

## Frequently Asked Questions on Filing a Complaint Against a Health Care Facility with the Ohio Department of Health

### How Do I File A Complaint?

To file a complaint against a health care facility with the Ohio Department of Health (ODH), Provider and Consumer Services Unit (PCSU):

1. If you live in the state of Ohio: Please call the **COMPLAINT HOTLINE** number at **1-800-342-0553**. The HOTLINE is covered from 8:00AM to 5:00PM by Intake Staff who take real time calls. The HOTLINE is covered via voicemail twenty-four hours, seven days per week during off-hours and in cases of heavy call traffic. The voicemail is checked minimally twice per workday, once in the AM and again in the PM for any recorded messages. Any voice mail messages with insufficient information are returned for additional information or processed through Intake with the information provided.

**OR**

2. Send your complaint to ODH, PCSU, 246 N. High Street, Columbus, Ohio, 43215.

**OR**

3. Fax your complaint to: 614-728-9169 or 614-564-2422 if you complaint is less than 10 pages.

**OR**

4. E-mail your complaint to: [HCComplaints@odh.ohio.gov](mailto:HCComplaints@odh.ohio.gov).

**OR**

5. Complete the [COMPLAINT FORM \(HEA 1685\)](#) on-line and submit the form electronically to PCSU.

### To File a Hospital Complaint:

We request that you submit **HOSPITAL COMPLAINTS** in writing by:

1. Sending your complaint to ODH, PCSU, 246 N. High Street, Columbus, Ohio, 43215.

**OR**

2. Faxing your complaint to: 614-728-9169. Please ensure each page is properly numbered.

**OR**

3. E-mail your complaint to: [HCComplaints@odh.ohio.gov](mailto:HCComplaints@odh.ohio.gov)

**OR**

4. Complete the [COMPLAINT FORM \(HEA 1685\)](#) on-line and submit the form electronically to PCSU.

## **What information do I need to include in my complaint?**

Comprehensive information needs to be provided to allow for proper processing. Therefore, the more specific and detailed your complaint, the better. The following information needs to be included in your complaint but is not limited to:

- Complainant information (your full name, address, and telephone number);

**NOTE:** If you wish to remain anonymous, please indicate so in your complaint. If you remain anonymous, ODH will not be able to contact you to obtain additional information or notify you of the results of the complaint investigation.

- Facility name, address and telephone number;
- Individuals involved and affected, witnesses and accusers (names, room number and title if known);
- Narrative/specifics of your complaint;
- Date/time/frequency of incident;
- Do you believe this is an isolated event or a systemic problem;
- Why you believe the incident occurred;
- Has the facility tried to address the situation;
- Whether or not you initiated other courses of action, including contacting other agencies, response/resolution obtained if any.

## **What is the complaint process?**

The ODH, PCSU maintains a centralized coordinated information source regarding allegations submitted to the PCSU involving health care facilities, providers and/or suppliers under the jurisdiction of ODH or the Centers for Medicare and Medicaid Services (CMS). These entities include Medicare and/or Medicaid health care providers and/or suppliers, certified by CMS and any other facilities or agencies licensed by ODH. If it is determined that the issues/allegations do not fall under the jurisdiction of ODH, the complaint may be referred to another agency as appropriate.

All complaints are investigated by using the survey process of that specific provider type.

The complaint survey is a partial survey of the specific nature of the complaint as it relates to the federal regulations and/or the state rules and regulations. The Division has five district offices throughout Ohio that maintain staff for the actual investigation.

Except for very limited judicial and enforcement purposes, ODH cannot release, without the individual's consent, the identity of any patient or resident, the identity of the complainant, the identity of any individual who provides information about the health care facility and has requested confidentiality, or any information that reasonably would tend to disclose the identity of these individuals.

Complainants who file a complaint with ODH will receive two letters from ODH, unless the complainant wishes to remain anonymous. The first letter is an acknowledgement letter from the PCSU which states that their complaint has been processed and provides the complainant a complaint tracking number which has been assigned to their complaint. The second letter is the notification letter which is sent by the District Office investigating the complaint, notifying the complainant of the outcome of the investigation.

