

Fact Sheet: **How to File a Nursing Home Complaint**

What should I do if I have a complaint about a nursing home?

You can do **any** or **all** of the following:

- Complain to the nursing home staff and expect a prompt response
- Ask for free and confidential help by calling the Michigan Long Term Care Ombudsman Program **1-866-485-9393**
- File a complaint with the State of Michigan by calling **1-800-882-6006**

What can I complain about?

A complaint can be about any aspect of a resident's life in the nursing home including whether there are enough staff, how staff treat the resident, the quality or choice of food, residents' rights, or quality of care. The State will only investigate complaints related to violations of the extensive state or federal laws that govern almost every aspect of nursing home life. Your complaint can be about more than one issue.

How can I file a complaint?

There are three ways you can file a complaint with the State:

1. Call the toll-free Complaint Hotline at **1-800-882-6006**
2. Submit the complaint on-line.
 - Go to **www.michigan.gov/lara**
 - On the left side, click on **"Bureau of Community and Health Systems"**
 - In the center, click on **"File a Complaint"**
 - In the middle, click on **"Health Agencies and Facilities"**
 - Click on **"1. Submit a complaint using the online form"**

3. Submit a completed Health Facility Complaint Form BCHS-361 (available from the Ombudsman) to:

Michigan Department of Licensing and Regulatory Affairs
Bureau of Community and Health Systems-Health Facility Complaints
P.O. Box 30664, Lansing, MI 48909

Fax: 517-335-7167

Email: BHCS-Facility-Complaints@michigan.gov

What information will I need to provide?

Whichever method you use, you will need the name and address of the nursing home, the name of the resident, information about why you are complaining, and the date or dates of the incident(s). The more factual, focused, and detailed the information you give about the issue or incident, the more likely it is the State will be able to verify your concern.

It is especially helpful if you can identify staff by name, report the date and time the problem occurred, and mention if there were any other witnesses. If you can take a picture that will help the State understand your concern, you may be able to show that to the State investigator assigned to your complaint.

If you choose, you can give your name, address and daytime telephone number. Doing so will allow the State to call you to discuss the complaint and send you the results of the investigation. The State will not share your name during its investigation.

What does the State do upon receiving a complaint?

When the State receives a complaint, staff will identify possible violations of state and federal law, assign a priority based on how serious the complaint is, and assign the complaint to the staff members who will investigate it. If you provided your name and contact information, the State will send you a letter confirming the complaint has been received.

How long will it take before an investigation is started?

If the complaint is very serious and is classified as “immediate jeopardy,” the State is required to investigate within two business days. Complaints considered to be less serious will be investigated over a longer period of time.

How does the State investigate complaints?

State employees called surveyors review the medical record, go to the nursing home unannounced to review the complaint, and may interview staff or residents. For each issue, the State will find it

- **“substantiated”** if the State agreed that the nursing home violated state or federal law
- **“unsubstantiated”** if the State did not find enough evidence to support your complaint or did not believe the situation you complained about violated state or federal law

Will the surveyor contact me?

The surveyor is supposed to contact you at the start or during the investigation if you have provided your name and contact information.

What happens when the investigation is completed?

You will receive a written report with the findings of the investigation if you gave your name and contact information.

What happens if a complaint is substantiated?

If a complaint is substantiated, the State will identify which federal or state law has been violated. The nursing home is given a detailed report about what the State found and is required to tell the state how and when it will correct the problem. In serious cases, the facility may also be fined or have other penalties.

What if I am dissatisfied because the State does not substantiate my complaint?

The letter you receive with the findings of the investigation will inform you how to appeal. You must ask for an administrative hearing within 30 days.

Michigan Long Term Care Ombudsman Program

Free and Confidential Help

1-866-485-9393

Email: MTLCOP@meji.org

Website: MLTCOP.org

