



**Indiana
Department
of
Health**



Mike Braun

Governor

Lindsey M. Weaver, MD, FACEP

State Health Commissioner

IDOH Grievance Procedure for Section 1557 of the Affordable Care Act

It is the policy of the Indiana Department of Health (IDOH) not to discriminate on the basis of race, color, national origin, age, disability, religion, or sex. IDOH has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 1557 of the Affordable Care Act (42 U.S.C. 18116) and its implementing regulations at 45 CFR part 92, issued by the U.S. Department of Health and Human Services. Section 1557 prohibits discrimination on the basis of race, color, national origin, age, disability, religion, or sex in certain health programs and activities. Section 1557 and its implementing regulations may be examined in the office of the:

IDOH Privacy Officer
2 N. Meridian St.
Indianapolis, Indiana, 46204
317-233-7655 (phone) | 317-233-7143 (fax)
IDOHPrivacyOfficer@health.in.gov

The IDOH Privacy Officer has been designated to coordinate the efforts of IDOH to comply with Section 1557.

Any person who believes someone has been subjected to discrimination on the basis of race, color, national origin, age, disability, religion, or sex may file a grievance under this procedure. It is against the law for IDOH to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

IDOH Grievance Procedure:

- Grievances must be submitted to the Section 1557 Coordinator within sixty (60) days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing and contain the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 1557 Coordinator (or their designee) shall conduct an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 1557 Coordinator will maintain the files and records of IDOH relating to such grievances. To the

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extent possible, and in accordance with applicable law, the Section 1557 Coordinator will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.

- The Section 1557 Coordinator will issue a written decision on the grievance, based on a preponderance of the evidence, no later than thirty (30) days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.
- The person filing the grievance may appeal the decision of the Section 1557 Coordinator by writing to the IDOH Office of Legal Affairs (Attention: Court Administrator) within fifteen (15) days of receiving the Section 1557 Coordinator's decision. The IDOH Chief of Staff or their designee shall issue a written decision in response to the appeal no later than thirty (30) days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of race, color, national origin, age, disability, religion, or sex in court or with the U.S. Department of Health and Human Services, Office for Civil Rights. A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at: <https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services
200 Independence Avenue SW, Room 509F, HHH Building
Washington, D.C. 20201
1-800-368-1019 (phone) | 1-800-537-7697 (TDD)

Complaint forms are available at <https://www.hhs.gov/civil-rights/filing-a-complaint/index.html>. Such complaints must be filed within one hundred eighty (180) days of the date of the alleged discrimination.

IDOH will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing recordings of material for individuals with low vision, or assuring a barrier-free location for the proceedings. The Section 1557 Coordinator will be responsible for such arrangements.