



## Department of Human Services

Kim Mauthe, Director (719) 686-5500

## Teller County DHS Civil Rights Plan 2023

**PURPOSE:** Teller County DHS has developed a civil rights plan in accordance with State law which addresses the complaint process, non-discrimination requirements, and accessibility concerns outlined in regulatory guidance given in HCPH Memo: OM 23-003 from JAN 27, 2023. Medicaid operations clearly defines the need to strictly follow county directed administrative rules, state statutes, and federal laws governing non-discrimination and disability polices to protect the civil rights of our community members. The objective of Economic Assistance is to provide core services that assist and support the most vulnerable populations in order to meet basic needs, be treated with respect and dignity. The DHS goal is to carry out the agency objective while ensuring civil rights are protected by allowing all eligible individuals to receive equal access to all programs, services, activities, and information. All programs are operated in a nondiscriminatory way, without regard to race, color, national origin, age, disability, sex, sexual orientation, religion, political beliefs, creed and public assistance status. In medical assistance programs, sex includes sex stereotypes and gender identity under any health program or activity receiving federal funds. The civil rights plan also serves as a source of information for the DHS workforce and the general public. The plan sets out the Agency's civil rights administrative policies and procedures, identifying key contacts within the Agency and linking the reader to applicable state and federal civil rights laws and resources.

**Scope:** Total compliance with our plan will encompass the cooperation of Teller CO Department of Human Services workforce, agency contractors, and community partners working on behalf of Teller County.

**Definition:** Title VI of the Civil Rights Act of 1964 and related non-discrimination statutes require that recipients of federal financial assistance are not excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of race, color, ethnic or national origin, ancestry, sex, sexual orientation, gender identity and expression, religion, creed, political beliefs, age, or disability in any federally assisted program or activity.

This statement is in accordance with:

- Title VI of the Civil Rights Act of 1964
- Section 504 and Section 508 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990
- The Age Discrimination Act of 1975
- Section 1557 of the Patient Protection and Affordable Care Act of 2010

U.S. Department of Health and Human Services Regulations:

- Title 45 Code of Federal Regulations (CFR) Parts 80, 84, and 91
- Title 28 CFR Part 35

State of Colorado regulations:

- Title 24 Colorado Revised Statutes (CRS) Parts 4, 6, 8 and 34
- Title 10 Code of Colorado Regulations (CCR) Section 8.100
- The Colorado Anti-Discrimination Act

### **Disability Compliance**

In accordance with the requirements of Section 504 of the Rehabilitation Act of 1973 (504), Title II of the Americans with Disabilities Act of 1990 ("ADA"), and Section 1557 of the Patient Protection and Affordable Care Act of 2010, Teller DHS does not discriminate against qualified individuals with disabilities on the basis of disability in employment, admission or access to, treatment or participation in, or receipt of the services and benefits under any of its programs, services and activities.

- The agency makes sure all programs, services and activities are accessible to and usable by individuals with disabilities.
- The agency can allow for reasonable accommodations and modifications to policies, practices, procedures, and programs to ensure that individuals with disabilities have an equal opportunity to enjoy all programs, services and activities.
- The agency provides auxiliary aids and services in a timely way and free of charge
- Anyone who requires an auxiliary aid or service or reasonable modification to participate in a program, service or activity should contact our HR administrator / CR contact to request upgrades.

The agency does not place surcharges on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications, such as providing an American Sign Language (ASL) interpreter for effective communication, ensuring physical access to all areas open to the public, or assistance with filling out an Application for Public Assistance.

- The agency uses the same procedure as for civil rights when taking alleged disability discrimination or violation complaints.

**Teller County DHS** offers access to effective communication aids and services

- Qualified sign language interpreters
- Foreign language interpreters
- Written information in other formats
- Information translated into other languages

**DHS Policy:** Teller County Department of Human Services ensures protected classes are granted accommodations in the accessing and granting of programs, services and activities provided by the county. Services and activities include, but are not limited to, intake or application procedures, caseload assignments, eligibility determination, Medical Assistance program benefits extended and the use of Teller County's physical facilities. Teller CO DHS policies are intended to ensure programs, services and activities are accessible to all eligible persons without regard to race, color, national origin, age, disability, sex, sexual orientation, religion, political beliefs, creed and public assistance status.

