



California's protection and advocacy system  
www.disabilityrightsca.org  
Toll Free: (800) 776-5746  
TTY: (800) 719-5798

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### **Disability Rights California PAIMI Assurance Grievance Procedure**

Disability Rights California is required by federal law to establish a grievance procedure for individuals who have received or are receiving mental health services, family members of such individuals with mental illness, or representatives of such individuals or family members to assure that Disability Rights California is operating in compliance with the Protection and Advocacy for Mentally Ill Individuals Act. 42 U.S.C. § 10805(a)(9).

An individual who believes that Disability Rights California has violated any of the federal assurances set out below is eligible to file a grievance under the Assurance Grievance Procedure if that individual is also:

1. A person who is receiving or has received mental health services;
2. A family member of such a person who is receiving or has received mental health services; or
3. A representative of a person who is receiving or has received mental health services.

The federal assurances require that Disability Rights California must:

1. Be independent of service providers;
2. Have the capacity to protect and advocate rights;
3. Have trained staff;
4. Have the authority to investigate allegations of abuse and neglect;
5. Have the authority to pursue legal, administrative and other appropriate remedies;
6. Have access to clients, records and facilities;
7. Maintain confidentiality of records;

8. Not take actions on behalf of clients that are duplicative of actions taken by client's legal guardian, conservator or representative other than the State, unless such legal representatives request Disability Rights California's assistance;
9. Exhaust administrative remedies prior to legal action, except in an emergency;
10. Have a multi-member governing board which jointly develops priorities, and includes members who are broadly representative of Disability Rights California clients and the advisory council chair;
11. Have an advisory council that offers advice on policies and priorities, has 60% of its membership comprised of recipients, former recipients, or family members, and completes a section of the Annual Report;
12. Provide the public with an opportunity to comment on priorities;
13. Use court judgments to further purposes of federal laws; and
14. Use federal allotments to supplement, not supplant, non-federal funds.

An individual who believes that Disability Rights California has violated any of the assurances may file a written complaint with the Executive Director using Disability Rights California's Assurance Grievance form. The complaint form should be sent to:

Executive Director  
Disability Rights California  
100 Howe Avenue, Suite 185 North  
Sacramento, CA 95825

**The Executive Director may request the Director of Litigation or other Disability Rights California staff to conduct a legal analysis of the grievance, as appropriate. The Executive Director will issue a written decision regarding the assurance grievance within 30 DAYS OF RECEIVING THE COMPLAINT.**

## PAIMI Assurance Grievance Form

Your name:

Your address:

Your daytime telephone: (     )

Your e-mail:

I am [check the appropriate item]:

A person who is receiving or has received mental health services.

A family member of a person who is receiving or has received mental health services.

A representative of either a person who is receiving or has received mental health services or of their family member.

I believe that Disability Rights California has violated the following assurances required by the Protection and Advocacy for Individuals with Mental Illness Act, 42 U.S.C. Sec. 10805(a)(9):

My reasons for this belief are:

Dated \_\_\_\_\_ By \_\_\_\_\_ Signature

Mail Completed Form to:

Executive Director  
Disability Rights California  
100 Howe Ave., Suite 185N  
Sacramento, CA 95824  
Fax: (916) 488-9962  
E-mail: [executivedirector@disabilityrightsca.org](mailto:executivedirector@disabilityrightsca.org)