

Family Support 360: Grievances, Appeals, & Fair Hearings

What is a grievance?

A grievance is a complaint or expression of dissatisfaction with any aspect of the operations or activities, of the Family Support 360 waiver or its providers. A participant can make a grievance directly to the Division of Developmental Disabilities (DDD) at any time which affords participants due process pursuant to South Dakota Codified Law, Chapter 1-26. During the time of the grievance the participant will continue to receive any waiver services identified within the grievance.

All qualified providers are required to maintain a grievance/complaint system, which contains minimum procedures for grievance available to all waiver participants.

What is an appeal?

An appeal asks DDD to look again at a decision that was made. If you want DDD to look again at a decision made by the state or your provider, please write down your concern and any supporting information. DDD will respond to appeals within 30 days.

Where do I send my grievances or appeals?

Send all grievances and appeals to the Division of Developmental Disabilities, 3800 East Hwy 34, Pierre, SD 57501. If you have additional questions, please call 605-773-3438, or send an email to infodd@state.sd.us

How can I request a fair hearing?

If you feel DDD has made an improper decision determining eligibility, termination, or reduction of services, or you are unsatisfied with the results of your appeal, you have the right to request a fair hearing. The request should contain the reason for the request, your address with zip code, and your phone number. Requests must be submitted within 30 days after DDD issues a decision. A request can be submitted to the Office of the Secretariat, Department of Human Services at the following address:

Office of the Secretariat, Department of Human Services

3800 East Hwy 34 Hillsview Properties Plaza

c/o 500 East Capitol Avenue

Pierre, SD 57501

Once your request reaches the Office of Administrative Hearings, a hearing date will be set and both parties will receive a Notice of Hearing by mail. Carefully read the Notice of Hearing. If you agree with the time and date, the hearing will continue as scheduled. If the time and date does not work for you, go you can request a change.

To request a change of the date and time of your hearing, you need to contact the Office of Administrative Hearings at (605) 773-6851 at least 10 days prior to the scheduled hearing.

Carefully prepare your case and attend your hearing. Each party has a right to be represented by an attorney at his or her own cost.

At the conclusion of the hearing, a decision will be made. The decision will be mailed to the parties involved within 90 days from the date of the request for the hearing, not including delays requested by or agreed to by the person who requested the hearing.

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