- All applicants and recipients are treated equally, fairly, and consistently during any action, interaction, or process involved with administering Medicaid for the general public making application or redetermination in Teller County.
- Anyone wanting to access state benefits can do so in Teller County through a variety of different options.
- All applicants are given the same opportunity to access state Medicaid through county access points or state electronic options (walk-in, drop box, mail in, via email, other agencies, health facilities, or by state peak application.)
- All applicants or recipients can gain access to DHS through 2 office facilities- the Woodland Park or Cripple Creek branches.
- The county workforce has 7-45 days to make an intake determination and 30 days for a redetermination.

**DHS Procedures:** The county administrative workers are given all paperwork in relation to the Medicaid program. All paper worker is dated stamped and initialed by admin worker upon receipt. All paperwork collected is immediately scanned into our document scanning system- Papervision, (within an 8-hour workday). Admin workers then assign work to case managers according to program area, alpha split, or geographical location (We have 2 offices) We have an administrative worker pulling all the state Peak applications, redeterminations, and other paperwork via the peak inbox. The peak paperwork is then directly scanned into papervision with case manager assignments.

**DHS Guidelines:** In compliance with civil rights laws and status during the administering of Medicaid benefits:

- Case managers will process all paperwork within regulated timeframes
- Determinations are made strictly based on eligibility criteria and documentation given by applicant/recipient
- The workforce has been trained to keep opinions, biases, relationships, experiences, or past interactions out of the equation

**Procedures and guidelines are dictated by the US Department of Human Services Office of Civil rights - state law outlined in 10 COLO. Code REGS. : 2505-5-1.020.7 -Accessibility (ADA compliant)**

If an individual believes that **Teller CO DHS** has failed to provide these services or discriminated in another way, a grievance can be filed with the Civil Rights Contact Person by mail, phone, fax, or email within sixty (60) days of the incident. The Civil Rights Contact Person can also help file the grievance.

**A. Civil Rights Contact (CR Contact)** : Per state statute 28 C.F.R 42.410, 45 C.F.R. 84.7 – All Colorado county DHS agencies are required to maintain a civil right contact and established civil rights plan

- The point of contact must be impartial and independent to conducting Medicaid operations with a neutral unbiased involvement to administering HCPF programs with no conflict of interest
- We assigned our security administrator to this position because they do not have access to Medicaid eligibility functions.
- The assigned civil rights contact (SA) is responsible for :
  - acting as the central point of contact with the State relative to information sharing regarding member civil rights, county plan, processes, procedures, and compliance to requirements
  - maintain up-to-date knowledge of changes in member related civil rights laws, the impact on programs, and also disseminate this information to the workforce on a semi-annual basis
  - act as the first point of contact for member civil rights complaints, follow set plan, and administer the county process
  - Manage all DHS civil rights investigations of any complaint, follow all prescribed procedures, establish validity of finding, conduct systematic actions, recommend improvements and initiate workforce changes
  - post federally required civil rights notices point of contact info. and civil rights plan in conspicuous locations in both DHS offices, on the DHS website, and on internal workforce shared I drive
  - assist agency in provide civil rights training and consulting as necessary to the entire DHS workforce

- Follow-up with any specified workforce training with regard to any valid investigative finding for involved worker and provide feedback to leadership
- We do have several infraction specific video links we can have worker participate in viewing. Coming from State CW program– reflecting on racial equity, inclusion and tribal sovereignty series
  - Gender inclusion, improving diversity, equity and inclusion, enhancing cultural competence, focusing on race equity, 5 steps to effectively address racism in the workplace, Human Biases, Cultural Humility. 7 steps to embrace equity, ETC...
- Provide an annual civil rights training for established and new workforce members – covering the Civil rights plan outline
- In addition, require participation of the online COLEARN webinar update for civil rights SNAP version
- Leadership establish all discrimination investigative procedures and develops the DHS civil rights plan
- SA will conduct any civil rights investigations, determine validity, establish a course of action , provide workforce training, and recommend ways to improvement

**Civil Rights Complaint Resolution Process:** As part of the Agency's Civil Rights Plan and in accordance with HCPF OM 23-003, a documented process for investigating complaints of discrimination received by the agency must be created and approved by HCPF. The agency is required to promptly investigate Civil Rights complaints. The complaint process is as follows:

