

RWP Section: ADMINISTRATIVE-Programmatic

RWP Procedure Number: 1b.9

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**Client Grievance Policy and Procedures**

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**Excerpts from the Miami-Dade County Ryan White Program Service Delivery Manual, including Client Rights and Responsibilities, and Involuntary Disenrollment of Clients**

- In addition to each subrecipient's internal **Client Rights and Responsibilities statement**, following the Florida Patient's Bill of Rights and Responsibilities (Section 381.026, Florida Statutes), and the local Ryan White Program's Client Rights and Responsibilities, it is expected that each client served by the local Ryan White Program understands that they have the right to:
  - Be treated with courtesy and respect, with appreciation of client's individual dignity, and with protection of client's need for privacy [and confidentiality; as well as receive courteous, considerate care and professional services];
  - Receive a prompt and reasonable response to questions and requests;
  - Know who is providing medical [and dental] services and who is responsible for client's care;
  - Know what [core medical and] support services are available, including whether an interpreter is available if client does not speak or read English;
  - Know what rules and regulations apply to client's conduct;
  - Be given by the health care provider information such as diagnosis, planned course of treatment, alternatives, risks, and prognosis;
  - Refuse any treatment, except as otherwise provided by law;
  - Be given full information and necessary counseling on the availability of known financial resources for care;
  - Know whether the health care provider or facility accepts the Medical assignment rate, if the client is covered by Medicare [or understands what is covered by the local Ryan White Program, including whenever a charge applies (i.e., imposition of charges) for the client to pay];
  - Receive prior to treatment, a reasonable estimate of charges for medical care [if applicable in accordance with sliding fee schedule and imposition of charges requirements];
  - Receive a copy of an understandable itemized bill and, if requested, to have the charges explained;

- Receive medical treatment or accommodations [or any other Ryan White Program-funded services], regardless of race, national origin, creed, religion, disability, [age, ethnicity, gender, gender identification, sexual orientation, marital status], or source of payment;
- Receive treatment for any emergency medical condition that will deteriorate from failure to provide treatment [subject to funding source limitations, such as the Ryan White Program's limitation for outpatient services];
- Know if medical treatment is for purposes of experimental research and to give client consent or refusal to participate in such research;
- Express complaints regarding any violation of the client's rights[without fear of reprisal; and receive a copy of the subrecipient's complaint and grievance procedures]; and
- Be involved in the decision-making process.

**CLIENTS ARE RESPONSIBLE FOR:**

- Providing correct, truthful, and complete information as requested for the purpose of enrollment to receive services, assessing needs, developing a plan of care, and coordination of care efforts;
- Following instructions provided by client's care team;
- Assisting client's physician and medical case manager in developing[and adhering to] a plan of care;
- Keeping appointments or canceling no later than 24 hours in advance of the appointment;
- Respecting others;
- Being compliant with taking prescribed medications, and notifying the medical case manager or medical provider in a timely manner if there are problems with medications;
- Following service provider rules and regulations; and
- Knowing program requirements, limitations, and restrictions; or requesting same from service provider prior to service delivery.

**INVOLUNTARY DISENROLLMENT OF CLIENTS:**

- In support of a service provider's (subrecipient's) internal policies and procedures related to client rights and responsibilities, a client may be involuntarily disenrolled (dismissed) from the local Ryan White Part A/MAI Program, or from a specific subrecipient agency, for the following reasons:
  - Fraudulent use of program assistance;
  - Falsification of documents or purposeful omissions of information required to confirm program eligibility for services;
  - Persistent noncompliance with the medical case manager and client's plan of care; or
  - Disruptive, unruly, abusive or uncooperative behavior to the extent that continued enrollment seriously impairs the service provider's ability to furnish services to either the client or other clients. Such behavior includes, but is not limited to, threats or acts of violence, verbal abuse and harassment, criminal activity, and destruction or theft of property.
- This disenrollment provision **does not apply** to clients with medical or mental health diagnoses if the client's negative behavior is attributable to such diagnoses.
- An involuntary disenrollment **must be documented** in the client record/chart (i.e., in the Client Profile in Provide® Enterprise Miami data management system). This documentation must clearly indicate:
  - 1) the client received at least one (1) verbal **and** one (1) written warning of the full implications of their actions;
  - 2) that service provider staff attempted to educate the client regarding their rights and responsibilities;
  - 3) that service provider staff offered assistance that would enable the client to comply with the organization's rules of conduct; and 4) that appropriate staff determined the client's behavior is not attributable to the client's medical or mental health condition.
- If involuntary disenrollment is warranted and appropriate after completing the four (4) aforementioned steps, service provider staff must attempt to connect the client to another service provider agency to ensure continuity of care. Depending on the circumstances, the service provider is expected to make every effort to connect the client to another agency to ensure continued access to HIV medical care.
- In all cases of involuntary disenrollment/dismissal, the County's Ryan White Program Administrator must be notified of such via a telephone call; then the County will provide further instructions.