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803.01 Complaint Process

803.01.01 Evaluating Complaints

(Rev. 05/01/22)

If an applicant or beneficiary believes that he/she experienced discrimination a complaint may be submitted to the agency within 180 days after the alleged act of discrimination. A complaint form is available on the agency’s website. You are not required to use this form. You may instead choose to write a letter or submit a complaint electronically that includes the same information requested on the form. Upon request, alternative means of filing complaints, such as personal interviews or a tape recording, will be made available for persons with disabilities that make submitting a written or electronic complaint impossible.

To contact the Office of Civil Rights & Privacy call (888) 808-4238, send an email to civilrights@scdhhs.gov, or send correspondence to the following address:

ADA, Privacy, and Civil Rights Official

South Carolina Department of Health and Human Services

P.O. Box 8206

Columbia, South Carolina 29202-8206

The Office of Civil Rights & Privacy website contains additional information, including links to the Civil Rights Discrimination Complaint Form and the Health Information Privacy Complaint Form. The website can be found at the following link: <https://www.scdhhs.gov/node/1205>

After receipt of the complaint, the ADA, Privacy, and Civil Rights Official will contact the applicant/beneficiary within 14 calendar days to discuss the complaint. Within 30 calendar days after the receipt of the complaint, the ADA Coordinator will respond in writing in a format accessible to the individual, such as a letter, large print, Braille, or audio tape. All complaints will be investigated in accordance with state and federal laws and regulations. The ADA, Privacy, and Civil Rights Official’s response will explain the position of the agency, and offer options for a substantive resolution of the complaint.

An individual may also contact the United States Department of Health and Human Services directly to file a complaint at:

Barbara Stampul, Acting Regional Manager Voice Phone (800) 368-1019
Office for Civil Rights FAX (404) 562-7881
U.S. Department of Health and Human Services TDD (800) 537-7697
Sam Nunn Atlanta Federal Center, Suite 16T70
61 Forsyth Street, S.W.
Atlanta, GA 30303-8909

803.01.02 Investigating Complaints

(Eff. 10/01/15)

In accordance with SCDHHS policy, the initial complaint investigation will be conducted within fourteen days of its receipt. Whenever possible, complaints will be resolved within 30 days after the initial complaint investigation. If complainants provide complete contact information, they will receive a written response to their complaint and/or a report of the completed investigation.

803.01.03 Resolving Investigations

(Rev. 05/01/22)

If a complaint is alleged or a breach is found and a provider is non-compliant with resolving identified issues, such action is grounds for termination. Providers will be given the opportunity to cure breaches, except in certain circumstances of non-compliance. If they do not cure, SCDHHS will terminate their services.

Electronic records of all compliance reports, compliance data and complaints and subsequent investigations shall be maintained by the Office of Civil Rights & Privacy.