- The Civil Rights Contact Person will be notified of all civil rights complaints as soon as possible, within 24 hours of the complaint being received by the agency or a representative of the agency.
- The Civil Rights Contact Person will conduct informal investigations within 60 days of receiving the complaint.
- A formal investigation will be completed by the Civil Rights Contact Person within 120 days.
- The individual who had a complaint received against them cannot be the individual conducting the investigation.
- In case of absence or conflict of interest, the designee – Jan DeSmet - [Jan.DeSmet@state.co.us](mailto:Jan.DeSmet@state.co.us) will be used to conduct the investigation.
- The applicant, member and/or the individual who submitted the complaint will be able to provide information to the Civil Rights Contact Person to assist with the investigation;
- Assistance will be provided in the form of contacting the Civil Rights Contact person at

**Complaints should be filed with Teller County Department of Human Services Contact:**

- Cassandra Unverzagt - Security /HR Administrator for DHS
- 800 Research Drive, Suite 224 Woodland Park, CO 80863
- Mailing – Teller CO DHS , P.O. Box 7245 Woodland Park, CO 80863

- Telephone: (719) 686-5524
- Fax: (719) 686-5418
- Email: [cassandra.unverzagt@state.co.us](mailto:cassandra.unverzagt@state.co.us)

All complaints will be tracked by the Civil Rights Contact Person using the Agency's Civil Rights Complaint Log. Complaints will be tracked with the outcome of the investigation (founded or unfounded), process changes that were implemented based on the result of the investigation, and training provided as a result of the investigation's outcome. The complaint log will be used to monitor the progress of investigations to ensure timelines are followed. Complaint log data will be submitted to the Department (using the County Relations webform ticket <https://hcpfdev.secure.force.com/HCPFCountyRelations>) on a biannual basis (July 31st and January 31st of each year) with the first submission being January 31, 2024.

#### **Tracking Complaints:**

- Competition of complaint process ends with a decision , outcome, and resolution being finalized
- All outcomes are shared with all involved parties, leadership, and county relations dept at state via webform ticket
- A founded civil rights violation will result in actions being taken and solutions being completed
- As part of the resolution process, DHS will provide ongoing training regardless of complaint findings based on the alleged civil rights violation
- All complaints will be compiled in a paper file and electronic file securely kept by county contact
- Complaints will be logged on an excel sheet and reported bi -annual to state by county contact on 1/31 and 7/31 each year

**This plan will be reviewed annually by the county and updated as necessary, including changes to the Civil Rights Contact Person and/or their contact information. Any changes to the plan will be resubmitted to the Department (by submitting a [County Relations Request form ticket](#) or by email [HCPF\\_CountyRelations@state.co.us](mailto:HCPF_CountyRelations@state.co.us)).**

#### **Monitoring Process:**

The agency Contact is responsible for monitoring Teller County's compliance with the Civil Rights Plan, ensuring the workforce attends the required training, civil rights and disability law changes are followed, investigative timeliness, proper investigative methods, consistently tracking complaints, and biannual submission of reporting.

#### **Training Statement:**

**Teller CO. HR administrator/CR contact** will conduct annual training on the civil rights plan to the leadership and workforce that has direct contact with the public , applicants, or recipients of Medicaid

benefits. The training will include civil rights information, claim filing guidance, and updated CR Contact information. Training will provide workforce with on how to access auxiliary aids and services and language access services information. All existing and new hire employees of the agency will be required to attend this State Civil Rights and Nondiscrimination training provided by the Staff Development Division (SDD). Annual training will be tracked and monitored by the agency contact/ HR administrator on a training spreadsheet. Failure to complete the training annually may result in loss of access to the Colorado Benefits Management System (CBMS).

The Civil Rights Contact Person will conduct as needed training to staff based on complaints referrals received by the agency and when investigations on complaints determine that there was a violation and/or founded discrimination. This training will be conducted to ensure that future occurrences of civil rights complaints are prevented to the best of the staff members ability. The training will be tracked on the agency training spreadsheet and on the agency's Civil Rights Complaint log. Additional action may be taken including but not limited to staff performance improvement plan and termination.

**Agency Contractor, Vendor, and Partner Compliance Requirements:**

As specified in 10 CCR 2505-5 1.020.6.1.c, the Department shall assure that any contractors, vendors, partners or other parties that do business on behalf of the agency, are paid using federal and state Medical Assistance funds, or who have contact with applicants or members follow federal and state civil rights laws and the provisions within this Operational Memo. If the agency is alerted to discriminatory activity, the agency must notify the Department, via email [HCPF\\_CountyRelations@state.co.us](mailto:HCPF_CountyRelations@state.co.us), within three (3) calendar days.

