



## RECIPIENT RIGHTS COMPLAINTS

The law says that a person in a program for a mental illness or developmental disability has rights. A program can be in a hospital or in the community. It can be a public program or a private one. They all must follow the law.

Anyone can complain if the law is not followed and rights are violated. There are several ways to complain. The information here is about how to make a *Recipient Rights complaint*.

### How to File a Complaint

- You can call the local Office of Recipient Rights (ORR) to make a complaint. If no one answers, leave a message with your name and where you are or your phone number.
- If you need help finding your local Office of Recipient Rights, you may call the state Office of Recipient Rights at 1.517.373.2319.
- If you complain by phone, it is still a good idea to put your complaint in writing. This helps make sure your complaint is not lost or forgotten. You may send a letter or use a complaint form.

### Your Complaint Should Say:

- What rights you think were violated.
- Where and when did it happen?
  - If you cannot remember exactly, give any information that will help to find out the day and time. For example,
    - was it before lunch?
    - after dinner?
    - on the weekend?
  - If it happens all the time, write that.
  - Who saw what happened, or saw your injury. If you do not know all their names, try to describe them.
  - What you want done about the problem.
    - How to contact you - phone number, address or other.

## What Happens Next?

- **Within five (5) days** after getting your complaint, the Office of Recipient Rights will send you a letter. The letter will say if they will investigate or not. If they are not going to investigate your complaint, they will explain why.
  - If you do not hear from the Office of Recipient Rights, you might want to call and make sure they got your complaint.
  - You will get an update in writing every **30 days** until the investigation is finished.
- **Within 90 days** the Office of Recipient Rights will finish the investigation and send a report to the Director of the hospital or agency. This report is called the **Report of Investigative Findings**.
- **Within 10 days after that** the Director of the hospital or agency will send you a letter with the results. This letter is called the **Summary Report**.
- The **Summary Report** will say if the Office of Recipient Rights proved your rights were violated. It will say what the Director will do. The Summary Report will also tell you that you have the right to ask for mediation or appeal if you do not agree.

## You Have the Right to Appeal If:

- you do not agree with the results of the investigation, or
- you do not think the action to fix the problem is good enough, or
- the Office of Recipient Rights took too long to start or finish the investigation

## How Do You Appeal?

- **You have 45 days** after you get the Summary Report to send an appeal to the Appeals Committee. The Summary Report will tell you where to send it.
- The appeal must be in writing. Make sure you say why you are appealing (see above). Add any information that was not included in the Summary Report.

## What Will the Appeals Committee do?

- **5 business days** after getting your appeal, the Appeals Committee will let you know if they will accept your appeal.
- **25 days** after that, the Appeals Committee will look at your appeal.
- **10 days** after looking at your appeal, the Appeals Committee will let you know their decision in writing.

### **What If You Don't Agree with the Appeals Committee's Decision?**

- **You cannot appeal** again if you do not agree with the steps taken to correct the problem. Contact the Recipient Rights Office or our office to find out if there is some other way to solve the problem.
- **You can appeal** if you think the Recipient Rights Office did not look at all the facts or use the laws, rules or policies correctly. This is called a **Level 2 appeal**.
- **You have 45 days to file a Level 2 appeal.** It goes to the Michigan Department of Health and Human Services (MDHHS) in Lansing. Here is the address:

Level 2 ORR Appeal  
MDHHS – Appeal  
P.O. Box 30807  
Lansing, MI 48909  
Fax: 517.241.7973

- **Within 30 days** after your appeal gets there, the Appeals Committee will review your appeal and let you know their decision.
- If your appeal is rejected, your only other choice is to sue in Circuit Court. You have **21 days** to file in Circuit Court in your county or in Ingham County.

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