

**MARTIN COUNTY
TRANSPORTATION DISADVANTAGED PROGRAM
COMPLAINT & GRIEVANCE PROCEDURES**

**Adopted: March 7, 2011
Re-Adopted: March 5, 2012
Re-Adopted: March 4, 2013
Re-Adopted: March 3, 2014
Re-Adopted: March 2, 2015
Re-Adopted: March 7, 2016
Re-Adopted: March 6, 2017
Re-Adopted: March 26, 2018
Re-Adopted March 4, 2019**

**CTD OMBUDSMAN
HELP-LINE: 1-800-983-2435**
Florida Commission for the
Transportation Disadvantaged
605 Suwannee St., MS-49
Tallahassee, FL 32399-0450
www.dot.state.fl.us/ctd

INTRODUCTION

The purpose of this document is to provide transportation disadvantaged riders with a course of action to remedy the situation in which a complaint or grievance arose. This document also serves as the local grievance system as mandated by Chapter 427, Florida Statutes and Rule 41, Florida Administrative Code. It complies with requirements set forth in §641.511, F.S.; 42 CFR 431.200; and 42 CFR 438.

These procedures apply to transportation disadvantaged riders.

During the complaint, grievance, and appeal process the rider or his/her representative has the right to contact the Commission for the Transportation Disadvantaged (CTD) by:

- Phone: TD Helpline 1-800-983-2435
- Mail: Florida Commission for the Transportation Disadvantaged
605 Suwannee St., MS-49
Tallahassee, FL, 32399-0450
www.dot.state.fl.us/ctd

If a customer is unable to submit a written complaint, grievance, or appeal, the Community Transportation Coordinator (CTC) will assist the customer in submitting such a request.

The CTC shall ensure no punitive action is taken against the customer, his/her representative, or other persons involved in the processes listed below.

All records of the complaint, grievance, and appeal processes, to include the Coordinator's, Grievance & Appeal Committees' reports, will be maintained by the Coordinator and made available upon request.

DEFINITIONS

Action – The denial or limited authorization of a requested service, including the type or level of service;
the reduction, suspension or termination of a previously authorized service;
the denial, in whole or in part, of payment for a service;
the failure to provide services in a timely manner, or the failure to act within the timeframes provided in 42 CFR 438.408 (as described within this document).

Appeal – Requests for review of an *Action* taken by the Community Transportation Coordinator or the Subcontracted Transportation Provider.

Complaint – Expressions of dissatisfaction related to the quality of care provided by a provider or any matter other than an *Action* that can be resolved at the Point of Contact rather than through filing a formal *Grievance*.

Grievance – Expressions of dissatisfaction about any matter other than an *Action*.

RESPONSIBLE PARTIES

Community Transportation Coordinator
Senior Resource Association
694 14th Street
Vero Beach, FL 32960
772-569-0760

*Local Coordinating Board for the
Transportation Disadvantaged*
c/o Martin MPO
3481 SE Willoughby Blvd, Suite 101
Stuart, FL 34994
772-221-1498

COMMITTEES

The Local Coordinating Board (LCB) for the Transportation Disadvantaged appoints membership of the Grievance Committee as follows:

- (1) An Area Agency on Aging Representative;
- (1) A Florida Department of Transportation Representative;
- (1) A Division of Vocational Rehab Representative;
- (1) A Veteran Service Office Representative; and
- (1) A Disadvantaged citizen over 60.

At least 3 Committee members must be present during the meeting to render a decision.

The LCB also appoints membership of the Appeal Committee as follows:

- (1) An LCB Member,
- (1) An MPO Staff Member, and
- (1) A CTC Staff Member.

Members of the Appeal Committee may not have been involved in the determination of the initial action. Members must be able to meet within 72 hours notice in order to address Expedited Appeal Requests.

COMPLAINT PROCEDURES

FIRST LINE OF RESOLUTION PROCESS

1. Community Transportation Coordinator (CTC) representative receives verbal or written complaint from customer within 90 calendar days of incident.

2. CTC representative documents complaint and works to resolve complaint within 15 business days.
3. If unable to resolve within 15 business days, CTC extends for an additional 10 business days. The CTC provides notice to customer of extension and the reasons for the extension.
4. Once complaint is resolved, CTC provides written notification of the resolution to customer within 5 business days. Include the following in written notice:
 - The action the CTC has taken or intends to take.
 - The reasons for this action.
 - Notice of right to file a grievance through Grievance Committee.
 - Information on the CTD Ombudsman Program.
5. CTC forwards copy of the notification of the resolution to Chairperson of the Local Coordinating Board (LCB) and the MPO Administrator.