At the Department's direction, if the agency, state or federal government finds that any of the agency's contractors, vendors or partners are in violation of federal and state civil rights provisions, the agency may be required to terminate any payments or association with that party, per 10 CCR 2505-5 1.020.6.1.d. Termination must occur immediately upon notification from the Department to the agency.

**B. Civil Rights Notices:** All County DHS offices must clearly post Non- discrimination notices in common areas of the agency for public view

- There is a county and state non-discrimination version posted in the common areas
- These notices are posted in both the English and Spanish formats subscribing to federal laws and regulations

**C. Civil Rights Compliance:** All DSH offices are required to have updated knowledge and understanding of current federal laws

- The DHS workforce must follow a strict adherence to state statutes and federal civil rights law
- The DHS workforce is required to attend civil rights / nondiscrimination training via colearn or via county instruction annually or at inception for new hires

- All training records will be kept in a locked file or electronic file maintained by the county HR administrator-CR contact annually
- **Workers will be required to sign a civil right training confirmation letter at new hire orientation and printout colearn completion transcripts to provide to the county contact upon request**
- The county will provide the state with all training record documentation at any time upon request
- The DHS workforce must be properly trained to follow the county civil rights plan and be aware of state and federal office contacts
- Any DHS worker involved in a civil right compliant will be required to attend additional equity, inclusion, diversity, cultural competencies, and non-discrimination trainings provided by the state – child welfare training videos
- It is DHS responsibility to give direction to the agency workforce to access the necessary state and federal departments for gathering information, updates, clarification, or changes in law
- Federal Contacts for information via:

**U.S. Department of Health and Human Services Office for Civil Rights**  
**1961 Stout Street, Room 08-148 Denver, CO 80294-3538 Voice Phone: (800) 368-1019**  
**Section 10 CCR 2505-5-1.020.7 - Accessibility (ADA)**  
**10 Colo. Code Regs. S 2505-5-1.020.7**  
**Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)**      **FAX: (202) 619-3818**      **TDD: (800) 537-7697**

#### **D. CR Violation Requirements:**

- Worker failure to fully comply with annual training can result in the loss of CBMS access
- All violation findings must be immediately reported to the state through the HCPF webform within 3 calendar days
- All CR violations require the county to perform a corrective action plan to be presented to the state within 30 days or non-compliance can result in a county sanction
- The county should provide a training plan for any violator and monitor this progression of improvement or continued non-compliance
- Other corrective action may require a worker performance improvement plan or termination depending on the severity of the offense
- The state has the discretion to require the county to terminate payment to or association with any party or contractor involved in a validated act of discrimination

#### **E. Teller CO Civil Rights Plan :** This plan outlines county DHS operations that ensures all applicants, recipients or employees are treated equally and provided the same program services and accessibility points regardless of race, color, ethnic or national origin, ancestry,

age, sex, gender, sexual orientation, gender identity and expression, religion, creed, political beliefs, or disability. The civil rights plan also serves as a source of information for the DHS workforce and the general public. The plan sets out the Agency's civil rights administrative policies and procedures, identifying key contacts within the Agency and linking the public to applicable state and federal civil rights laws and resources.

### **The Civil Rights Plan Includes:**

#### **I. Civil Rights Complaint Filing Process:**

- i. All applicants or recipients have the right to file a discrimination complaint
- ii. All county employees must advise the public of the process when expressing an interest in filing a complaint
- iii. All complaints must be in writing from the client or assisted to completion by a member of the agency
- iv. Advise the client that the USDA Complaint form can be found on the USDA Office of the Assistant Secretary for Civil Rights website. <https://www.ascr.usda.gov>.
- v. The customer must choose to use either the USDA Complaint Form or write the required information in another format
- vi. The complaint must include the following information:
  - a. Name, address, telephone number or other contact information of the complainant
  - b. Location and name of office where the alleged discrimination occurred
  - c. Nature of incident or action that led to the alleged discrimination
  - d. Reason for the alleged discrimination (age, race, color, sex, disability, religious creed, national origin, political beliefs)
  - e. Name and title of person(s) who may have knowledge of the act
  - f. Date(s) on which the actions occurred
- vii. Date stamp the complaint or make sure the date is noted on the complaint
- viii. The complaint must be advised as to the right to submit a complaint on 4 different levels
  - provide appropriate information to reach civil right contacts or offices
- ix. County Level – use the county process through civil rights contact [cassandra.unverzagt@state.co.us](mailto:cassandra.unverzagt@state.co.us) or 719-686-5524
- x. CDHS level – use CDHS complaint process through [hcpf504ada@state.co.us](mailto:hcpf504ada@state.co.us) or <https://www.ascr.usda.gov>
- xi. State level – use CCRD @ DORA - [ccrd@state.co.us](mailto:ccrd@state.co.us)
- xii. Federal level:- use the U.S. Dept heath & Services process – [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov) 800-368-1019
- xiii. Complaints should be investigated at the county level by the county contact unless the complainant insists on it being submitted at a state level

