

**10A NCAC 28B .0204 DIVISION DIRECTOR'S REVIEW OF GRIEVANCES**

- (a) If a client or client's representative as specified in Rule .0203(b)(1)(D) of this Section is dissatisfied with the State Facility Director's decision in a grievance, the client or client's representative may request a review of the State Facility Director's decision by the Division.
- (b) The client or client's representative shall submit a written request for review of the decision to the appropriate deputy director of the Division (as indicated by the State Facility Director). The request shall indicate:
- (1) a description of the grievance;
  - (2) action taken by the State Facility Director; and
  - (3) preferred action of the client.
- (c) The Deputy Director receiving the request for review of the decision shall notify the Division Director, Division's Assistant Director for quality assurance and any other deputy or assistant director whose responsibilities overlap in the area of the grievance.
- (d) The Deputy Director receiving the request shall collect information on the issue and make a determination in consultation with any other deputy or assistant director involved.
- (e) The Deputy Director shall make a recommendation to the Division Director within 10 working days from the date of the receipt of the request.
- (f) The Division Director, after appropriate consultation, shall issue a written decision to the requesting party within 20 working days from the original date of the receipt of the request by the Deputy Director.
- (g) The client or his legally responsible person may appeal the Division Director's decision by petitioning for a contested case hearing pursuant to Article 3 of G.S. 150B.

*History Note: Authority G.S. 143B-147;  
Eff. October 1, 1984;  
Amended Eff. April 1, 1990; July 1, 1989;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.*