may file a grievance under this procedure. It is against the law for Mission Hospice and Home Care to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
6. Grievances must be submitted to the Section 504 Coordinator within 30 days of the date that the person filing the grievance becomes aware of the alleged discriminatory action.
7. A complaint may be filed in writing or verbally, containing the name and address of the person filing it ("the grievant"). The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought by the grievant.
8. The Section 504 Coordinator (or her/his representative) will conduct an investigation of the complaint to determine its validity. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint.
9. The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
10. The grievant may appeal the decision of the Section 504 Coordinator by filing an appeal in writing to Mission Hospice and Home Care within 15 days of receiving the Section 504 Coordinator's decision.
11. Mission Hospice and Home Care will issue a written decision in response to the appeal no later than 30 days after its filing.
12. The Section 504 Coordinator will maintain the files and records of Mission Hospice and Home Care relating to such grievances.
13. The availability and use of this grievance procedure does not preclude a person from filing a complaint of discrimination on the basis of handicap with the regional office for Civil Rights of the U.S. Department of Health and Human Services.
14. All organization personnel will be informed of this process during their orientation process.
15. Mission Hospice and Home Care will make appropriate arrangements to ensure that disabled persons can participate in or make use of this grievance process on the same basis as the nondisabled. Such arrangements may include, but not be limited to, the provision of 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 providing such arrangements.