

CONFLICT RESOLUTION OPTIONS

√ **Negotiation**

If you have a dispute, you may first want to talk informally with the staff member who you disagree with. If that does not work, you can speak to the coordinator of your child's early intervention program. However, you do not have to do this to use any of the other options.

You may contact or write a letter to your local Birth to 3 agency. The letter should describe the action or inaction that you disagree with and your reasons for disagreeing.

√ **Mediation**

Mediation is a process in which a neutral and impartial third party, a mediator, helps people try to resolve disputes in a private setting. You can request information about mediation from your service coordinator.

If you are not satisfied with the result of the negotiation and/or the mediation, you can complete a Request for a Hearing (F-22433), which is available on-line at dhs.wisconsin.gov/forms.

√ **Impartial Hearing**

An Impartial Hearing is a formal process for settling disputes. This procedure is a hearing before an impartial decision-maker to resolve a dispute between you and the county agency or service provider.

You should send the Request for Hearing form to the Birth to 3 Program Coordinator at the Department of Health Services (DHS).

You can also write a letter to DHS about your dispute requesting a hearing. DHS will appoint an impartial decision-maker. The Hearing will be completed and a decision made within 45 days of your request.

Both parties (you and the county) in the dispute, and any witnesses, will present evidence. You are entitled to have an attorney and advisors present. The hearing is provided at no cost to you, except for any professionals that you hire to represent you.

If you are not happy with the decision from the Hearing, you may bring a civil action in State or Federal Court.



YOUR RIGHTS DURING THE CONFLICT RESOLUTION PROCESS

Services will be provided during the dispute resolution process, if you agree. Your child will continue to receive the services provided before the dispute was filed. If the dispute involves initial services, your child will receive any services that are not in dispute.

Confidentiality will be maintained during the resolution process. Information will not be disclosed without your written consent. Only people who have a legitimate need for information related to your dispute will have access to information related to your child.

If you have any questions,
contact the state Birth to 3
Office at 608-266-8276.

BIRTH TO 3 PROGRAM COMPLAINT

If you feel that the local or state Birth to 3 Program has violated a federal or state law, you may file a written complaint with the DHS. These are not complaints about services for an individual child, but are used when you believe the local or state program is not meeting an early intervention program requirement.

You should write your concerns to the DHS at the address listed in this brochure. Please include a statement describing the complaint and the facts upon which the complaint is based. After receiving your complaint, a Birth to 3 staff member will investigate it. You will be notified within 60 days about what action, if any, will be taken.

DEFINITIONS

√ **Dispute**

Any disagreement between you and the county Birth to 3 agency concerning the agency's refusal to start or change your child's eligibility or the early intervention services for your child.

√ **Impartial Decision-Maker**

A person who hears testimony and makes a decision about the dispute.

√ **Service Coordinator**

This person provides information to you about the early intervention program and will help you decide what services your child needs.

√ **Birth to 3 Program Coordinator**

This person works at the State Birth to 3 Program Office. You can reach the office at 608-266-8276.

√ **Impartial Hearing**

During a hearing, you and the local Birth to 3 agency present evidence to an impartial decision-maker who makes a decision about the dispute regarding your child's early intervention services.

NEED MORE INFORMATION?

To find out more about resolving a dispute, or if you have questions, you can talk to these people:

- Birth to 3 Program Office at 608-266-8276
- Your service coordinator:
- Your county Birth to 3 coordinator:



STATE OF WISCONSIN
DEPARTMENT OF HEALTH SERVICES
Division of Long Term Care
Birth to 3 Program
PO Box 7851
Madison, WI 53707-7851
Telephone: 608-266-8276
Fax: 608-261-6752
dhs.wisconsin.gov

P-23118 (08/2009)

WISCONSIN

Birth to 3

Options for Resolving Conflict



You have many rights as the parent of a child receiving early intervention services through the Birth to 3 Program. These rights are

called *Procedural Safeguards*.

DISPUTES

There may be a time when you disagree with the county Birth to 3 agency about your child's early intervention services. This is called a *dispute*. As a parent, you have the right to disagree with the decisions made regarding evaluation for eligibility, assessment results, services, or payment of services for your child.

There are several options for you to use to resolve the disagreement. You can try any of these options alone, or together.