

Division of Public and Behavioral Health

Bureau of Health Care Quality and Compliance

Complaint Process Fact Sheet



Before filing a complaint with the Division of Public and Behavioral Health (DPBH), first consider talking with the facility management. Each facility has a director or administrator and this person is responsible for the day to day operation of the facility. Many situations can be immediately corrected by speaking with the person in charge. Even after filing a complaint with the DPBH, consider talking with the facility management to see if they can remedy the situation.

How are complaints received?

The Bureau of Health Care Quality and Compliance (HCQC) receives complaints by various means of communication, such as: telephone, fax, e-mail, regular mail, news media etc.



Who files complaints?

HCQC receives complaints from various sources, such as: patients, family members of patients, health care workers, other state agencies and patient advocates, accreditation organizations, professional boards and just about anyone who becomes aware of possible regulatory violations within facilities.

How are complaints prioritized?

Each complaint is assessed by a qualified person trained to determine whether the allegations present a situation that may cause substantial harm, minimal harm or no harm (but conditions are not desirable). Each allegation is further assessed to determine whether there is a regulation or law related to the allegation. Based on these assessments complaints are generally given priorities as follows:

- **Substantial harm** = immediate jeopardy (investigation will begin within 48 hours)
- **Minimal harm** = medium priority (investigation will begin as soon as feasible, within 45 days at the most)
- **No harm** = low priority (investigation will start as soon as staffing resources are available)

Some other factors considered during prioritization include: the age of the complaint (if the event occurred in the distant past – for example, more than one year prior to filing the complainant, the priority may be adjusted accordingly), the relevance of the information given to regulatory violations (if the information is difficult to align with regulations, the priority may be adjusted accordingly).

Who investigates the complaints?

HCQC has highly trained and qualified staff to investigate complaints. Investigators are experienced inspectors with a good understanding of the laws and regulatory requirements and how they relate to the concerns addressed in complaints.



How is the complaint investigated?

Investigators use several methods to investigate complaints, such as: conducting interviews, reviewing records, policies and contracts and making observations of current conditions and situations. Not all complaints require an on-site visit, some only require record/document retrieval, others may only require phone contacts to make compliance decisions, yet others may be resolved by organized contacts with the facility administration, the complainant and an HCQC representative. HCQC uses whatever methods will result in the most efficient, yet thorough investigation as possible.

What are the potential outcomes?

Investigators do not substantiate whether an event occurred, but rather whether there are violations of laws or regulations. Each allegation is either substantiated (resulting in a citation) or not substantiated (no citation). If citations are made, a written notice is provided to the facility and the facility must respond with a plan to correct the violations. The results of most investigations are posted to the HCQC website

<http://health.nv.gov/HCQC.htm>. There are several levels of citations and depending on the level, sanctions may be imposed. There is a wide range of available sanctions including: monetary fines, limits on occupancy and revocation of a license. However, HCQC does not have the authority to terminate an employee or facility administrator. For other types of complaints, please refer to the Complaint Help Line found on our website.