## **What types of complaints are handled by ODH?**

ODH has jurisdiction to investigate Medicare and/or Medicaid health care facilities and providers and/or suppliers who are certified by ODH or CMS and any other facilities or agencies licensed by ODH. These providers/suppliers are:

- Adult Care Facility**
- Ambulatory Surgical Centers**
- Clinical Laboratory**
- Comprehensive Outpatient Rehab Facility (CORF)**
- End Stage Renal Dialysis**
- Home Health Agency**
- Hospice**
- Hospital**
- Residential Care Facility**
- Skilled Nursing Facility**

## **What types of complaints are NOT handled by ODH?**

ODH has jurisdiction over health care facilities that are certified under the Medicare/Medicaid Federal laws/regulations or are regulated by State statutes rules and regulations. Complaints that are either about issues such as reimbursement, professional practice such as nursing or respiratory are referred to the licensing/professional standards boards (i.e., Nursing Board) for review and action as they deem necessary. Complaints that involve allegations against a specific physician or medical practice are referred to the State Medical Board.

Additionally, complaints concerning guardianship and Power of Attorney (POA), billing issues, employee/employer disputes, complaints against certain residences

(senior citizen apartment complexes, day care, private homes or rental homes), restaurants, tanning salons, spas, schools, and prison health services are referred to the appropriate department for their review and disposition.

### **Can I file a complaint in which the incident occurred more than one year ago?**

ODH does not normally process complaints in which the incident is more than one year old. Facilities certified by CMS or licensed by ODH are routinely inspected approximately once per year to determine compliance with Medicare/Medicaid regulations and/or state laws. Therefore, authorizing an investigation is deemed not warranted. Surveyors can best investigate complaints which are more recent.

### **How do I find out about the progress of my complaint?**

The investigation of a complaint may take up to 30 days to investigate. However, completing the necessary paperwork of the complaint investigation may take longer. If you have not received a notification letter from the district office of the result of your complaint investigation, you may contact the PCSU at 1-800-342-0553 or 614-466-2457 to find out about the status of your complaint.

### **What other agencies may ODH also refer my complaint too?**

ODH, under the authority of CMS, may also refer a complaint to the Ohio Medical Board, Ohio Nursing Board, Joint Commission, CMS, Ohio Department of Mental Health Board, Attorney General Office, Inspector General, etc.

### **What is the ombudsman and when should I contact the ombudsman?**

An ombudsman is an advocate for residents of nursing homes, board and care homes, and assisted living. While the ombudsman office does not “police” nursing homes and home health agencies, they work with the long-term care provider and you, your family, or other representatives to resolve problems and concerns you may have about the quality of services you receive. Visit the following Ohio Department of Aging Web page for more information about the long-term care ombudsman. [www.goldenbuckeye.com/families/ombudsman.html](http://www.goldenbuckeye.com/families/ombudsman.html)

### **Is there a complaint form that I can fill out?**

Yes. Complete the [COMPLAINT FORM \(HEA 1685\)](#) on-line and submit the form electronically to PCSU.

## **What if I wish to remain anonymous when filing my complaint?**

Please inform the PCSU Intake Staff of your intention to remain anonymous when filing your complaint. Any complaint registered with the ODH will be held in strict confidence. Except for very limited judicial and enforcement purposes, ODH cannot release, without the individual's consent, the identity of any patient or resident, the identity of the complainant, the identity of any individual who provides information about the health care facility and has requested confidentiality, or any information that reasonably would tend to disclose the identity of these individuals.

## **How do I obtain a copy of the survey investigative report of my complaint?**

You may receive a copy of the investigation report by submitting a written request, specifying the control number, along with a self-addressed stamped envelope, to the address below. Please, be advised that your copy of the investigation report may have some information redacted in the interest of privacy and confidentiality. State and/or Federal laws prohibit the ODH from releasing the source of a complaint as well as patient-identifying information (including medical diagnoses) without proper authorization. Further, the department strives to process and respond to requests within a four to six week period, but this time frame may vary depending on the volume of requests.

The Ohio Department of Health  
Bureau of Information and Operational Support  
Public Information  
246 North High Street, 3<sup>rd</sup> Floor  
Columbus, Ohio 43215

## **Where can I find information on nursing homes in Ohio and if they have deficiencies cited?**

As part of its continuing efforts to give seniors and families more information on nursing home quality, CMS has now placed the results of complaint investigations on its Web site. Consumers and Providers may view this at: [www.medicare.gov/nhcompare](http://www.medicare.gov/nhcompare)

People who are looking into nursing home care, for themselves or a loved one, will find on the Web site the health deficiencies for nursing homes that have been cited as a result of investigations after complaints were filed.

You may also visit: [www.odh.ohio.gov](http://www.odh.ohio.gov) or [www.cms.hhs.gov](http://www.cms.hhs.gov)