DBHDS
Virginia Department of Behavioral Health and Developmental Services

Non-DBHDS Referral Sheet

Please see information below to file complaints with entities outside of the scope or purview of the DBHDS services delivery system. The information provided is to assist you by providing the complaint contact information for the following:

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Should you become aware of an outdated contact or email address for one of the entities listed above, please bring this to the attention of the Office of Human Rights: Regional Human Rights Manager or Senior Human Rights Manager for Facilities

Adult Living Facilities (ALFs):

Complaints against an assisted living facility should be made to the Department of Social Services. The Virginia Department of Social Services licenses two levels of care in assisted living facilities (ALFs): residential living care (minimal assistance) or assisted living care (at least moderate assistance). Facilities licensed to provide assisted living care may also provide residential care. Complaints about services provided within an ALF:

- Contact the ALF directly.
- If you do not wish to proceed with making the local call, please contact the Virginia Department of Social Services:
  - Via electronic (email) complaint at Privacy@dss.virginia.gov
  - Via phone at (804) 726-7000

Childcare (Daycare) and Early Learning Programs:

Complaints against a facility or individual providing childcare/daycare or early learning programs, or if the suspected abuse or neglect of children in care, please contact:

- For complaints regarding possible child abuse or neglect, call the Child Abuse/Neglect Hotline toll free number at 1-800-552-7096 (or, in the Richmond area, 804-786-8536).
- Suspected that a facility or individual is providing care illegally (the person should have a license but doesn't), report these concerns to:
  - Via phone to the Office of Child Care Licensing at 833-778-0204 ○ Via online complaint form at DocuSign
- For online complaints specific to the conditions of the daycare/day program, you may report these concerns to:
  - Via phone to the Office of Child Care Licensing at 833-778-0204 ○ Via online complaint form at DocuSign
- For general information on how to file a complaint or what is reportable, callers may visit: https://www.childcare.virginia.gov/families/file-a-complaint

Civil Rights and Human Rights:

Civil rights are designed to protect individuals' freedom from violation by governments, political and social organizations, and individuals. They protect against discrimination in civil and political society, but this protection depends on the state or nation in which the citizen belongs: Civil rights are in place to protect citizens from discrimination and to grant them certain freedoms in that nation.

If you would like to file a civil rights complaint:

- Via mail directed to: Office of the Attorney General, Office of Civil Rights, 202 North 9th Street, Richmond, Virginia 23219
- Via electronic (email) complaint at civilrights@oag.state.va.us
- Via phone at 804-225-2292
- Via fax at 804-225-3294

It is the policy of the Commonwealth of Virginia to:

Safeguard all individuals within the Commonwealth from unlawful discrimination because of race, color, religion, national origin, sex, sexual orientation, gender identity, marital status, pregnancy, childbirth or related medical conditions, age, military status, or disability in employment, places of public accommodation, including educational institutions, in real estate transactions; preserve the public safety, health and general welfare; and further the interests, rights and privileges of individuals within the Commonwealth; and protect citizens of the Commonwealth against unfounded charges of unlawful discrimination. If a caller would like to file a human rights complaint that is unrelated to services provided by a licensed/funded/operated by DBHDS facility or provider, please refer the caller to:

For employment related human rights complaints:

- Via phone at 804-225-2292
- Via in person meeting at 900 East Main Street, 4th Floor of the Pocahontas Building, Richmond, Virginia
- Via mail directed to: Virginia Council on Human Rights, P.O. Box 717, Richmond, Virginia 23206 **For unlawful discrimination human rights complaints:**
- Via mail directed to: Office of the Attorney General, Office of Civil Rights, 202 North 9th Street, Richmond, Virginia 23219
- Via electronic (email) complaint at civilrights@oag.state.va.us
- Via phone at 804-225-2292
- Via fax at 804-225-3294

Department for Aging and Rehabilitative Services (DARS):

For Complaints Involving Public Guardians

The Virginia Department for Aging and Rehabilitative Services (DARS), as administrator of the statewide Virginia Public Guardian & Conservator Program, is committed to ensuring that all individuals served by the program are treated fairly in accordance with all applicable laws and regulations. If you are an individual, or someone supporting an individual served by this program, that believes they have been treated unfairly, this complaint process provides a prompt, fair and orderly method to address complaints involving individuals served by the Virginia Public Guardian & Conservator Program. This form and process is only for public guardian clients funded pursuant to § 51.5-149 et seq. **This form and process is not intended for *private* guardianship cases.**

- Complaint Process and Procedure
- dars@dars.virginia.gov

Department of Education (VDOE):

Complaints related to a special education:

- Resolving Disputes | Virginia Department of Education

Complaints about a child's educational services and or the IEP (Individualized Education Program) for a child:

