

**Individual Grievance Process/Objection to Services**

1. To the extent possible by applicable regulations adult persons, parents, guardians or correspondents may object and appeal any plan of services or any part or changes to the service Plan, other care or treatment with which they disagree, plans for placement or a proposal initiated by Aspire of WNY, Inc. to discharge.
2. A person choosing to object or appeal can select a representative to provide assistance and representation.
3. The Aspire of WNY, Inc. Grievance Procedure is that:
  - a. An objecting party should attempt to reach an informal resolution with the Aspire of WNY, Inc. staff person with responsibility for service planning. The individual’s Care Coordinator and advocate will be involved in this process.
  - b. If the person objecting cannot reach an informal resolution with the person identified above, they are encouraged to contact another member of the program planning team, the division leader, or a member of the Executive Office. A written confirmation of resolution or inability to reach resolution shall be sent to the objecting party by the person who received the objection or appeal, as well as the agency’s Chief Executive Officer.

	<b>Day Services</b>	<b>Residential Services</b>
1)	Vice President of Day Services & Transportation or Designee 2356 North Forest Rd. Getzville, NY 14086 716-505-5721 Alternate # for assistance 716-505-5500	Vice President of Residential Opportunities or Designee 7 Community Drive Cheektowaga, NY 14225 716-505-5790 Alternate # for assistance 716-505-5500
	<b>Family Support Service (FSS)</b>	<b>Adult Therapy Services</b>
	Director of Agency Outreach & Central Intake or Designee 7 Community Drive Cheektowaga, NY 14225 716-505-5260 Alternate # for assistance 716-505-5500	Director of Therapeutic Services or Designee 7 Community Drive Cheektowaga, NY 14225 716-505-5542 Alternate # for assistance 716-505-5500
	<b>Community and Independent Living Supports</b>	
	Vice President of Community and Integrated Supports or Designee 2356 North Forest Rd. Getzville, NY 14086 716-456-3122 Alternate # for assistance 716-505-5500	
2)	Compliance Officer or Designee 2356 North Forest Rd. Getzville, NY 14086 716-505-5507 Alternate # for assistance 716-505-5500	
3)	President and CEO or Designee 2356 North Forest Rd. Getzville, NY 14086 716-505-5504	

- c. If the person objecting does not wish to address their concerns to Aspire or if this mechanism does not lead to resolution, the objecting party may submit a formal written objection requesting a hearing to the:

**Director  
Western New York Developmental  
Disabilities Service Office  
1200 East and West Road  
West Seneca, NY 14224  
(716) 674-6300**

Upon receipt OPWDD will resolve the issue pursuant to applicable regulation that may include:

- d. An informal hearing process.
- e. Within five days of receipt of a formal written objection, a hearing to take place before a DDSO hearing office shall be scheduled with no less than ten (10) days' notice to the parties involved. A written decision by the hearing office shall be sent to the parties involved within fourteen (14) days of that hearing.
- f. If any party to the proceeding is not satisfied with the decision, it may be appealed within 10 days to the commissioner of OPWDD who will issue a final written decision to all parties within fourteen (14) days of receipt of the appeal. The commissioner may, at his or her discretion, send the matter back to the hearing officer for further review

**Commissioner of OPWDD  
44 Holland Avenue  
Albany, NY 12229  
(518) 473-1997**

- g. The commissioner's decision is the final administrative remedy available and may be appealed in accordance with the provisions of Article 78 of the Civil Practice laws and rules.
4. No person shall be denied the opportunity to participate in any hearings related to the objection of any plan or part thereof or proposed changes thereto, other care and treatment, plans for placement, or a proposal initiated by the agency/facility to discharge.
  5. During the period that an objection is undergoing administrative review, a person shall participate in programming mutually agreeable to the objecting party, the service provider, the person, and his or her parent guardian or correspondent. Every feasible effort shall be made to maintain the person in at least his or her current level of programming. However, to protect a person's health, safety, or welfare or the health, safety, or welfare of others, nothing herein shall preclude a change in programming for, or the relocation or discharge of a person. While an objection to placement or discharge is undergoing administrative review, relocation or discharge shall only take place with the commissioner's approval.