

Chapter 110-09 WAC

COMPLAINT RESOLUTION

(Formerly chapter 388-39A WAC)

WAC

110-09-0010	What definitions apply to the department's child welfare services complaint resolution process?
110-09-0020	How does the children's administration resolve complaints?
110-09-0030	What is the process for resolving complaints?
110-09-0040	What happens if the complaint is not resolved at the regional level?
110-09-0050	Does the complaint resolution process apply to all complaints?
110-09-0060	Is the complaint resolution process the only way to resolve a complaint?
110-09-0070	What rights do complainants have under the complaint resolution process?
110-09-0080	Do constituent relations staff only handle complaints?

WAC 110-09-0010 What definitions apply to the department's child welfare services complaint resolution process? "Children's administration" (CA) means the cluster of programs within the department of social and health services responsible for the provision of child welfare, child protective, child care licensing, and other services to children and their families.

"Complaints office" or **"constituent relations"** means the office within the children's administration responsible for handling complaints regarding child welfare services.

"Division of children and family services" (DCFS) means the division within the children's administration responsible for administering child welfare services programs.

"Division of licensed resources" (DLR) means the division within the children's administration responsible for licensing or certifying child care homes and facilities under the authority of chapter 74.15 RCW.

[WSR 18-14-078, recodified as § 110-09-0010, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.045. WSR 01-06-041, § 388-39A-010, filed 3/5/01, effective 4/5/01.]

WAC 110-09-0020 How does the children's administration resolve complaints? Constituent relations staff assist clients, foster parents, and other affected individuals in resolving complaints and grievances regarding children's administration (CA) policies and procedures, or the application of a policy or procedure related to CA programs. Under RCW 74.13.045, constituent relations staff may inquire into, determine fact, and facilitate the resolution of disputes and complaints.

[WSR 18-14-078, recodified as § 110-09-0020, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.045. WSR 01-06-041, § 388-39A-030, filed 3/5/01, effective 4/5/01.]

WAC 110-09-0030 What is the process for resolving complaints? (1) After making a reasonable effort to resolve a complaint with a social worker or licenser, a client, foster

parent, or community member may contact the CA constituent relations office to request assistance.

(2) Constituent relations staff will assist the complainant in reviewing the complaint with the assigned social worker or licenser to arrive at a resolution.

(3) If the complaint cannot be resolved with the social worker or licenser, constituent relations staff will assist the complainant in reviewing it with the supervisor of the social worker or licenser for resolution.

(4) If the complaint cannot be resolved with the supervisor, constituent relations staff will assist the complainant in reviewing the complaint with the supervisor's area manager or regional manager for resolution.

(5) If the complaint cannot be resolved with the area manager or regional manager, constituent relations staff will assist the complainant in reviewing it with the area manager's regional administrator or the regional manager's office chief.

(6) If CA constituent relations staff determines at any time during the complaint resolution process that the administration's actions were consistent with agency policy and procedures based on complete and correct information regarding the complainant's situation, the constituent relations staff will terminate the resolution process and will close the complaint.

[WSR 18-14-078, recodified as § 110-09-0030, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.045. WSR 01-06-041, § 388-39A-035, filed 3/5/01, effective 4/5/01.]

WAC 110-09-0040 What happens if the complaint is not resolved at the regional level? (1) When constituent relations staff and local CA staff have made a reasonable attempt to resolve the complaint, the regional administrator, the office chief, or the constituent relations supervisor may convene a panel to review the complaint and make recommendations to the CA assistant secretary for resolution.

(2) The regional administrator or office chief and the constituent relations supervisor will determine the membership of the panel.

(3) The panel must consist of the following members:

(a) The regional administrator's or office chief's designee who must not be from the administrative unit where the complaint originated;

(b) A constituent relations staff person;

(c) A person who is not a CA employee; and

(d) If the complainant is a foster parent, a foster parent who is not involved in the complaint.

(4) The panel may examine the complaint, the complainant's file, and any additional relevant information, including information from the complainant, CA staff, or others.

(5) The panel must submit written findings and recommendations to the CA assistant secretary who will issue a final, written decision.

[WSR 18-14-078, recodified as § 110-09-0040, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.045. WSR 01-06-041, § 388-39A-040, filed 3/5/01, effective 4/5/01.]

WAC 110-09-0050 Does the complaint resolution process apply to all complaints? (1) The complaint resolution process does not apply to complaints for which the complainant has the right to seek resolution through judicial review or an adjudicative proceeding under Title 13, 26, or 74 RCW.

(2) The process also does not apply to contract rate setting, contested rate payments, exceptional cost rates, disputes or decisions regarding written personal service contracts, or financial agreements.

[WSR 18-14-078, recodified as § 110-09-0050, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.045. WSR 01-06-041, § 388-39A-045, filed 3/5/01, effective 4/5/01.]

WAC 110-09-0060 Is the complaint resolution process the only way to resolve a complaint? Participation in the complaint resolution process does not affect the right of any person to seek other remedies.

[WSR 18-14-078, recodified as § 110-09-0060, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.045. WSR 01-06-041, § 388-39A-050, filed 3/5/01, effective 4/5/01.]

WAC 110-09-0070 What rights do complainants have under the complaint resolution process? (1) Under RCW 74.13.045, the complaint resolution process does not create substantive or procedural rights for any person.

(2) Participation in the complaint resolution process does not entitle any person to an adjudicative proceeding under chapter 34.05 RCW or to superior court review.

[WSR 18-14-078, recodified as § 110-09-0070, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 74.13.045. WSR 01-06-041, § 388-39A-055, filed 3/5/01, effective 4/5/01.]

WAC 110-09-0080 Do constituent relations staff only handle complaints? In addition to complaint resolution, CA constituent relations staff also provide information about children's administration programs, policies, and procedures and information about other complaint resolution resources, including the office of the family and children's ombudsman.

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