

F.Y.I.SERVICE

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How to file a complaint against a hospital or medical professional

Why should I file a complaint against a hospital?

If you feel that you were mistreated by a hospital or hospital employee, you may wish to file a complaint. By filing a complaint, you may be able to force the hospital to stop its harmful actions, stop unethical or ineffective treatment by health care professionals, as well as help improve the overall quality of care at the hospital.

Should I complain directly to the hospital?

Yes, this is a good first step. Often, the problem can be resolved by filing your complaint with the hospital. However, if you feel that the hospital is not responding to your complaint, you may choose to file a complaint with a number of other organizations.

Who do I file a complaint with?

There are a number of organizations that you can file a complaint with, depending on the type of complaint. You may file complaints with more than one organization.

1. If you have feel that a medical professional has mistreated you, you may file a complaint with the **Health Professions Quality Assurance Division in the Department of Health.**

A medical professional can mean many things, including:

- Doctor,
- Doctor's assistant,
- Nurse,
- Registered nurse,
- Nursing assistant,
- Pharmacist,
- Psychologist,
- Psychiatrist,
- Chemical dependency professional,
- Mental health counselor,
- Nutritionist,
- Occupational therapist

For more information about the Health Professions Quality Assurance Division in the Department of Health, please go to page 4 of this publication.

2. If you have a complaint against a hospital, you may file a complaint with the **Department of Health's Facilities and Services Licensing & Investigations Division.** For more information about this organization, please go to page 5 of this publication.

3. In addition, you can file a complaint against a facility with the **Joint Commission on Accreditation of Healthcare Organizations (JCAHO).**

For more information about this organization, please go to page 6 of this publication.

4. If you feel that you have been discriminated against or your civil rights have been violated, you may file a complaint with the **Office for Civil Rights in the U.S. Department of Health and Human Services.**

For more information about this organization, please go to page 7 of this publication.

5. If you suspect that the hospital or provider is committing some type of fraud, please see the WPAS FYI titled "Reporting Healthcare Provider Fraud".
6. If you feel that you deserve money damages from a health care provider, you may wish to contact a lawyer who specializes in **personal injury** or **medical malpractice**. Filing a complaint with one of the organizations listed in this publication may force the health care provider to stop its harmful behavior, but will not get you money damages.

Here are some ways to find a lawyer.

A. Some county-based bar associations have lawyer referral services which can help you find a lawyer. If you do not live in these counties, call the county bar association closest to you.

- **Clark or Cowlitz County: 360-695-0599**
- **King County: 206-623-2551**
- **Kitsap County: 360-373-2426**
- **Lewis County: 360-748-0430**
- **Pierce County: 253-383-3432**
- **Snohomish County: 425-388-3018**
- **Spokane County: 509-456-3655**
- **Thurston County: 360-923-4844**

B. The Association of Trial Lawyers of America has an online attorney directory. You can reach it by going to <http://www.attorneylocate.com>.

C. You may also access FindLaw's online legal directory at <http://lawyers.findlaw.com>.

D. You may also wish to check your local Yellow Pages to find a lawyer.

**HEALTH PROFESSIONS QUALITY ASSURANCE DIVISION (WASHINGTON STATE
DEPARTMENT OF HEALTH)**

**How do I file a complaint with the Health Professions Quality Assurance Division in
the Department of Health?**

To file a complaint, fill out the attached form and mail to:

Health Professions Quality Assurance
PO Box 7865
Olympia, WA 98504-7865

In addition, you may fax your complaint to them at 360-238-4818.

What if I have a question about filing a complaint?

If you have a question about filing a complaint, contact the Department of Health at 360-236-4700.

Is there a time limit to file a complaint?

There is no time limit. However, it is best to file your complaint as soon as possible, because a complaint made a long time after the incident can be very hard to investigate.

How long does the process take?

Depending on the case, it may take anywhere from a few weeks to a year.

What else may I have to do after I file my complaint?

You may be asked to give additional information. You may be asked to sign a confidentiality waiver for the purpose of investigating your complaint. You might be asked to testify if there is a formal hearing.

FACILITIES AND SERVICES LICENSING (WASHINGTON STATE DEPARTMENT OF HEALTH)

How do I file a complaint with the Facilities and Services Licensing Division of the Department of Health?

To file a complaint with this organization, fill out the attached complaint form and mail it to:

Facilities and Services Licensing
ATTN Investigations
PO Box 47852
Olympia, WA 98504-7852

You may also fax your complaint to: 360-236-2901.

You may also call the Department of Health's 24-hour hotline at 800-633-6828 if you have questions or would like to file a complaint by phone.

Is there a time limit to file a complaint?

There is no time limit. However, it is best to file your complaint as soon as possible, because a complaint made a long time after the incident can be very hard to investigate.

