

Center For Sight Patient Grievance Policy

DEFINITIONS

A “patient grievance” is a formal or informal written or verbal complaint that is made to Center for Sight by a patient or a patient’s representative, regarding a patient’s care (when such complaint is not resolved at the time of the complaint by the staff present), mistreatment, abuse (mental, physical, or sexual), neglect, or Center for Sight compliance issues.

A complaint from someone other than a patient or a patient’s representative is not a grievance.

A complaint presented to Center for Sight staff and resolved at that time is not considered a grievance, and the grievance process requirements do not apply to such complaints.

If a patient care complaint cannot be resolved at the time of the complaint by the staff present, is postponed for later resolution, is referred to other staff for later resolution, requires an investigation, and /or requires additional actions for resolution, the complaint is then considered a grievance for purposes of these requirements.

Billing grievances should be directed to Eye South Partners at 1-833-910-2672.

A written complaint is always considered a grievance. This includes written complaints from a current patient, a released/discharged patient, or a patient’s representative regarding the patient care provided, abuse or neglect, or Center for Sight compliance with the Patient’s Bill of Rights and Responsibilities. For this policy, an email or fax is considered written.

Patient complaints that are considered grievances also include situations where a patient or a patient’s representative telephones Center for Sight with a complaint regarding the patient’s care or with an allegation or abuse or neglect, or a failure of Center for Sight to comply with one (1) or more of the Patient’s Bill of Rights.

Whenever a patient or a patient’s representative requests that his or her complaint be handled as a formal complaint or grievance, or when the patient requests a response from Center for Sight, the complaint is considered a grievance.

POLICY

It is the policy of Center for Sight to investigate all patient and family complaints (grievances) concerning the quality of care and/or services provided. Patients and/or family will be informed of their right to file complaints and the appropriate mechanism for voicing any concerns. All patient complaints will be analyzed and investigated, and when indicated, the manager responsible will provide a written response. Appropriate corrective action will be taken. Each patient and/or family member making a complaint will receive a written or verbal response from Center for Sight that addresses issues regarding treatment or care that is (or fails to be) furnished. It is required that all patients with the same or similar health problems receive the same level of care, and that the presentation of a complaint does not serve to compromise a patient’s future access to care at Center for Sight.

All staff is provided with education regarding their obligation to report all grievances, including whom they should report the grievance to. The grievance process is integrated into Center for Sight's quality assessment and performance improvement program. The patient has the right to:

- Be free of acts of discrimination or reprisal
- Voice grievances regarding treatment or care
- Be fully informed about a treatment or procedure and expected outcome

PROCEDURE

1. Patient Complaint Mechanism

Patients have the right to voice their complaints/ concerns to any staff member at Center for Sight. They can voice these complaints/ concerns verbally in person, over the phone, by mail or email, or in an online review.

2. Receipt of Patient Complaint.

All staff must treat complaints in a serious manner and make every effort to correct the situation in a manner consistent with The State of Florida's Patients' Bill of Rights and Responsibilities. If necessary, either the complainant or staff may request assistance from administrative staff in resolving the matter.

It is the right and responsibility of the complainant to register a complaint verbally, by telephoning Center for Sight or mailing a written complaint to the center.

a. All complaints received by telephone or in writing are to be documented on the Patient Complaint Form.

b. Complete the top part of the form. Please note if the complainant has not reported the complaint to their primary caregiver.

c. Forward the completed form to the Practice Administrator or another manager who has the authority to address grievances on behalf of Center for Sight.

3. Complaint Response and Resolution

All complaints are to be analyzed and investigated to determine the appropriate response. Appropriate actions may include clarification, correction, prevention of future occurrences, and informing the complainant of the actions taken. Complaints that include unsettled patient issues are to be given the highest priority. For these complaints, initial patient or family contact should be made within 72 hours (about 3 days) of receipt and the matter resolved as soon as possible.

All complaints addressed directly to Center for Sight will receive a response from the administrative staff within two weeks. The patient and/or patient's representative will be notified of Center for Sight's decision regarding the grievance. The response must include the name of Center for Sight's contact person, the steps taken to investigate the grievance, the results of the investigation, and the date the process was completed.

Documentation of how the grievance was addressed and the action(s) taken shall be documented on the Compliment/Complaint form. Upon closure, all completed forms should be forwarded to the Practice Administrator, Eye South Compliance, and OMIC.

