



Napa/Solano Area Agency on Aging Grievance Procedure

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Consistent with federal and state laws, each Area Agency on Aging (AAA) is required to have a written complaint resolution process for its contractors and service provider applicants who are dissatisfied with an action taken by the AAA [CCR 7250(b) (3) (A-C)].

Any of the following actions taken by the AAA may be the subject of a grievance:

(1) A reduction in the level of funding to an existing service provider during a contract or subgrant period. However, a reduction directly attributable to a reduction in the of funding to AAAs by the State or federal government shall not be considered an adverse determination.

(2) A cancellation or termination of an existing service provider's contract or subgrant prior to the contractor's or subgrant's expiration date.

(3) The denial of an application to provide services from an applicant service provider when any of the following exist:

(A) The presence of a conflict of interest, real or apparent, as specified in 45 CFR 92.36(b)(3).

(B) The occurrence of a procedural error or omission, such as the failure of an AAA to include a federal mandate in its solicitation request.

(C) The lack of substantial evidence to support an AAA's action.

[CCR 7704(a)(3)]

Napa/Solano AAA contractors and applicant service providers are encouraged to provide feedback using open, honest, and direct communication with the AAA staff in an informal setting. When feedback rises to the level of a complaint, matters should be resolved at the lowest possible level using the following process:

The Service Provider Complaint Process does not include any formal hearings.

There are three levels:

1. Informal review and discussion with the AAA Project Manager.
2. Formal review and meeting with the AAA Project Manager.
3. Formal review and meeting with the AAA Director. The AAA Director reviews the decision and makes the final decision concerning the grievance.



A service provider may be entitled to a state hearing if the complaint is deemed to be an “adverse determination.” Adverse Determination means a determination or decision by the County or the AAA that corresponds to one of the issues mentioned in CCR Division 1.8 Section 7702 -7704. The AAA contractor or applicant service provider must submit a written request for a state hearing to the California Department of Aging within 30 days of the receipt of the AAA’s final decision on the complaint if it feels it to be an adverse determination.

First Level of Resolution: Informal review and discussion with the AAA Project Manager

- The AAA Project Manager shall schedule a phone call with the service provider within ten days of receiving the complaint to gather the information about the complaint and attempt to resolve the issue informally. The service provider must contact the AAA Project Manager within 30 days of the grievance issue. The AAA Project Manager may consult with other AAA/County staff on getting the issue resolved at the lowest level.
- If the complaint is not resolved informally to the satisfaction of the service provider, the AAA Project Manager will proceed to the Second Level response.

Second Level of Resolution: Formal Review and meeting with the AAA Project Manager

- Upon receipt of the formal complaint letter from the service provider received within 45 days of the issue, the AAA Project Manager will review the merits of the claims raised in the service provider’s complaint by examining the laws, regulations, or policies cited in the letter. Documents and correspondence associated with the complaint will also be reviewed.
- The AAA Project Manager will schedule a meeting with the contractor or applicant service provider within 10 business days of the receipt of the formal complaint letter. The AAA Project Manager will discuss the complaint at length with the contractor or applicant service provider.
- The AAA Project Manager will issue a decision in writing and send it to the service provider within 10 business days of the meeting with the complainant. The following will be included in the AAA Program Manager’s decision letter:
 1. The service provider has an option to ask that the decision be reviewed by the AAA Director.
 2. The request for the AAA Director review must be submitted in writing within 10 business days of receiving the AAA Project Manager’s decision.



Final Level of Resolution: Formal Review and Meeting with the AAA Director

Upon notification that the service provider has requested a review of the AAA Project Manager's decision, the AAA Director shall:

- Review the AAA Project Manager decision within 10 business days of the receipt of the letter requesting a meeting with the AAA Director.
- Seek legal consultation, as necessary, regarding the complaint and request for review.
- Issue a final decision to the service provider in writing within 30 business days from the receipt of the request for the AAA Director's review. Include a Notice Regarding Possible Adverse Determination and Right to Appeal and attached code sections. These code sections contain the information regarding a request for a hearing with the California Department of Aging.
- Send a copy of the AAA Director decision letter to the Public Health Division Director and the AAA Project Manager.