



COMPLIANCE WITH HHS SECTION 1557

POLICY:

It is the policy of Newport Coast Surgery Center (NCSC) not to discriminate on the basis of race, color, national origin, sex, age or disability. NCSC has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 1557 of the Affordable Care Act (42 U.S.C.18116) and its implementing regulations at 45 CFR part 92, issued by the U.S. Department of Health and Human Services. Section 1557 prohibits discrimination based on race, color, national origin, sex, age or disability in certain health programs and activities. Section 1557 and its implementing regulations may be examined with the Civil Rights Coordinator, who has been designated to coordinate the efforts of Newport Coast Surgery Center to comply with Section 1557:

Della Dosky
Administrative Director
1441 Avocado Avenue, Suite 103, Newport Beach CA 92660
Phone: (949) 644-5800
Fax: (949) 718-3620

Any person who believes someone has been subjected to discrimination based on race, color, national origin, sex, age or disability may file a grievance under this procedure. It is against the law for Newport Coast Surgery Center to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

PROCEDURE:

- All facility staff will be in serviced on HHS 1557 requirements and how Newport Coast Surgery Center (NCSC) ensures compliance.
- A facility staff member will be designated by the Governing Body as the Civil Rights Coordinator.
- The facility will have available a *Notice of Nondiscrimination* and *Taglines* in the top 15 languages of patients in the state, as well as a *Statement of Nondiscrimination* in two non-English languages of patients in the state.
- Newport Coast Surgery Center (NCSC) must publish/post taglines in significant publications, in prominent locations and on its web site, to notify the individual about the availability of language assistance services.
 - The taglines, which are short statements in non-English languages, must be in the top 15 non-English languages spoken by individuals with limited proficiency in your state.
 - The English version will be posted as well.
 - These taglines can be listed in one document
- The *Notice of Nondiscrimination* and *Tagline* documents, in the top 15 languages of patients in the state, as well as English, will be provided to the patient in a manner that is sufficiently conspicuous and visible so that the patient can see and read the information.
- The *Statement of Nondiscrimination*, in two non-English languages and English, should be included on small-size significant publications and significant publications.
- The *Taglines*, in the 15 non-English languages, as well as English, will be posted on the facility's web site.



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Grievance Procedure

- Grievances must be submitted to the Civil Rights Coordinator within (60 days) of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Civil Rights Coordinator, or designee, shall conduct an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Civil Rights Coordinator will maintain the files and records of Newport Coast Surgery Center relating to such grievances. To the extent possible, and in accordance with applicable law, the Civil Rights Coordinator will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.
- The Civil Rights Coordinator will issue a written decision on the grievance, based on a preponderance of the evidence, no later than 30 days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.
- The person filing the grievance may appeal the decision of the Civil Rights Coordinator by writing to the Governing Body within 15 days of receiving the Civil Rights Coordinator's decision. The Governing Body shall issue a written decision in response to the appeal no later than 30 days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of race, color, national origin, sex, age or disability in court or with the U.S. Department of Health and Human Services, Office for Civil Rights. A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, or by mail or phone at:

U.S. Department of Health and Human Services
200 Independence Avenue SW., Room 509F, HHH Building
Washington, DC 20201.
(800) 368-1019
(800) 537-7697 (TDD)
<https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>. Such complaints must be filed within 180 days of the date of the alleged discrimination.

Newport Coast Surgery Center will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing taped cassettes of material for individuals with low vision, or assuring a barrier-free location for the proceedings. The Civil Rights Coordinator will be responsible for such arrangements.