4. Complaint Review

The Administrative Staff shall establish a mechanism to categorize patient complaints by importance. Quarterly summary reports will be discussed at the administrative staff meetings and forwarded to Eye South for further review if deemed necessary.

The Administrative Staff will maintain a file of complaints and/or data for at least two years. Any complaint which may have potential legal liability should be preserved in its original form.

5. Comments/Suggestions

Patients and visitors should be encouraged to offer comments or suggestions to any staff member.

*Attached: Florida's Patients' Bill of Rights and Responsibilities

CMS 1 800 Medicare (1 800 633-4227)

Agency for Healthcare Administration (AHCA)

Complaint Administration Unit

Phone: (888) 419-3456

Fax: (850) 488-6094

Email: CAU@ahca.myflorida.com

381.026 Florida Patient’s Bill of Rights and Responsibilities.—

- (1) **SHORT TITLE.**—This section may be cited as the “Florida Patient’s Bill of Rights and Responsibilities.”
- (2) **DEFINITIONS.**—As used in this section and s. [381.0261](#), the term:
 - (a) “Department” means the Department of Health.
 - (b) “Health care facility” means a facility licensed under chapter 395.
 - (c) “Health care provider” means a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, or a podiatric physician licensed under chapter 461.
 - (d) “Primary care provider” means a health care provider licensed under chapter 458, chapter 459, or chapter 464 who provides medical services to patients which are commonly provided without referral from another health care provider, including family and general practice, general pediatrics, and general internal medicine.
 - (e) “Responsible provider” means a health care provider who is primarily responsible for patient care in a health care facility or provider’s office.
- (3) **PURPOSE.**—It is the purpose of this section to promote the interests and well-being of the patients of health care providers and health care facilities and to promote better communication between the patient and the health care provider. It is the intent of the Legislature that health care providers understand their responsibility to give their patients a general understanding of the procedures to be performed on them and to provide information pertaining to their health care so that they may make decisions in an informed manner after considering the information relating to their condition, the available treatment alternatives, and substantial risks and hazards inherent in the treatments. It is the intent of the Legislature that patients have a general understanding of their responsibilities toward health care providers and health care facilities. It is the intent of the Legislature that the provision of such information to a patient eliminate potential misunderstandings between patients and health care providers. It is a public policy of the state that the interests of patients be recognized in a patient’s bill of rights and responsibilities and that a health care facility or health care provider may not require a patient to waive his or her rights as a condition of treatment. This section shall not be used for any purpose in any civil or administrative action and neither expands nor limits any rights or remedies provided under any other law.
- (4) **RIGHTS OF PATIENTS.**—Each health care facility or provider shall observe the following standards:
 - (a) *Individual dignity.*—
 1. The individual dignity of a patient must be respected at all times and upon all occasions.
 2. Every patient who is provided health care services retains certain rights to privacy, which must be respected without regard to the patient’s economic status or source of payment for his or her care. The patient’s rights to privacy must be respected to the extent consistent with providing adequate medical care to the patient and with the efficient administration of the health care facility or provider’s office. However, this subparagraph does not preclude necessary and discreet discussion of a patient’s case or examination by appropriate medical personnel.
 3. A patient has the right to a prompt and reasonable response to a question or request. A health care facility shall respond in a reasonable manner to the request of a patient’s health care provider for medical services to the patient. The health care facility shall also respond in a

reasonable manner to the patient's request for other services customarily rendered by the health care facility to the extent such services do not require the approval of the patient's health care provider or are not inconsistent with the patient's treatment.

4. A patient in a health care facility has the right to retain and use personal clothing or possessions as space permits, unless for him or her to do so would infringe upon the right of another patient or is medically or programmatically contraindicated for documented medical, safety, or programmatic reasons.

(b) *Information.*—

1. A patient has the right to know the name, function, and qualifications of each health care provider who is providing medical services to the patient. A patient may request such information from his or her responsible provider or the health care facility in which he or she is receiving medical services.

2. A patient in a health care facility has the right to know what patient support services are available in the facility.

3. A patient has the right to be given by his or her health care provider information concerning diagnosis, planned course of treatment, alternatives, risks, and prognosis, unless it is medically inadvisable or impossible to give this information to the patient, in which case the information must be given to the patient's guardian or a person designated as the patient's representative. A patient has the right to refuse this information.