What can I expect after I submit my complaint?

After Facilities and Services Licensing receives your complaint, you will get a confirmation letter with a case number.

When the investigation is complete, you will receive a letter with the results.

How long does the process usually take?

The complaint process usually takes anywhere from three months to a year.

JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE ORGANIZATIONS

How do I file a complaint with the Joint Commission on Accreditation of Healthcare Organizations?

You may file a complaint with JCAHO by completing the attached form and mailing it to:

Office of Quality Monitoring
Joint Commission on Accreditation of Healthcare Organizations
One Renaissance Boulevard
Oakbrook Terrace, IL 60181

You may fax your complaint to 630-792-5636 or email them at complaint@jcaho.org.

If you have questions about your complaints to JCAHO, you may call them at 1-800-994-6610.

Is there a time limit to file the complaint?

There is no time limit. However, it is best to file your complaint as soon as possible, because a complaint made a long time after the incident can be very hard to investigate.

How long does the process take?

The amount of time it takes to investigate a complaint varies, but it could last as long as a year.

What can I expect once I file the complaint?

You will receive a letter acknowledging that an investigation has been done. Because of its confidentiality policy, JCAHO will not send you a letter giving you the results of the investigation.

OFFICE FOR CIVIL RIGHTS (U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES)

How do I file a complaint with the Office for Civil Rights in the U.S. Department of Health and Human Services?

To file a complaint with the OCR, fill out the attached complaint form and mail to:

Office for Civil Rights – U.S. Department of Health & Human Services
2201 Sixth Avenue, Mail Stop RX-11
Seattle, WA 98121

You may also submit the complaint by fax at 206-615-2297.

What if I have questions about filing a complaint?

If you have questions regarding your complaint, you may call 800-368-1019 (voice) or 800-537-7697 (TDD). You may also email your questions to OCRMail@hhs.gov

Is there a time limit on filing a complaint?

You must file your complaint within 180 days of the date when the discrimination happened. The Civil Rights Office might extend the deadline if you can show “good cause” for the delay. If you have questions about this deadline, you may call them at 800-368-1019 (voice), or 800-537-7697 (TDD).

What can I expect after I file my complaint?

Once the complaint is received, you will receive a confirmation letter from the Office for Civil Rights. Once the complaint is referred to an investigator, the investigator will contact you, either in writing or by phone, to inform you whether or not they will investigate your case. If your case is accepted, you may be asked to give more information. After the investigation is complete, you will be mailed a copy of the findings.

How long does this process usually take?

Most complaints are processed and completed in about 180 days, though some may take longer.

GENERAL TIPS FOR FILING COMPLAINTS

Who may file a complaint?

You DO NOT need to be a patient to file any type of complaint against a hospital or health care professional. Anyone who has knowledge of a health care provider's unprofessional behavior can file a complaint.

Should my complaint be in writing?

Yes. While you are usually not required to put your complaint in writing, it is a good idea to do so. Be sure to keep a copy of the complaint for your own records.

What violations may my complaint be based on?

You may file a complaint if:

- The health care provider or one of its employees is physically or mentally unable to do his or her job;
- The health care provider or one of its employees is acting unprofessionally; or
- The health care provider is practicing without a license.

The organizations listed in this publication cannot handle cases involving:

- Fee disputes or getting money back for you;
- Questions about disability compensation or insurance reimbursement;
- The rudeness of a health care provider or its staff; or
- Bringing a suit against a provider for money.

What can I do if I have a complaint or problem that the organizations will not handle?

Disputes about payment of fees must be handled by contacting your health care provider.

Usually, the organizations do not handle complaints about a rude health care provider.

However, if the provider's actions are misleading, harmful, or sexual in nature, then you may file a complaint, since such behavior is unprofessional. If your provider is rude but you cannot file a complaint, you might consider finding a new provider, if that is possible.

What kind of information do I need to file a complaint?

- Generally, it is best to have as much detail as possible. If possible, keep a log of the incidents you would like to complain about.
- Include the date, time, what happened, and how you would like the problem to be fixed.
- Also, keep a record of attempts you have made to fix the problem. For example, if a nurse took a long time in bringing your medicine, and you tried to complain to a supervisor, keep a record of when you made your complaint, and the result.
- Try to be as detailed as possible. For example, if you had to wait a long time to get your medicine, try to record specifically how long you waited.
- If there are people who witnessed the incident, you may wish to write down their names and contact information, so that an investigator can contact them later.

Are there usually deadlines for filing complaints?

Yes! Please be aware that there are certain time limits or deadlines to file a complaint, a lawsuit or take legal action. If you fail to act within these time frames, you may lose your right to do so. You may wish to talk to a lawyer about this.

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