- xiv. If the customer requests assistance in filing the complaint, the County office must submit the complaint to the State office, so it can be forwarded to the Federal office
- xv. If the complainant wants to file a state complaint without any assistance – the county contact will advise on state contact info
- xvi. Share the details of the customer's complaint with your agency's Civil Rights Officer and/or your direct Supervisor/Manager
- xvii. The civil rights contact must ensure that filing a complaint will not lead to further problems with the county workforce or any retaliatory actions
- xviii. The complainant does have the right to select the type of review – informal or formal
- xix. The county must do a formal investigation if a complainant does not specify their preference
- xx. The complaint has the right to a timely process: 60 days for an informal conference or 120 days for a formal investigation
- xi. The complainant has the opportunity to file an appeal to the county decision
- xxii. The county DHS must render an appeal decision in writing to the complainant within 15 calendar days

**F. County Intervention :** All civil rights complaints start with a county level investigation of discrimination process. In recognition of the fact that complaints may vary in type and complexity, the County Department should investigate appropriate to each complaint. Investigative procedures will depend on the nature and extent of the discrimination alleged and the context in which the alleged incidents occurred. Appropriate investigative procedures may include informal review or a formal investigation. Investigations should be conducted in a timely manner. Per federal law, an individual cannot be retaliated against for submission of a Civil Rights or Discrimination complaint.

**Each investigation will be timely and appropriate to each complaint depending on the nature, extent, and context of the alleged discrimination.**

- The CR contact will determine if the use of an informal review with agreeable resolution is warranted based on nature of offense
- Informal conferences are conducted if the investigative determination indicates the complaint is substantiated, but does not directly affect an ability to apply, eligibility criteria, or receipt of benefits
- The CR contact will determine if the use of a formal investigation depending upon the severity and nature of the complaint
- A formal review process is completed if a complaint is determined to directly affect an opportunity to apply or receive a proper eligibility determination because of a violation of protected rights

- The determination or validation of any violation will be conducted through an established Civil Rights Complaint Process within the agency CR plan
- Any unsubstantiated complaint will be resolved at a county level to the satisfaction of complainant, leadership, and HR administrative contact through mediation resolution
- A substituted civil rights violation against an employee will result in a corrective action plan developed by the county and state CDHS intervention

**G. Investigation of Complaint:** This process will begin with an acceptance of complaint, then determination of type of complaint to move forward with informal or formal meeting with complaining party. The DHS CR contact will conduct a thorough investigation, substantiation of validity of claim, formulate a reasonable conclusion, contact involved parties with determination, develop an agreeable resolution, take some type of reasonable action, and document a method of improvement.

- The county has signage in the main lobbies at the front desk with county contact info for submitting a complaint via email or has option to complete form at the front desk
- All complaints must be submitted in writing with completion of a complaint form to understand the nature of the complaint and follow legal guidelines
- All complaints require county, worker, and complainant participation in the process to conclusion
- The complainant and involved worker with allegation made against them should be informed of the completion of the investigation and whether the allegations were substantiated or not
- County Departments and recipients of service are expected to cooperate in all phases of an investigation and ensuing actions
- Retaliation against the person filing the complaint or persons participating or cooperating in the Investigation is prohibited by federal law.
- The agency must then investigate the claim and determine whether the complaint is substituted or not
- Unsubstituted claims will be logged, addressed, mediated, resolved, and possibly prompting some type of internal workforce training session
- Substantiated violation of civil rights will require a review by the agency contact to determine the severity of the results
- The results of the investigation will be in a written format that is delivered to complainant and respondent by county contact
- The severity of a violation will determine the type of informal conference or formal investigative process
- Action upon substantiation of a violation would require a correction action plan and immediately contacting CDHS via webform

