



Filing Complaints RCFE / Assisted Living

Who Investigates Complaints?

Community Care Licensing (CCL) of the Department of Social Services, has the regulatory responsibilities to: issue licenses; conduct periodic inspections to ensure that minimum standards are maintained; investigate complaints; and enforce the laws and regulations by issuing civil penalties and administrative sanctions when necessary. In situations where the health and safety of residents are in danger, the licensing agency also has the authority to revoke or place under probation a facility's license.

Who Has a Right to File a Complaint?

Any person (not just residents or family members) or organization has the right to file a complaint with Community Care Licensing.

What Can I File a Complaint About?

You have a right to file a complaint about abuse, neglect, inadequate staffing, poor food, mistreatment of residents, eviction issues, and other matters protected by law.

When Should I File a Complaint?

It is usually helpful to try to resolve your concerns by first bringing them to the attention of the facility administration. (See CANHR's Fact Sheet on Self-Advocacy.) When efforts at informal problem solving have not worked, it might be necessary to file a formal complaint with either the Ombudsman Program and/or with Community Care Licensing.

File a complaint with licensing **when there are serious concerns**, (e.g., alleged violations of resident rights, elder abuse) or **when there are persistent problems**, (e.g., inadequate staff in terms of numbers, training and skill, poor quality food, etc.).

How long will the investigation take?

CCL must begin the investigation within 10 working days from receipt of the complaint. However, that does not mean the investigation will be resolved in 10 days. Some investigations do take longer than others, depending on the severity of the case. If you do not hear back from CCL, you should make a follow-up phone call.

Where Do I File a Complaint?

Call, write or fax the nearest Community Care Licensing Senior Care Program Office. If you call in the complaint, it is a good idea to follow up the call with a written statement of your concerns. CANHR's RCFE Complaint Form is one effective way to document your concerns.

Also, send a copy of the complaint to CANHR and to the California State Legislators who represent your district (<http://www.leginfo.ca.gov/yourleg.html>). If the complaint involves serious neglect or abuse, contact the Bureau & Medi-Cal Fraud & Elder Abuse (BMFEA), a division of the California Attorney General's Office: 1-800-722-0432; <http://ag.ca.gov/bmfea/>; or mail BMFEA, P.O. Box 944255, Sacramento, CA 94244-2550.

How Do I Make an Effective Complaint?

Provide a clear statement of your concerns and as much documentation as possible. Use the RCFE Complaint Form to help organize your thoughts and the facts, thoroughly documenting your concerns.

In completing the form or submitting your own written statement, consider the following points:

- Make sure that you clearly state your name, address, telephone, fax, pager, email etc.
- Identify the name(s) of the resident(s) affected.
- State the name and address of the care facility and the names and titles, if relevant, of the administrator, supervisor(s) and all direct care staff involved in the incident(s).
- Describe what happened. Avoid stating conclusions—that is the licensing agency's responsibility after investigating the facts.
- Be an objective reporter. Stick to the facts by stating what was said, what was done or not done, when, where and by whom.
- Organize events in a chronological order, i.e., what happened on a certain date and time, then what happened next, etc.
- Indicate the names and titles of any witnesses to the event(s).
- Provide names of other persons who might have knowledge of the resident.
- Suggest any other agencies, (e.g., home health) that need to be contacted or records, (e.g., hospital) that need to be examined.

What Are My Rights as a Complainant?

Besides the right to file a complaint by phone, fax and/or in writing, **the complainant has a right to have his/her name held in confidence and not disclosed to the facility.** The complainant even has the right to remain anonymous to either the licensing agency or the Ombudsman Program although this is not helpful in conducting a thorough investigation. **The complainant has the right to be free from threats or retaliation by the facility.** Unfortunately, this fear of retaliation is a major barrier to timely reporting of care concerns and to filing complaints with either the licensing agency or the Ombudsman Program.

Community Care Licensing is responsible to inform the complainant of licensing's proposed plan of action and to share with the complainant a written report of the findings of their investigation.

If you are dissatisfied with the timing, thoroughness or results of the investigation, call or write the investigators supervisor or district manager at CCL.

The most pertinent laws are found in California Health and Safety Code, Sections 1569.35, 1569.37.

RESIDENTIAL CARE FACILITIES FOR THE ELDERLY (RCFE) COMPLAINT FORM

Name of Person Filing Complaint _____

Address _____

City _____ State _____ Zip _____

Daytime Phone Number _____ Evening Tel. # _____

Name of Facility _____ Tel.# _____

Address of Facility _____

City _____ State _____ Zip _____

Name(s) of Resident(s) on Whose Behalf the Complaint is Being Made: _____

Summary of the Complaint: _____

Date(s) of Incident(s) _____

Shift(s) When Incident(s) Occurred: Day Afternoon Night Time(s): _____

Witness(es): _____

Name of Staff Person(s) Involved: _____

Records that Should be Examined: _____

Check ALL that apply:

- I have sent a copy of my complaint to **Community Care Licensing**. (See back for listing.)
- I have sent the **Ombudsman Program** a copy of this complaint.
- I am sending **CANHR** a copy of this complaint.
- I am sending my **California State Legislator** a copy of this complaint.
- I am sending a copy to the **Attorney General**.
- I want to know the **name of the investigator** assigned to this complaint.
- I want to **talk with the investigator** before s/he starts the investigation.
- I want my **identity to remain confidential** (i.e. not revealed to care facility).
- I want a **copy of the final complaint report**.