4. A patient has the right to refuse any treatment based on information required by this paragraph, except as otherwise provided by law. The responsible provider shall document any such refusal.

5. A patient in a health care facility has the right to know what facility rules and regulations apply to patient conduct.

6. A patient has the right to express grievances to a health care provider, a health care facility, or the appropriate state licensing agency regarding alleged violations of patients' rights. A patient has the right to know the health care provider's or health care facility's procedures for expressing a grievance.

7. A patient in a health care facility who does not speak English has the right to be provided an interpreter when receiving medical services if the facility has a person readily available who can interpret on behalf of the patient.

8. A health care provider or health care facility shall respect a patient's right to privacy and should refrain from making a written inquiry or asking questions concerning the ownership of a firearm or ammunition by the patient or by a family member of the patient, or the presence of a firearm in a private home or other domicile of the patient or a family member of the patient. Notwithstanding this provision, a health care provider or health care facility that in good faith believes that this information is relevant to the patient's medical care or safety, or safety of others, may make such a verbal or written inquiry.

9. A patient may decline to answer or provide any information regarding ownership of a firearm by the patient or a family member of the patient, or the presence of a firearm in the domicile of the patient or a family member of the patient. A patient's decision not to answer a question relating to the presence or ownership of a firearm does not alter existing law regarding a physician's authorization to choose his or her patients.

10. A health care provider or health care facility may not discriminate against a patient based solely upon the patient's exercise of the constitutional right to own and possess firearms or ammunition.

11. A health care provider or health care facility shall respect a patient's legal right to own or possess a firearm and should refrain from unnecessarily harassing a patient about firearm ownership during an examination.

(c) *Financial information and disclosure.*—

1. A patient has the right to be given, upon request, by the responsible provider, his or her designee, or a representative of the health care facility full information and necessary counseling on the availability of known financial resources for the patient's health care.

2. A health care provider or a health care facility shall, upon request, disclose to each patient who is eligible for Medicare, before treatment, whether the health care provider or the health care facility in which the patient is receiving medical services accepts assignment under Medicare reimbursement as payment in full for medical services and treatment rendered in the health care provider's office or health care facility.

3. A primary care provider may publish a schedule of charges for the medical services that the provider offers to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the provider's office and must include, but is not limited to, the 50 services most frequently provided by the primary care provider. The schedule may group services by three price levels, listing services in each price level. The posting must be at least 15 square feet in size. A primary care provider who publishes and maintains a schedule of charges for medical services is exempt from the license fee requirements for a single period of renewal of a professional license under chapter 456 for that licensure term and is exempt from the continuing education requirements of chapter 456 and the rules implementing those requirements for a single 2-year period.

4. If a primary care provider publishes a schedule of charges pursuant to subparagraph 3., he or she must continually post it at all times for the duration of active licensure in this state when primary care services are provided to patients. If a primary care provider fails to post the schedule of charges in accordance with this subparagraph, the provider shall be required to pay any license fee and comply with any continuing education requirements for which an exemption was received.

5. A health care provider or a health care facility shall, upon request, furnish a person, before the provision of medical services, a reasonable estimate of charges for such services. The health care provider or the health care facility shall provide an uninsured person, before the provision of a planned nonemergency medical service, a reasonable estimate of charges for such service and information regarding the provider's or facility's discount or charity policies for which the uninsured person may be eligible. Such estimates by a primary care provider must be consistent with the schedule posted under subparagraph 3. Estimates shall, to the extent possible, be written in a language comprehensible to an ordinary layperson. Such reasonable estimate does not preclude the health care provider or health care facility from exceeding the estimate or making additional charges based on changes in the patient's condition or treatment needs.

6. Each licensed facility not operated by the state shall make available to the public on its Internet website or by other electronic means a description of and a link to the performance outcome and financial data that is published by the agency pursuant to s. [408.05\(3\)\(k\)](#). The facility shall place a notice in the reception area that such information is available electronically and the website address. The licensed facility may indicate that the pricing information is based on a compilation of charges for the average patient and that each patient's bill may vary from the average depending upon the severity of illness and individual resources consumed. The licensed facility may also indicate that the price of service is negotiable for eligible patients based upon the patient's ability to pay.

7. A patient has the right to receive a copy of an itemized bill upon request. A patient has a right to be given an explanation of charges upon request.