GRIEVANCE PROCEDURES

SECOND LINE OF RESOLUTION PROCESS

1. CTC receives verbal or written grievance within 1 year of incident.
2. CTC forwards copy of grievance to Chairperson of the LCB and the MPO Administrator. Upon receipt of the grievance, the CTC will have up to 10 business days to schedule the initial Grievance Committee meeting. The meeting must be held within 15 business days of the initial filing of the grievance. Further meetings may be held at the discretion of the Committee.
3. The CTC will provide all relevant documents to the Grievance Committee at least 3 business days prior to the meeting(s). At least 3 Committee members must be present during the meeting.
4. If unable to resolve within 90 calendar days, the Grievance Committee extends for an additional 14 calendar days. The CTC provides notice to customer of the extension and the reasons for the extension.
5. Once grievance is resolved, CTC provides written notification of the resolution to customer within 30 calendar days. Include the following in the written notice:
 - The action the CTC has taken or intends to take.
 - The reasons for this action.
 - Notice of right to file an appeal.
 - The procedures for exercising these rights.

- The circumstances for which an expedited appeal is available and the procedures to request it.
- Notice of right to have benefits continue pending resolution of the appeal, how to request exercise this right, and the circumstances under which the customer would be required to pay the costs of these services.
- Information on the CTD Ombudsman Program.

6. The CTC forwards copy of the notification of the resolution to the Chairperson of the Local Coordinating Board (LCB), the MPO Administrator, and the Florida Commission for the Transportation Disadvantaged (CTD) upon request.

APPEAL PROCEDURES

THIRD LINE OF RESOLUTION PROCESS

1. The CTC receives verbal or written appeal within 30 calendar days of the customer's receipt of notice of action. If request is made verbally, CTC notifies customer within 10 business days of need to file written request. The CTC acknowledges the receipt of the appeal in writing.
2. The CTC forwards a copy of the appeal to the Chairperson of the LCB, the MPO Administrator, and the CTD. Upon receipt of the appeal, the CTC will have up to 10 business days to schedule the initial Appeal Committee meeting. The meeting must be held within 15 business days of the initial filing of the appeal. Further meetings may be held at the discretion of the Committee.
3. The CTC will provide all relevant documents to the Appeal Committee at least three 3 business days prior to the meeting(s). At least three 3 Committee members must be present during the meeting.
4. If unable to resolve within 45 calendar days, the Appeal Committee extends for an additional 14 calendar days. The CTC provides notice to customer of the extension and the reasons for the extension.
5. Once the appeal is resolved, CTC provides written notification of the resolution to customer within 2 business days. Include the following in the written notice:
 - The action the CTC has taken or intends to take.
 - The reasons for this action.
 - Notice of the right to file a grievance with the CTD.
 - The procedures for exercising these rights.
 - Information on the CTD Ombudsman Program.

6. The CTC forwards a copy of the notification of the resolution to the Chairperson of the Local Coordinating Board (LCB), the MPO Administrator, and the CTD.

EXPEDITED APPEAL PROCEDURES

1. The CTC receives verbal or written request for an expedited appeal within 30 calendar days of the customer's receipt of notice of action. The request must be based on conditions which would seriously jeopardize the customer's life, health, or ability to attain, maintain or regain maximum function.

2. The CTC must notify the customer of the limited time available to provide allegations of fact or law. The CTC acknowledges the receipt of the appeal in writing.

3. The CTC forwards a copy of the request for an expedited appeal to the Chairperson of the LCB, the MPO Administrator, and the CTD. The CTC will have up to 72 hours (3 calendar days) to schedule an Appeal Committee meeting, review relevant evidence, and to resolve the Expedited Appeal.

5. Once the appeal is resolved, the CTC makes reasonable efforts to provide immediate verbal notification to the customer of the resolution. The CTC also provides written notification of the resolution to customer within 2 business days. Include the following in the written notice:

- The action the CTC has taken or intends to take.
- The reasons for this action.
- Notice of the right to file a grievance with the CTD.
- The procedures for exercising these rights.
- Information on the CTD Ombudsman Program.

6. The CTC forwards copy of the notification of the resolution to the Chairperson of the Local Coordinating Board (LCB), the MPO Administrator, and the CTD.

ADOPTED THIS 4th DAY OF MARCH, 2019

MARTIN COUNTY LOCAL COORDINATING BOARD for the
TRANSPORTATION DISADVANTAGED

Attest: 
Brigitte Wantz, Administrative Assistant


LCB Chair