



Ohio Administrative Code

Rule 173-3-08 Older Americans Act: consumer and caregiver grievances.

Effective: December 1, 2025

(A) 42 U.S.C. 3027(a)(5)(B) and 45 C.F.R. 1321.9(c)(1)(viii) mandate AGE to establish standards for each AAA's grievance procedure under 42 U.S.C. 3026(a)(10).

(B) 42 U.S.C. 3026(a)(10) requires each AAA to maintain a grievance procedure for consumers or caregivers who are dissatisfied with or denied services under the Older Americans Act which contains all of the following standards:

(1) A provision for any consumer or caregiver to make a grievance in person, in writing, by electronic mail, by telephone, or by other reasonable means and for retaining records on each grievance for the period required in paragraph (C) of this rule.

(2) A requirement that the AAA acknowledge receipt of each grievance in writing, including by email, within five business days after the AAA's receipt of the grievance.

(3) A process for the AAA to investigate the grievance and attempt to resolve the matter informally, if possible, including retaining records on the outcomes of both for the period required in paragraph (C) of this rule.

(4) A requirement that the person responsible for investigating or otherwise resolving the grievance was not involved in the events that gave rise to the grievance.

(5) A process for the AAA to issue a written or electronic mail response to the grievance within thirty days after receipt of the grievance, which includes all of the following:

(a) The date the grievance was received by the AAA.

(b) The nature of the consumer's or caregiver's grievance, including all relevant dates.



- (c) Actions taken by the AAA to attempt to resolve the grievance informally, including the outcome.
- (d) Notice of any reconsideration or further review that is available to the consumer or caregiver within the AAA.
- (6) A provision prohibiting retaliation by the AAA or its providers against a consumer or caregiver for submitting a grievance.
- (7) A process for notifying consumers and caregivers of the existence of the grievance process and for providing a copy of the AAA's grievance procedure at all of the following times:
 - (a) On request.
 - (b) When the consumer or caregiver applies to the AAA or a provider for services paid, in whole or in part, with Older Americans Act funds (OAA services).
 - (c) When the AAA or a provider denies the consumer's or caregiver's request for OAA services.
 - (d) When the AAA or a provider reassesses the consumer's or caregiver's eligibility for OAA services.
 - (e) When the AAA or a provider reduces or discontinues providing the consumer's or caregiver's OAA services.
- (8) A requirement that providers adopt a grievance procedure for attempting to resolve grievances informally, if possible, and referring the consumer to the AAA's grievance procedure if informal resolution is unsuccessful.
- (9) A process for submitting the procedure for AGE approval as part of the AAA's area plan.
- (C) The period for each provider and each AAA to retain a copy of each grievance, response, and outcome is ninety days after the first monitoring visit conducted by the AAA or AGE (respectively) following the date on which the provider's or AAA's response became final.



(D) A consumer or caregiver may choose to have another person represent the consumer or caregiver at any point in a grievance process and receive a copy of any notice due to the consumer or caregiver under this rule if the consumer or caregiver provides a valid signed authorization and release of information for the designated representative.

(E) A consumer or caregiver may seek assistance from the long-term care ombudsman program to file a grievance.