(d) *Access to health care.*—

1. A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.

2. A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide such treatment.

3. A patient has the right to access any mode of treatment that is, in his or her own judgment and the judgment of his or her health care practitioner, in the best interests of the patient, including complementary or alternative health care treatments, in accordance with the provisions of s. [456.41](#).

(e) *Experimental research.*—In addition to the provisions of s. [766.103](#), a patient has the right to know if medical treatment is for purposes of experimental research and to consent prior to participation in such experimental research. For any patient, regardless of ability to pay or source of payment for his or her care, participation must be a voluntary matter; and a patient has the right to refuse to participate. The patient's consent or refusal must be documented in the patient's care record.

(f) *Patient's knowledge of rights and responsibilities.*—In receiving health care, patients have the right to know what their rights and responsibilities are.

(5) **RESPONSIBILITIES OF PATIENTS.**—Each patient of a health care provider or health care facility shall respect the health care provider's and health care facility's right to expect behavior on the part of patients which, considering the nature of their illness, is reasonable and responsible. Each patient shall observe the responsibilities described in the following summary.

(6) **SUMMARY OF RIGHTS AND RESPONSIBILITIES.**—Any health care provider who treats a patient in an office or any health care facility licensed under chapter 395 that provides emergency services and care or outpatient services and care to a patient, or admits and treats a patient, shall adopt and make available to the patient, in writing, a statement of the rights and responsibilities of patients, including the following:

SUMMARY OF THE FLORIDA PATIENT'S BILL OF RIGHTS AND RESPONSIBILITIES

Florida law requires that your health care provider or health care facility recognize your rights while you are receiving medical care and that you respect the health care provider's or health care facility's right to expect certain behavior on the part of patients. You may request a copy of the full text of this law from your health care provider or health care facility. A summary of your rights and responsibilities follows:

A patient has the right to be treated with courtesy and respect, with appreciation of his or her individual dignity, and with protection of his or her need for privacy.

A patient has the right to a prompt and reasonable response to questions and requests.

A patient has the right to know who is providing medical services and who is responsible for his or her care.

A patient has the right to know what patient support services are available, including whether an interpreter is available if he or she does not speak English.

A patient has the right to know what rules and regulations apply to his or her conduct.

A patient has the right to be given by the health care provider information concerning diagnosis, planned course of treatment, alternatives, risks, and prognosis.

A patient has the right to refuse any treatment, except as otherwise provided by law.

A patient has the right to be given, upon request, full information and necessary counseling on the availability of known financial resources for his or her care.

A patient who is eligible for Medicare has the right to know, upon request and in advance of treatment, whether the health care provider or health care facility accepts the Medicare assignment rate.

A patient has the right to receive, upon request, prior to treatment, a reasonable estimate of charges for medical care.

A patient has the right to receive a copy of a reasonably clear and understandable, itemized bill and, upon request, to have the charges explained.

A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.

A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide treatment.

A patient has the right to know if medical treatment is for purposes of experimental research and to give his or her consent or refusal to participate in such experimental research.

A patient has the right to express grievances regarding any violation of his or her rights, as stated in Florida law, through the grievance procedure of the health care provider or health care facility which served him or her and to the appropriate state licensing agency.

A patient is responsible for providing to the health care provider, to the best of his or her knowledge, accurate and complete information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to his or her health.

A patient is responsible for reporting unexpected changes in his or her condition to the health care provider.

A patient is responsible for reporting to the health care provider whether he or she comprehends a contemplated course of action and what is expected of him or her.

A patient is responsible for following the treatment plan recommended by the health care provider.

A patient is responsible for keeping appointments and, when he or she is unable to do so for any reason, for notifying the health care provider or health care facility.

A patient is responsible for his or her actions if he or she refuses treatment or does not follow the health care provider's instructions.

A patient is responsible for assuring that the financial obligations of his or her health care are fulfilled as promptly as possible.

A patient is responsible for following health care facility rules and regulations affecting patient care and conduct.

History.—s. 1, ch. 91-127; s. 65, ch. 92-289; s. 656, ch. 95-148; s. 21, ch. 98-89; s. 178, ch. 98-166; s. 64, ch. 99-397; s. 7, ch. 2001-53; s. 2, ch. 2001-116; s. 3, ch. 2004-297; s. 12, ch. 2006-261; s. 3, ch. 2008-47; s. 2, ch. 2011-112; s. 1, ch. 2011-122.

¹**Note.**—The word “of” was substituted for the “or” by the editors.