



Grand County

Colorado

Comprehensive Civil Rights Plan Grand County Department of Human Services

129 E. Byers Avenue
Hot Sulphur Springs, CO 80451
Voice: 970-725-3331
FAX: 970-725-3696
grand-jacksondhs@state.co.us
TTY users place calls through CO Relay Service: 711 or 1-800-659-2656

Contact Persons

Civil Rights: Human Services Director
129 E. Byers Avenue, Hot Sulphur Springs, CO 80451

ADA: County Manager
308 Byers Avenue, Hot Sulphur Springs, CO 80451

The Grand County Department of Human Services (DHS) (also referred to as the Department), Civil Rights Plan, Grand County DHS Nondiscrimination and State Nondiscrimination Statements are available in the public reception area of the Department of Human Services, 129 E. Byers Avenue, Hot Sulphur Springs, CO 80451 and online at co.grand.co.us.

Purpose

As a recipient of Federal Financial Assistance, Grand County DHS is responsible for providing core services to assist and support Colorado's most vulnerable individuals and families so they can meet their basic needs and be treated with respect and dignity. Grand County DHS has a civil rights plan to ensure that all eligible individuals receive equal access to all programs, services, activities, and information. All programs are operated in a nondiscriminatory way, without regard to race, color, ethnic or national origin, ancestry, age, disability, sex, gender, sexual orientation, gender identity or expression, 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 Grand County DHS staff and the general public. The plan sets out the Department's civil rights administrative policies and procedures, identifying key contacts within the County and Department and linking the reader to applicable state and federal civil rights laws and resources.

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

Equal Access and Opportunity

Grand County DHS's policies are intended to ensure programs, services and activities are accessible to all eligible persons without regard to race, color, ethnic or national origin, ancestry, age, disability, sex, gender, sexual orientation, gender identity and expression, religion, political beliefs, creed and public assistance status by providing information on how to access accommodations, being transparent with its policies, requiring annual training for all employees and instituting a resolution process.

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, Grand County 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. Grand County DHS and all of its programs, services and activities are accessible to and usable by individuals with disabilities.

Grand County DHS will make reasonable modifications to policies, practices, procedures, and programs to ensure that individuals with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcomed in the Grand County DHS office, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service or wishes to request a reasonable modification to participate in a program, service or activity of the Grand County DHS, should contact the Department and/or the Civil Rights Contact Person to request. Grand County DHS is not required to take any action that would fundamentally alter the nature of its programs, services and activities, or impose an undue financial or administrative burden.

Grand County DHS will not place a surcharge 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.

Grand County DHS has a procedure for complaints alleging disability discrimination or violations of Section 504, Title II of the ADA, or Section 1557 of the Patient Protection and Affordable Care Act of 2010.

Effective Communication Aids and Services

Grand County DHS provides auxiliary aids and services to individuals with disabilities, and language services to individuals whose first language is not English, when needed to ensure equal opportunity and meaningful access to programs, services and activities. Grand County DHS will provide auxiliary aids and services in a timely way and free of charge.

Examples of free aids and services include, but are not limited to:

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

If an individual believes that Grand County 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.

Civil Rights Complaint Resolution Process

As part of the Department's Civil Rights Plan and in accordance with Health Care Policy and Financing (HCPF) Operation Memo 23-003, a documented process for investigating

complaints of discrimination received by the Department must be created and approved by HCPF. This plan has been approved by the HCPF on 6/29/23. Grand County DHS is required to promptly investigate Civil Rights complaints. The complaint process for Grand County DHS is as follows:

The Civil Rights Contact Person will be notified of all civil rights complaints as soon as possible, within 48 business hours of the complaint being received by the Department or a representative of the Department. The Civil Rights Contact Person will conduct an informal investigation (when the complaint does not directly affect a member's eligibility or benefits) within 60 days of receiving the complaint. A formal investigation (when the complaint may affect the member or applicant's eligibility) 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. If there is a potential conflict of interest, **another Department employee** 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; this shall be done by initially contacting the Civil Rights Contact person at 970.725.3331 and following with a written complaint.

All complaints will be tracked by the Grand County DHS using the Department'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 HCPF (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.

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 (if possible), within 30 business days from the completion of the investigation. If a complaint of discrimination or Civil Rights violation is investigated by the Department and the investigation finds that the complaint is founded, HCPF requires the Department to notify HCPF and to take all necessary steps to correct the violation.

HCPF must be provided with a detailed description of actions taken and modifications made to correct the violation following complainant notification of the completion of the investigation. This information will be sent using the County Relations Webform Ticket or via

email HCPF_CountyRelations@state.co.us. Upon receipt of the Department's investigation findings and description of its corrective action, HCPF will work with the Department on any additional required steps.

Civil Rights Complaint Appeal Process

At the time of notifying the applicant, member and/or the individual that submitted the complaint of the results of the investigation, they will also be notified of the right to appeal the initial decision rendered by the Department. Applicants, members and/or the individuals who submitted a complaint shall notify the **County Manager**, in writing, of their intent to appeal a decision within thirty (30) calendar days of any decision made. If the appeal is received by the Department, the appeal will be forwarded to HCPF and **the County Manager** by the Civil Rights Contact Person.

When making an appeal decision, **the County Manager** shall consider all testimony and relevant evidence introduced during the appeal. The applicant, member, or the individual that submitted the complaint and the Department's Civil Rights Contact Person may both be allowed to introduce witnesses and evidence in a fair and consistent manner and may be represented by counsel if desired.

