

METHODS OF ADMINISTRATION
NON DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

The District of Columbia Department of Human Resources is considered in compliance with Title VI of the Civil Rights Act of 1964. The following describes methods of administration used to assure continued compliance with Title VI.

A. OTHER AGENCIES, INSTITUTIONS, ORGANIZATIONS, AND CONTRACTORS

The State Agency is taking and will continue to take the following steps as necessary to assure that other agency, institution, or organization participating in Title XIX program through contractual or other arrangements, will comply with the Act and regulations:

1. The State Agency has already informed local medical vendors who are recipients of District and Federal monies of their obligations. Those who are now eligible to be paid from public monies, and are required by law to do so, have already forwarded properly executed forms HEW-441 to the Department of Health Education, and Welfare through this department.
2. These executed forms were obtained at the direct request of the State Agency, after reminding them of their obligations under the applicable provisions of the Act and the regulations, both Federal and District.
3. There are no medical vendors from whom a properly executed Form 441 is required and cannot be obtained, nor is it anticipated that there will ever be, since the State Agency would not approve an application of any such vendor not in compliance with the Federal laws or the laws of the District of Columbia.
4. All vendors and contractors are required to certify before becoming vendors or contractors that they are in compliance with Title VI of the Civil Rights Act of 1964 and with other laws and regulations applicable. The language certifying compliance is included in all bids made to, and contracts entered into by, the District of Columbia. The terms "vendors" and "contractors" include individuals and groups who contract to furnish personal services such as physicians, psychologists, and other professional and nonprofessional personnel. They also include "partnerships," "corporations," "companies" and other legal entities.
5. It is not proposed to submit a HEW Form 441 to all bidders and contractors in view of the situation as disclosed in 4 above.

B. DISSEMINATION OF INFORMATION

The State Agency is taking, and will continue to take, the following steps, as necessary, to assure that information will be made available about the Civil Rights Act and the regulation, and the protection against discrimination assured by such Act, to all applicant, recipients, and participants in the title XIX program:

1. The State Agency Director holds an executive conference at least once a month and more often as necessary at which the question of compliance with Title VI of the Civil Rights Act of 1964 has been and will be discussed. The members of the Conference are reminded from time to time of their obligation for conducting staff conferences or having them conducted in their areas of responsibility and their obligations for disseminating information both to employees, patients and other clients of the Agency. In addition, written communication such as memoranda outlining these responsibilities will be transmitted to individuals within the Agency and to those directly concerned outside the Agency. It is also planned to utilize public news media through a comprehensive health education program within the Agency. The Agency is staffed by experts in the various media for the purpose of keeping the public informed as to any isolated problems, or the solutions of such isolated problems as they occur.
2. The Associate Directors of the State Agency and the recipient of grants made through the Agency will be provided with a reminder of their obligations under the applicable provisions of Title VI of the Act, Title 45, Subtitle A, Part 80 of the U.S. Code of Federal Regulations, and under the regulations of the District of Columbia.
3. These statutory provisions and regulations will be made known in all State Agency conferences to Agency employees and to the District of Columbia Health Planning Advisory Council at appropriate times.
4. The State Agency has prepared a public notice which has been made available in appropriate places to clients and other members of the public who visit the agency's clinics, hospitals, and other facilities.
5. All employees of the State Agency have been informed of District of Columbia policies of non-discrimination through the publication of U.S. Civil Service Regulations, District of Columbia Regulations, and Organization Order No. 125, establishing the Commissioners' Council on Human Relations.
6. The State Agency will inform potential beneficiaries and potential participants that the programs are to be conducted on a non-discriminatory basis through public notices in appropriate locations and news releases.

7. All interested persons, including the general public have been and will continue to be kept informed of the fact that programs are and will continue to be conducted on a non-discriminatory basis, through public notices in appropriate locations and news releases.
8. The State Agency has already informed local agencies and other recipients of District and Federal monies of their obligations. Those who are now direct beneficiaries of allotments of public monies have already forwarded properly executed forms HEW 441 to the Department of Health, Education, and Welfare through this Agency.
9. These executed forms were obtained at the direct request of the State Agency, after reminding them of their obligations under the applicable provisions of the Act and the regulations, both Federal and District.

C. COMPLAINT PROCEDURE

The complaint procedure is in effect whereby any aggrieved person may file with designated State or local agency officials a written complaint of alleged discriminatory conditions or practices in the operation of the program; prompt investigation will be made; and corrective action will be taken, when warranted. The following procedures will apply:

1. Public notices, the publication of both Federal and District regulations, and news releases from time to time assure that all potential providers and participants, and all interested persons are informed of their right to file a complaint in writing, of any alleged discriminatory condition or practice with the State Agency, the Commissioner's Council on Human Relations (See B, Dissemination of Information, No. 5), the Department of Health, Education, and Welfare, or all three as they desire.
2. All applicants for and participants in the Title XIX medical assistance program are notified of their right to file in writing within 90 days of the alleged occurrence, a complaint of any alleged discriminatory condition or practice in the operation of the program. Such complaint will be referred to the State Agency Appeals Officer and will be reviewed by the department official immediately responsible for the area of operation in which the cause for the alleged complaint occurred, who will thoroughly investigate the complaint and provide a written report thereon and any further explanation required for proper consideration. Decision will be rendered by the Appeals Officer within 45 days of his receipt of the complaint.
3. Any corrective action indicated will be executed. If the complaint is judged, on the basis of the information presented, not to warrant such action, the complainant will be notified and advised of his right of appeal to the Council on

Human Relations. Those vendors and contractors who are found to be not in compliance shall be discontinued by the State Agency since their non-compliance would be a breach of their contract with the Agency. All complainants shall be notified in writing of any decision concerning the decision. All records concerning complaints will be maintained by the Regulations Development Officer of the State Agency. These records will be available for inspection at any time by authorized State and Federal officials. The identity of the complainant shall be kept confidential except to the extent necessary to carry out the complaint procedure. A compliance review of the activities of all medical vendors to determine if the services for which they are receiving payment under this program are being offered in accordance with the provisions of this Compliance Statement will be conducted at regular intervals, at least annually, by the State Agency. Any corrective action required as a result of the findings of such review will promptly be executed.