



CENTRAL DUPAGE HOSPITAL
EMERGENCY MEDICAL SERVICES SYSTEM
POLICY & PROCEDURES

TITLE: COMPLAINTS

SECTION: LEGAL

POLICY NUMBER: C-1

APPROVED BY: DR. STEVE GRAHAM EMS MEDICAL DIRECTOR

EFFECTIVE DATE: 01 AUGUST 2019

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PURPOSE: To establish guidelines on the process of complaints as reported to the Central DuPage Hospital Emergency Medical Services System (CDHEMSS).

POLICY: Complaints are defined by the Illinois Department of Public Health (IDPH) as a report of an alleged violation of the EMS Act, or EMS JCAR section 515.450, by System Participants or providers covered under the act, or members of the public. Complaints shall be defined as problems related to the care and treatment of a patient. Complaints shall be handled in the following manner when received by CDHEMSS:

1. A person who believes that the Act or Rules (515.450) may have been violated may submit a complaint by means of a phone call, letter, email, fax or in person. An oral complaint will be reduced to writing by IDPH. The complainant shall be requested to submit the following information concerning the allegation:
 - a. Date and time of occurrence
 - b. Name(s) of the patient, EMS Personnel, entities, family members and other persons involved
 - c. Relationship of the complainant to the patient or to the provider
 - d. Condition and status of the patient
 - e. Details of the situation
 - f. The name of the facility where the patient was taken
2. All complaints shall be submitted to the IDPH's Central Complaint Registry or to the EMS Medical Director (EMS MD). Complaints received by the EMD MD shall be forwarded to the Department's Central Complaint Registry within 5 business days after receipt of the complaint. The substance of the complaint shall be provided in writing to the System participant or provider no earlier than at the commencement of an on-site investigation.
3. IDPH and the EMD MD shall not disclose the name of the complainant unless the complainant consents in writing to the disclosure.

4. IDPH may conduct a joint investigation with the EMS MD, EMS System Coordinator (EMS SC) or Trauma Center MD if a death or serious injury has occurred or there is imminent risk of death or serious injury, or if the complaint alleges action or conditions that could result in a denial, non-renewal, suspension, or revocation of licensure or designation. If the complaint alleges a violation by the EMS MD, EMS SC or Trauma Center MD, the Department shall conduct the investigation. If the complaint alleges a violation that would not result in licensure or designation action, the Department shall forward the complaint to the EMS MD or Trauma Center MD for review and investigation. The EMS MD or Trauma Center MD may request the Department's assistance at any time during an investigation. In the case of a complaint between EMS Systems, the Department will be involved as mediator or lead investigator.
5. The EMS MD or Trauma Center Director shall forward the results of the investigation and any disciplinary action resulting from a complaint to IDPH. Documentation of the investigation shall be retained at the hospital in accordance with EMS System improvement policies and shall be available to the Department upon request. The investigation file shall be considered privileged and confidential in accordance with the Medical Studies Act [735 ILCS 5/8-2101].
6. Based on the information submitted by the complainant and the results of the investigation conducted in accordance with subsection (e), the Department will determine whether the Act or this Part is being or has been violated. The Department will review and consider any information submitted by the System participant or provider in response to an investigation.
7. The Department will have final authority in the disposition of a complaint. Complaints shall be classified as "violation", "no violation", or "undetermined".
8. The Department will inform the complainant and the System Participant or provider of the complaint results (i.e., whether the complaint was found to be a violation, no violation, or undetermined) within 20 days after its determination.
9. The EMS System shall have a policy in place requiring compliance with this Section.
10. An EMS System Participant or provider who is dissatisfied with the determination or investigation by the Department may request reconsideration by the Department.
11. The investigative files of the EMS System and the Department shall be privileged and confidential in accordance with the Medical Studies Act [735 ILCS 5/8-2101], except that the Department and the involved EMS System may share information. The Department's final determination shall be public information subject to FOIA
12. The first week of each month, the EMS System Coordinator (or their designee) shall submit to the Illinois Department of Public Health (IDPH) a form for each "complaint" regarding patient care. Form shall include:
 - a. A brief synopsis of the "issue"
 - b. Outcome of the system investigation
 - c. Name and license number of the EMS personnel involved in *sustained* allegations

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