- Contact the local school district directly.
- If uncomfortable contacting the local school district, refer the caller to the local School Board Office/Director of Special Education Services.
- If the complaint is against the Director of Special Education Services, contact the Superintendent of Schools for the school district serving the child.
- If you do not wish to contact the local school district regarding the complaint, please see below:
    - Via Online: Special Education Complaints | Virginia Department of Education

Department of Health Professions (DHP):

Complaints related to Virginia licensed professional healthcare practitioners (MD, RN, LPC, LCSW etc.):

- Virginia Department of Health Professions – Enforcement Division

Department of Medical Assistance Services (DMAS):

Complaints related to Fraud & Abuse are reported to the Referral Hotline which ensures that all suspected cases of Medicaid fraud and abuse are appropriately investigated

- DMAS Fraud & Abuse Website
- OSIG Fraud, Waste and Abuse Complaint Form

Department of Social Services (DSS):

Complaints against the Department of Social Services (Adult Protective Services (APS) or Child Protective Services (CPS), or any social worker or other employee of the Department of Social Services, or complaints related to foster care or other child-placing matters:

- Find Your Local Department – Virginia Department of Social Services
- Online Complaint Form – Virginia Department of Social Services
- Via electronic (email) complaint at Privacy@dss.virginia.gov
- Via phone call at (804) 726-7000

Emergency Rooms/Departments, or other Medical Facilities:

Complaints against a local Emergency Room (ER) or Emergency Department (ED), or any personnel working within the ER/ED, or for complaints against any medical facilities not licensed by DBHDS:

- Contact the medical facility directly to file the complaint.
- If you're uncomfortable in making the local call, contact the Virginia Department of Health Professions Enforcement Division: (804) 367-4691 or toll free at 1-800-533-1560 (VA Only)

Emergency Custody Order (ECO)/ Temporary Detaining Order (TDO):

The Code of Virginia authorizes judicial intervention to order law enforcement personnel to take into custody and transport for needed mental health evaluation and care or medical evaluation and care for a person who is unwilling or unable to volunteer for such care. A magistrate is authorized to order such custody or involuntary detention on an emergency basis for short periods. The Office of Executive Secretary of the Supreme Court of Virginia oversees complaints against Magistrates.

Complaints regarding the conduct of a Magistrate during this process, the caller should be referred to:

- Via online complaint form at Magistrate Complaint Form (vacourts.gov)

Complaints against the non-DBHDS licensed hospital who treated the individual during the mental health or other medical evaluation associated with the ECO, please contact:

- Contact the medical facility directly to file the complaint.
- If you do not wish to proceed with making the local call, please contact the Virginia Department of Health Professions Enforcement Division:
    - Via phone at (804) 367-4691 or toll free at 1-800-533-1560 (VA Only).

Complaints against the transporting Police Department during this process, the caller should be referred to:

- To submit a complaint against a local police department, please contact that police department directly.
- If you're uncomfortable calling the local police department to complain, please contact the Internal Affairs Section at:
    - Via phone at 804-799-3223
    - Via electronic (email) complaint at IAUnit@vsp.virginia.gov

Employment Discrimination:

The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, childbirth, or related conditions, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.

Most employers with at least 15 employees are covered by EEOC laws (20 employees in age discrimination cases). Most labor unions and employment agencies are also covered.

The laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits.

Overview | U.S. Equal Employment Opportunity Commission (eeoc.gov)

Fair Housing:

Federal and state fair housing laws protect people from discrimination when trying to rent an apartment, buy a house, obtain a mortgage, or purchase homeowner's insurance. Fair housing requirements apply to all housing providers: property managers, owners, landlords, real estate agents, banks, savings institutions, credit unions, insurance companies, mortgage lenders, and appraisers. For fair housing complaints not associated with DBHDS funded, licensed, or operated programs:

- Via online complaint form at https://www.dpor.virginia.gov/FairHousing
- Via phone at 804-367-8530 or 888-551-3247
- Via electronic (email) complaint at fairhousing@dpor.virginia.gov

Family Assessment and Planning Team (FAPT)/ Child Services Act (CSA):

Complaints about a local Family Assessment Planning Team (FAPT), or the Comprehensive Services Act (CSA) Coordinator, please contact:

- CSA programs may be housed either with the local government or within the Department of Social Services (DSS).
    - If the CSA program is housed with the local government, the caller should be referred to County Administrator where the CSA is located (i.e. if the program is Page County FAPT, then the Page County Administrator should be contacted).
    - Concerns with CSA Coordinators with the CPMT chairperson (contact information for each county is listed below the second bullet point of the section).
    - If the CSA program is housed with DSS, then the caller should be referred to the local DSS Director.
- Should you not wish to proceed locally, or is unsure where the CSA is housed, contact the Office of Comprehensive Services:
    - Via phone at 804-662-9815 ○ Via electronic (email) complaint at csa.office@csa.virginia.gov ○ Fiscal agents for each county and contact information can be located here:
      https://www.csa.virginia.gov/UserManagement/Home/LocalGovernmentContacts/0

HCBS Grievance System:

Individuals are able to submit grievances related to their person-centered plan, planning process and their HCBS Rights.