- Inappropriate behavior or actions creating the violation of civil rights would prompt CDHS to obtain agency cooperation necessary to ensure a satisfactory resolution in accordance with federal and state statutes

**Each investigation will be timely and appropriate to each complaint depending on the nature, extent, and context of the alleged discrimination**

- The CR contact will determine if the use of an informal review with agreeable resolution is warranted based on nature of offense
- Informal conferences are conducted if the investigative determination indicates the complaint is substantiated, but does not directly affect an ability to apply, eligibility criteria, or receipt of benefits
- The CR contact will determine if the use of a formal investigation depending upon the severity and nature of the complaint
- A formal review process is completed if a complaint is determined to directly affect an opportunity to apply or receive a proper eligibility determination because of a violation of protected rights
- The determination or validation of any violation will be conducted through an established Civil Rights Complaint Process with in the agency CR plan
- Any unsubstantiated complaint will be resolved at a county level to the satisfaction of complainant, leadership, and HR administrative contact through mediation resolution
- A substituted civil rights violation against a complainant will result in a corrective action plan developed by the county and state CDHS intervention

#### **Filing a Complaint with Teller County DHS - process**

1. Staying within the statutory time limits required for the filing of a complaint of discrimination with the County
2. Complete a standardized questionnaire and complaint form (See OCR sample) ( The form is available in both English and Spanish)
3. Translation services are available upon request for complainants which should be indicated on the appropriate section of the complaint form
4. Other aides, services or special needs are available to accommodate a disability which should be indicated on the appropriate section of the complaint form
5. Teller County thoroughly reviews each questionnaire and complaint submission

- ✓ The complaint will then be reviewed with the named Respondent and said Respondent will be provided an opportunity to respond to the allegations within five (5) calendar days of review
- ✓ The claim may be resolved using mediation, which provides the parties an opportunity to informally resolve a claim
- ✓ A complaint will be reviewed within five (5) calendar days
- ✓ Respondent must provide a statement with response to allegation within five (5) calendar days
- ✓ An investigation of the complaint will be performed with 30 days
- ✓ The Investigator analyzes all information relevant to the case, conducts interviews, and requests information as needed
- ✓ Investigations include respondent input and the complainants submitted rebuttal
- ✓ The investigation will result in a founded or unfounded result
- ✓ Unfounded claims will result in a mediation process with complainant and respondent
- ✓ A mediation meeting will be set between complainant and respondent within thirty (30) days of complaint receipt
- ✓ If resolution achieved, the complaint will be put into our complaint log, respondent will attend sensitivity training , policy followed and complaint closed
- ✓ If resolution is not achieved via mediation, the claimant has the opportunity to appeal or file complaint through state resources
- ✓ A valid violation of civil rights will then be examined for severity to determine if an informal conference or formal conference is needed

6. After the investigation is complete, the Director of Teller County Human Services issues a Letter of Determination that states the facts of the case and the analysis of the issues

- ✓ If the Director finds no probable cause of discrimination, the case is dismissed but may be appealed to the Civil Rights Commission
- ✓ If probable cause is found, the Director will hold a mandatory mediation (conciliation)
- ✓ If the case is not settled, a decision will be made whether to take the case to a public hearing

### **Participation Expectation**

Complainant, County Departments and service recipients are expected to cooperate in all phases of an investigation and ensuing actions.

## **Complaint Deadlines**

Teller County will thoroughly and timely investigate any Title VI complaints it receives against the County, County employees, subrecipients, or contractors.

Complaints must be filed in writing within six (6) months from the act of the alleged discrimination. If you believe your complaint may fall outside of this deadline, please contact the Teller County Director of Human Services.

DHS has 270-days to complete its administrative process. Each party (the Complainant and the Respondent) may exercise a 90-day extension to this overall 270-day deadline so as to ensure that there is sufficient time for the Division to complete its full administrative process.

## **Request for information and rebuttal**

While investigating, the Respondent may submit a response to the request for information and the Complainant may submit a rebuttal. Both parties may inspect and review the information that has been submitted by the other party during the investigation period. Both parties may also supply the names of additional witnesses who could testify regarding this matter.

## **Inform Upon Completion**

Complainant and Respondent shall be informed of the completion of the investigation and the subsequent validation determination.

