




GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES

DDS TRANSMITTAL #19-20

TO: Developmental Disabilities Administration Providers of Residential, Day and Employment Services

FROM: Kirk Dobson, Deputy Director for Quality Assurance and Performance Management Administration (QAPMA) 

DATE: December 16, 2019

RE: New Developmental Disabilities Administration (DDA) Formal Complaint System Launches January 1, 2020

In accordance with the [Disability Services Reform Amendment Act of 2018](#) (DSRAA), the Department on Disability Services' (the Department), Quality Assurance and Performance Management Administration (QAPMA) announces the launch of the new Developmental Disabilities Administration (DDA) Formal Complaint System. The system will be accessible to people receiving DDA supports, and their supporters, starting on January 1, 2020, in coordination with the effective date of the following policies and procedures¹:

- DDA Formal Complaint System Policy, 2019-QAPMA-POL01,
- DDA Provider Formal Complaint Process Procedure, 2019-QAPMA-PROC001, and
- DDA Formal Complaint System Procedure, 2019-QAPMA-PROC002.

Governing Law And Regulations

The DSRAA stipulates that DDS “establish a process for the resolution of formal complaints, including formal complaints filed with a provider.” In accordance with this law, the Department also has proposed regulations and the Council of the District of Columbia has introduced the “[Department on Disability Services Formal Complaint System Resolution of 2019](#).” The Final Rulemaking (regulation) and Council Resolution are pending approval with the Council of the District of Columbia, and can be found by clicking [here](#).

DDA Formal Complaint System Available On January 1, 2020

Effective January 1, 2020, people receiving services or supports offered or facilitated by DDA (as described in the tables below), or contracted DDA providers, may file a formal complaint about those services or supports.

¹ These policies and procedures supersede the *DDA Formal Complaint System Policy, 2016-DDA-POL001, dated February 2, 2016*, the *DDA Internal Problem Resolution Policy, 2014-DDA-POL0015 (dated December 24, 2014)*, and the *DDA Internal Problem Resolution Procedure (dated August 1, 2011)*.

**Table A:
Types of Formal Complaints A Person May File In The DDA Formal Complaints System**

1. The denial, delay, reduction or termination of DDA supports or services including Medicaid waiver services. (Note: Use of the DDA Formal Complaint System will not change or lengthen the deadline for filing a Medicaid appeal at the DC Office of Administrative Hearings (OAH)).
2. The application of DDA policies, procedures or practices to the person.
3. The application of DDA providers' policies, procedures or practices to the person.

**Table B:
Types of Complaints A Person May NOT File In The DDA Formal Complaints System**

1. DDA initial eligibility appeals.
2. Challenges to pending IMEU investigations or appeals of IMEU investigation reports.

Complaints may be made online on the Department website: dds.dc.gov, by email: dds.complaints@dc.gov, or by phone through Lee Anne Brantley, Complaint System Coordinator, at (202)730-1623.

Commonly, a person must first file a formal complaint regarding services and/or supports provided by a DDA provider with that provider. If the complaint is regarding the services and/or supports provided by DDA, the complaint must be filed with the person's DDA Service Coordinator or with DDA Customer Service. All complaints must be filed within 90 calendar days from the first instance of the complaint. Please refer to the enclosed policy and procedure documents for exceptions and further information.

Providers Must Adopt Formal Complaint Process Policies And Procedures So Their Process Is Operational on January 1, 2020

To be in compliance with the policy and procedures, DDA providers are required to adopt the Formal Complaint Process policies and procedures and to immediately update their complaint processes effective January 1, 2020.

Peer Support For People Filing Formal Complaints

The Department, in coordination with Project ACTION!, has developed a Peer Pilot Support Program to assist people who receive DDA supports with utilizing peer supporters in making formal complaints, whether to their provider or to DDA. A peer supporter is a person with an intellectual or developmental disability trained in navigating the DDA Formal Complaint System and to support others in navigating the system. **Any person who receives DDA supports who would like to file a formal complaint may request a peer supporter to help them navigate the DDA Formal Complaint System by contacting the Complaint System Coordinator at dds.complaints@dc.gov or (202) 730-1623.** Additional information will be available on the website on January 1, 2020.

In accordance with longstanding Department policy, people also may continue to utilize other informal or formal supports to assist them with filing formal complaints in this new system. **The District's supported decision-making agreement form, and information and instructions on completing the form, are available on the Department website: <https://dds.dc.gov/page/dds-decision-making-rights-people-disabilities> or through the Complaint System Coordinator at dds.complaints@dc.gov at (202) 730-1623.**

DDS Thanks The DDA Stakeholder Community For Its Work

The Department would like to recognize the support and work of Project ACTION!, the Supporting Families Community of Practice, the Family Support Council, the larger advocate community, the D.C. Provider Coalition and the Home and Community-Based Services Advisory Committee who collaborated with the Department in developing the DDA Formal Complaint System.

Other Complaint Options Still Available

In addition to the DDA Formal Complaint System, individuals who receive DDA services and supports can continue to utilize other complaint processes available by the Department, such as through their Service Coordinator, DDS Customer Service at (202) 442-8686, or through their providers.

The Department will provide further information and assistance in understanding and adopting these policies and procedures. For questions about the DDA Complaint System, please contact Lee Anne Brantley, Complaint System Coordinator, at leeanne.brantley@dc.gov or (202) 730-1623.