Appeal decisions must be rendered by **the County Manager** within 30 business days of appeal being received by the Department. All decisions shall be in writing and provided to the Department's Civil Rights Contact Person, the applicant, the member, and/or the individual who submitted the complaint, and HCPF. The Grand County DHS must update the Civil Rights Complaint Tracking log with the outcome of the appeal.

Departments of human/social services must cooperate fully with the federal and state investigative processes. If HCPF receives or is notified of a complaint of discrimination against the department, HCPF will initiate corrective actions as specified in 10 CCR 2505-5 1.020.11 until the department rectifies the issue. Non-compliance with corrective action will result in sanctions as stated in 10 CCR 2505-5 1.020.12.

Civil Rights Plan Administration and Monitoring

Grand County DHS will administer its Civil Rights Plan by:

Appointing a qualified Civil Rights Contact Person. To be considered qualified, the Civil Rights Contact Person must be impartial and independent. The Civil Rights Contact Person will act as a point of contact for applicants, members, individuals and HCPF for all of the department's Civil Rights Plan and requirements. The Civil Rights Contact Person will be the point of contact for civil rights complaints. The Civil Rights Contact Person will be responsible to ensure the posting of civil rights notices and updates in lobbies and on the department website. The Civil Rights Contact Person will manage the discrimination investigation process, conduct investigations and address issues of civil rights non-compliance. The Civil Rights Contact Person will work with the department to ensure civil rights training is completed.

The **Grand County DHS** complaint resolution process outlined here is posted publicly within the lobby of the **Grand County DHS** building at **129 E. Byers Ave, Hot Sulphur Springs, CO 80451** and available on **co.grand.co.us**. The HCPF [Nondiscrimination Statement](#) and the County Nondiscrimination statement will be posted along with this process.

The Department will conduct regular training to staff as described below. Training will also be completed based on the findings of investigations conducted.

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).

Monitoring

The Department's Civil Rights Contact Person is responsible for monitoring Grand County DHS's compliance with the Civil Rights Plan, including ensuring all staff complete required training, and that investigations are completed per the plan, including submission of the biannual complaint log.

Retaliation statement

An applicant, member, or individual cannot be retaliated against or coerced for requesting access to or assistance with the submission of a Civil Rights or discrimination complaint, per federal and state law.

Training Statement

Grand County DHS will conduct annual training on the department's civil rights plan to all staff that have contact with applicants and members or department staff who supervise those who have applicant/member direct contact. The training will include information on how to provide clients and members with civil rights information, guidance on how to assist with filing civil rights complaints and updated contact information for the department's Civil Rights Contact Person. Training will also provide staff with information on how to access auxiliary aids and services and language access services for applicants and/or members. DHS Director shall require 100% of Grand County DHS staff to complete the annual training, and tracking of completion of annual training shall be maintained by the DHS Director on the agency training spreadsheet.

Department staff appointed to fulfill duties relating to the administration of Medical Assistance and who have direct contact with applicants and members or who supervise those who have direct contact with applicants and/or members are required to complete annual State Civil Rights and Nondiscrimination training provided by the Staff Development Division (SDD). 100% of the unit's staff must complete the required training on an annual basis. Failure to complete the training annually may result in loss of access to the Colorado Benefits Management System (CBMS). The Economic Security Manager shall maintain tracking of training completion by unit staff on the department training spreadsheet.

The Civil Rights Contact Person will ensure needed training to staff is completed based on complaints referrals received by the department 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 department's training spreadsheet and on the department's Civil Rights Complaint log.

Department 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 department, are paid using federal and state Medical Assistance funds, or who have contact with applicants or members are in compliance with federal and state civil rights laws and the provisions within this Operational Memo. If the department is alerted to discriminatory activity, the department must notify HCPF, via email HCPF_CountyRelations@state.co.us, within three (3) business days.

At HCPF's direction, if the department, state or federal government finds that any of the department's contractors, vendors or partners are in violation of federal and state civil rights provisions, the department 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 HCPF to the department.

Additional Complaint Resources

Per state and federal law, individuals can submit a discrimination or civil rights complaint to the department or directly to the state or federal government. All of the options listed below for the submission of civil rights complaints are publicly posted within lobbies and high-traffic areas within the department. To submit a complaint, the applicant or member can utilize the department's Civil Rights/Non-Discrimination complaint process, required as part of the department's Civil Rights Plan, operationalized by the department and approved by HCPF and/or:

U.S. Department of Health and Human Services

Office for Civil Rights

1961 Stout Street, Rooms 08-148

Denver, CO 80294

Telephone: 800.368.1019

TDD: 800.537.7697

Fax: 202.619.3818

Email: OCRComplaint@hhs.gov

www.hhs.gov/civil-rights/filing-a-complaint/complaint-process/index.html

Colorado Department of Health Care Policy and Financing

Civil Rights Officer

1570 Grant Street

Denver, CO 80203

Telephone: 303.866.6010

State Relay: 711

Fax: 303.866.2828

Email: hcpf504ada@state.co.us

<https://hcpf.colorado.gov/americans-disabilities-act>

Colorado Department of Regulatory Agencies

Colorado Civil Rights Division

1560 Broadway, Suite 825

Denver, CO 80202

Telephone: 303.894.2997

Toll Free: 800.262.4845

State Relay: 711

Fax: 303.894.7830

Email: dora_ccrd@state.co.us

<https://socgov07-site.secure.force.com/ColoradoCivilRights/>