



Section 4.5

Whistleblower Policy

Purpose:

Redwood Coast Regional Center's (RCRC) Code of Business Conduct and Ethics ("Code") in the Redwood Coast Regional Center's Personnel Policies, Section 8.4, requires all directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. This policy is established to ensure that clients and their families, service providers (vendor/contractors), agencies, community members, members of the board of directors and regional center employees can report suspicions, concerns, or evidence of illegal, unethical or other inappropriate activity without fear of retaliation.

Policy:

Definition of regional center or service provider (vendor/contractor) whistleblower complaints:

Regional center or service provider (vendor/contractor) whistleblower complaints are defined as the reporting of an "improper regional center or service provider (vendor/contractor) activity."

- An "improper regional center activity" is defined as an activity by a regional center or an employee, officer, or board member of a regional center, in the conduct of regional center business, that is in violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.
- An "improper service provider (vendor/contractor) activity" means an activity by a service provider (vendor/contractor), or an employee, officer or board member of a service provider (vendor/contractor), in the provision of the Department of Developmental Services (DDS) funded services, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.



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1. **FILING COMPLAINTS:**

RCRC has a variety of complaint and appeal processes available to clients, families, service providers (vendors/contractors), agencies, community members, and RCRC staff. These include Client Rights Complaints; Early Start Complaints, Due Process Requests, and Mediation Conference Requests; Lanterman Act Fair Hearing Requests; Title 17 Complaints; Citizen Complaints, and Comments (see <https://www.dds.ca.gov/general/appeals-complaints-comments/> for list). Each of these complaint and appeal processes has separate and distinct procedures for resolution. This policy directive relates only to the regional center's or service provider's (vendor/contractor's) whistleblower complaints as described above.

This Whistleblower Policy shall not be used to resolve disputes concerning the nature, scope, or amount of services and supports that should be included in an Individual Program Plan, for which there is an appeal procedure established in the Lanterman Act, or disputes regarding rates, or audit appeals for which there is an appeal procedure established in regulations. Those disputes shall be resolved through the applicable appeals procedure established by the Lanterman Act or in regulations.

A. Complaints may be filed with RCRC staff by contacting:

- Interim Executive Director/Director of Client Services: 1116 Airport Park Blvd., Ukiah, CA 95482 707-462-3832 x289, Fax 707-462-3314 jpadilla@redwoodcoastrc.org regarding Client/Family issues
- Director of Community Services: 525 2nd Street, Suite 300, Eureka, CA 95501 707-445-0893 x334 Fax 707-444-2563 hodle@redwoodcoastrc.org regarding Service Provider (Vendor/Contractor) issues
- Director of Administration: 1116 Airport Park Blvd., Ukiah, CA 95482 707-462-3832 x232, Fax 707-462-6579 amedina@redwoodcoastrc.org regarding Fiscal or Facilities issues
- Director of Clinical Services: 525-2nd Street, Suite 300, Eureka, CA 95501 707-445-0893 x371, Fax 707-444-2563 jroy@redwoodcoastrc.org regarding clinical and contract clinicians issues and Intake Eligibility
- Director of Human Resources: 1116 Airport Park Blvd., Ukiah, CA 95482 707-462-3832 x218, Fax 707-462-6981 nhaydon@redwoodcoastrc.org regarding RCRC Staff issues



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B. Complaints may also be filed with DDS by contacting:

Office of Community Appeals and Resolutions

1215 O Street, MS 8-20

Sacramento, CA 95814

Voice: 833-538-3723

Fax: 916-654-3641

C. Filing a Complaint with the Board of Directors:

A complaint may also be filed with the President of the Board of Directors of Redwood Coast Developmental Services, Inc. (RCDSC) by contacting the RCRC Executive Assistant at 525-2nd Street, Suite 300, Eureka, CA 95501 707-445-0893 x363, Fax 707-444-2563 sbowser@redwoodcoastrc.org

D. Filing a Complaint with the California State Attorney General's Whistleblower Hotline:

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees, call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

These complaints may be regarding board actions or complaints regarding the Executive Director; however, regional center staff complaints are encouraged to be reported as noted in "A" above.

2. No Retaliation

No RCRC director, officer, or employee; nor client, family member, service provider, agency, or community member who reports a violation of the law shall suffer harassment, retaliation or adverse employment consequence. An RCRC employee who retaliates against someone who has reported a violation is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable clients; families, service providers (vendors/contractors), agencies, community members and RCRC staff to report serious concerns within RCRC or service providers/service provider agencies prior to seeking resolution outside of the agency.



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3. Investigation Process

A regional center or service provider (vendor/contractor) whistleblower complaint may be received by anyone listed in sections A and B above, via telephone, fax, e-mail, and letter or in person. The recipient of the complaint should obtain sufficient information from the complainant to refer them to the appropriate person or division for review and resolution. If the complaint is verbal, the recipient of the complaint should document the information provided by the complainant, including the complainant's name (if provided); contact information, the nature of the complaint; who or what the complaint is regarding; the names of the possible witnesses; and the date and time the complaint was received. The person receiving the complaint should also be noted in the referral to the appropriate person or division.

All reports will be promptly investigated, and appropriate corrective action will be taken, if warranted by the investigation. The recipient of the complaint will notify the complainant of investigative conclusions and any action taken, unless the complaint was made anonymously. This information will be provided to the extent that it does not breach any confidentiality requirements, laws, or regulations. This investigation process also applies to complaints of retaliation.

4. Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of law or regulations. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false, will be viewed as a serious offense.

5. Confidentiality

While maintaining confidentiality when requested by the complainant will be attempted during the investigation, this may not be possible in situations where statutory responsibilities such as ensuring the health and safety of clients or regional center contract compliance may require disclosure of confidential information. Prior to releasing identifying information, attempts will be made to notify the complainant of the need to release identifying information.

Additionally, the identity of the complainant may be revealed to appropriate law enforcement agencies conducting a criminal investigation. All mandatory abuse reporting requirements will remain in effect as an exception to confidentiality.



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6. RCRC Board of Directors Review of Complaints

The Redwood Coast Developmental Services Corporation (RCDSC) Board of Directors (which oversees Redwood Coast Regional Center) will receive ongoing reports on a quarterly basis regarding the number and type of whistleblower complaints received by RCRC. This information will be provided during the course of regular board meetings and will contain only non-identifying, summary information regarding the overall number of complaints and the general category of the complaints.

7. Notification of Whistleblower Policy

RCRC will notify employees, board members, clients, families and the service provider community of both Redwood Coast Regional Center's and the State of California, Department of Developmental Services' Whistleblower policies within 30 days of the effective date and annually thereafter accordingly:

- A. Employees will receive an initial e-mail with attachments of the policies with a notation that these documents will be posted in the Public Folders for future access. New hires will receive copies at Orientation. Annually, on or before February 1st of each year, all employees will receive a reminder e-mail noting the existence of these policies that are posted in Public Folders and on our website.
- B. Board members will receive copies of the policies in their board packets with notification that these documents are available on our website at www.redwoodcoastrc.org.
- C. Clients and families will receive a hard copy by mail in their annual Services Cost Statement along with a notification that these documents are available on our website at www.redwoodcoastrc.org.
- D. Service providers (vendors/contractors) will receive copies with their invoices with a notification that these documents are available on our website at www.redwoodcoastrc.org.