## **Action Upon Substantiation**

Should the allegation be substantiated during the investigation, a satisfactory resolution in accordance with federal and state statutes will be utilized.

Teller County Civil Rights Contact Duties:

- Assists in administering Medical Assistance programs and practices in accordance with Colorado Code Regulations Civil Rights Laws (10 CCR 2505-1.020.7)
- Acts as the central point of contact for the State Department relative to information sharing regarding member civil rights
- Secures qualified mediators and investigators as needed
- Receives, tracks, monitors complaints and acts as the first point of contact for member civil rights complaints
- Documents business process changes and training conducted based on analysis of complaints received
- Maintain current knowledge of changes in member related civil rights laws, their impact on programs and also disseminate this information to County staff and program areas
- Ensures federally required civil rights notices and public postings are communicated to the workforce and public

- The agency civil rights plan will be posted to the agency internal shared drive for workforce access and included on the agency website for public access
- The agency complaint process must be advertised in common DHS office areas, on the agency DHS website, and shared with the workforce on the agency common drive
- Postings must include how all individuals can request assistances from the Civil Rights Contact
- State and county nondiscrimination notices are posted in conspicuous places that are offered in both English and Spanish
- DHS must ensure the agency workforce adheres to established civil rights regulations and guidelines
- DHS must provide the state with a detailed description of actions taken and modifications made within 3 days from the completion of any civil right violation investigation
- DHS investigation finding, documented modifications, proposed change, training initiatives, or description of corrective action will be reviewed and approved by state
- DHS will provide semi-annual reports and annual plan updates to the state for input, guidance, and monitoring
- DHS will further develop civil rights training and provide consultation on any updates to the agency's civil rights plan

Once an investigation is completed, the Civil Rights Contact Person will notify the applicant, member, and/or individual that submitted the complaint in writing, via certified mail and email, within 3 business days of the investigation being completed. If a complaint of discrimination or Civil Rights violation is investigated by the agency and the investigation finds that the complaint is founded, the Department requires the agency to notify the Department and to take all necessary steps to correct the violation.

The Department must be provided with a detailed description of actions taken and modifications made to correct the violation within three (3) calendar days from the completion of the investigation. This information will be sent using the County Relations Webform Ticket or via email [HCFF\\_CountyRelations@state.co.us](mailto:HCFF_CountyRelations@state.co.us). Upon receipt of the agency's investigation findings and description of its corrective action, the Department will work with the agency on any additional required steps.

### **Civil Rights Complaint Appeal Process**

After the investigation is complete, the county contact will notify the complainant, respondent, and leadership in writing of final determination. This determination letter will include written instructions on the opportunity of the complainant to appeal the outcome. Applicants, members and/or the individuals who submitted a complainant can notify Cassandra Unverzagt at [cassandra.unverzagt@state.co.us](mailto:cassandra.unverzagt@state.co.us), in writing, with an intent to appeal the agency decision within thirty (30) calendar days. This appeal will be forwarded to the Colorado Department of Regulatory Agencies - Colorado Civil Rights Division Email: they can elect to send an appeal directly to [dora\\_ccrd@state.co.us](mailto:dora_ccrd@state.co.us) or file at <https://socgov07-site.secure.force.com/ColoradoCivilRights/>

***Appeal Decision: CDHS will consider all testimony and relevant evidence introduced during the appeal***

- ✓ The individual that submitted the complaint may be represented by counsel and allowed to introduce witnesses and evidence in a fair and consistent manner
- ✓ The agency contact will also be allowed to introduce witnesses and evidence in a fair and consistent manner
- ✓ The appeal decisions must be rendered within fifteen (15) calendar days of appeal being received by the agency
- ✓ All decisions shall be in writing and provided to the agency contact, complainant, and HCPF
- ✓ The agency contact must update the Civil Rights Complaint Tracking log with the outcome of the appeal
- ✓ The complainant will not be retaliated against for their submission of a complaint or have benefits be terminated for submitting a complaint

**Teller County DHS will cooperate fully with the federal and state investigative processes. Any valid discrimination complaint against the agency, DHS will initiate corrective actions as specified in 10 CCR 2505-5 1.020.11 until the agency rectifies the issue. TCDHS fully understands that non-compliance with corrective action can result in sanctions as stated in 10 CCR 2505-5 1.020.12.**