JOHN A. WAGNER
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER
GOVERNOR

COMMUNITY CARE LICENSING DIVISION
ADULT AND SENIOR CARE PROGRAM OFFICES
SENIOR CARE

NORTHERN CALIFORNIA SENIOR CARE LICENSING OFFICE

Donna Teutschel, Regional Manager
Elizabeth Rutana, Licensing Program Manager
101 Golf Course Drive, Suite A-230, MS 29-11
Rohnert Park, CA 94928
Telephone: (707) 588-5026; FAX: (707) 588-5080
Counties: Humboldt, Del Norte, Lake, Marin, Mendocino, Napa, Solano, and Sonoma

SACRAMENTO SENIOR CARE LOCAL UNIT

Michael Smith, Licensing Program Manager
2525 Natomas Park Drive, Suite 270, MS 19-35
Sacramento, CA 95833
Telephone: (916) 263-4700; FAX: (916) 263-4744
Counties: El Dorado and Sacramento (Northern Part)

CHICO SENIOR CARE LOCAL UNIT

Vacant, Licensing Program Manager
520 Cohasset Road, Suite 170, MS 29-05
Chico, California 95926
Telephone: (530) 895-5033; FAX: (530) 895-5934
Counties: Butte, Colusa, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Yolo, and Yuba

STOCKTON SENIOR CARE LOCAL UNIT

Vacant, Licensing Program Manager
510 East Magnolia Street, Suite 3, MS 27-15
Stockton, California 95202
Telephone: (209) 948-7343; FAX: (209) 948-7344
Counties: Amador, Calaveras, San Joaquin, Sacramento (Southern Part), Stanislaus, and Tuolumne

CENTRAL CALIFORNIA SENIOR CARE LICENSING OFFICE

Carol Marcroft, Regional Manager
Suzanne Roman-Clark, Licensing Program Manager
Pam Gill, Licensing Program Manager
Minnie Lau, Licensing Program Manager
851 Traeger Avenue, Suite 360, MS 29-16
San Bruno, California 94066
Telephone: (650) 266-8800; FAX: (650) 266-8841
Counties: Alameda, Contra Costa, San Francisco, and San Mateo

FRESNO SENIOR CARE LOCAL UNIT

Shelley Evans, Licensing Program Manager
770 East Shaw Avenue, Suite 330, MS 29-02
Fresno, California 93710
Telephone: (559) 243-8080; FAX: (559) 243-8088
Counties: Alpine, Fresno, Inyo, Kern, Kings, Madera, Mariposa, Merced, Mono, and Tulare

SAN JOSE SENIOR CARE LOCAL UNIT

Susan Meyer, Licensing Program Manager
2580 North First Street, Suite 350, MS 29-07
San Jose, California 95131
Telephone: (408) 324-2112; FAX: (408) 324-2133
Counties: Monterey, San Benito, Santa Clara, and Santa Cruz

GREATER LOS ANGELES SENIOR CARE LICENSING OFFICE

Kit Chan, Regional Manager
Haris Dergar, Licensing Program Manager
Jeralyn Pfannenstiel, Licensing Program Manager
Carol Levenson, Licensing Program Manager
21731 Ventura Boulevard, Suite 250, MS 29-14
Woodland Hills, California 91364
Telephone: (818) 596-4334; FAX: (818) 596-4376
Counties: Los Angeles, Santa Barbara, Ventura, and San Luis Obispo

SANTA BARBARA SENIOR CARE LOCAL UNIT

Ruben Ramirez, Licensing Program Manager
360 South Hope Avenue, Suite C-105, MS 29-09
Santa Barbara, California 93105
Telephone: (805) 682-7647; FAX: (805) 563-5549
Counties: Santa Barbara, Ventura, and San Luis Obispo

SOUTHERN CALIFORNIA SENIOR CARE LICENSING OFFICE

Myron Taylor, Regional Manager
Vacant, Licensing Program Manager
7575 Metropolitan Drive, Suite 109, MS 29-06
San Diego, California 92108
Telephone: (619) 767-2300; FAX: (619) 767-2252
Counties: Imperial, Orange, San Diego, Riverside, and San Bernardino

ORANGE SENIOR CARE LOCAL UNIT

Richard Ealy, Licensing Program Manager
Vacant, Licensing Program Manager
770 The City Drive, Suite 7100, MS 29-28
Orange, California 92868
Telephone: (714) 703-2840; FAX: (714) 703-2868
Counties: Orange

RIVERSIDE SENIOR CARE LOCAL UNIT

Sylvia Lucero, Licensing Program Manager
Robert Manos, Licensing Program Manager
3737 Main Street, Suite 600, MS 29-26
Riverside, California 92501
Telephone: (951) 782-4207; FAX: (951) 782-4967
Counties: Riverside and San Bernardino

STATEWIDE ADULT & SENIOR CARE PROGRAM OFFICE

VACANT, Program Administrator
Lon Peterson, Program Manager
744 P Street, MS 8-3-90
Sacramento, California 95814
Telephone: (916) 657-2592; FAX: (916) 653-9335

Maureen O'Hern, Assistant Program Administrator
5900 Pasteur Court, Suite 125, MS 29-19
Carlsbad, CA 92008
(760) 929-2121 FAX: (760) 929-2133