- Individuals are not able to file grievances for any action that generate formal appeal rights (like service denials) or to grieve an attendant not getting paid. Lastly, the incident(s) must have occurred within 90 days prior to filing the grievance.
- DMAS must investigate the grievance and render a decision within 90 days of submission of the grievance. An individual is allowed to ask for a 14-day extension and will have the right to have a conference to further explain their concerns.
    - Individuals can file a grievance online at hcbsgrievance.dmas.virginia.gov or via phone at 804-887-3848.

Homeless Shelters:

Complaints about the conditions of a homeless shelter:

- Contact the shelter directly to inquire about the complaint process.
- If you do not wish to contact the shelter directly, please contact:
    - For deplorable living conditions, contact the local City Inspector.
    - For unsafe conditions, contact the local Fire Marshall.

Hospitals, Hospice, Homecare Agency, and Nursing Homes:

Virginia Department of Health (VDH)

- Additional complaints related to a hospital, nursing facility, hospice or homecare agency
    - Consumer Complaints
    - Nursing Facility Complaint Form
    - Other Licensed Entity Complaint Form
    - MCHIP Enrollee Complaint Form
    - VDH Complaint Intake Portal

Nursing homes are regulated by the Virginia Department of Health. Complaints about a nursing home:

- Contact the Long-term Care Ombudsman:
    - Via online at LTCOP: Find Your Ombudsman (virginia.gov)
- Via complaint form at VDH-Nursing-Facility-Complaint-Form.pdf (dlcv.org) ○ Mail completed form to: Complaint Unit Office of Licensure and Certification Virginia Department of Health, 9960 Mayland Drive, Suite 401, Henrico, VA 23233-1463; or, ○ Fax completed form to 1-804-527-4503
- Via Hot Line Number at 1-800-955-1819, or, if in Metro Richmond, call (804) 367-2106
- Via electronic complaint - Complaint Intake Portal entry: VDH Complaint Intake Portal

Immigration & Customs Enforcement (ICE):

U.S. Immigration and Customs Enforcement (ICE) Office of Enforcement and Removal Operations (ERO) is committed to providing open lines of communication for noncitizens and their representatives regarding detention conditions and individual immigration cases.

Transparency, collaboration, and the proactive resolution of concerns with their stakeholders furthers the ICE mission. These stakeholders include individuals detained in ICE custody, legal representatives, family members, the public, non-governmental organizations, faith-based organizations, academic institutions, and advocacy groups.

- Via Phone: The ICE ERO Detention Reporting and Information Line is a toll-free service that provides a direct channel for agency stakeholders to communicate with ERO to answer questions and resolve concerns. Stakeholders may reach the ICE ERO Detention Reporting and Information Line by dialing **1-888-351-4024**. Live, trained operators are available Monday through Friday (excluding holidays) from 8 a.m. to 8 p.m. (Eastern Time) to respond to inquiries from those in ICE detention and from community members. Language assistance, including Spanish operators, is also available.
- Call center representative will answer calls and assist with resolution on subjects such as:
  - Incidents of sexual or physical assault or abuse;
  - Serious or unresolved problems in detention;
  - Reports of victims of human trafficking and other crimes;
  - Reports on individuals with serious mental disorders or conditions;
  - Separation of minor child or other dependent and other parental related issues;
  - Inquiries from the general public, law enforcement officials, and others;
  - Assistance with legal access issues when your local ICE field office is unable to assist;
  - Requests for basic case information; and
  - Reports that someone in detention has a serious mental disorder or condition.

- For more information on ICE Case Review Process, click here: Contact ICE About Detention Conditions or Request a Case Review | ICE

Infant Toddler Connection Programs:

DBHDS is the lead agency providing support and oversight for early intervention services offered by CSBs through the Infant & Toddler Connection of Virginia program. Because these services fall under IDEA, they are not subject to the Human Rights Regulations per 12VAC35-115-10(B)(2). However, they do have their own oversight and dispute resolution processes linked here: Dispute Resolution - ITCVA Families who have complaints about these services, please contact their Community Services Board (CSB). General information can also be accessed utilizing the website linked above.

Jails/Adult Correctional Facilities:

The Department of Corrections (DOC) oversees the operation of the Commonwealth's adult correctional facilities. If you have a complaint about treatment of an inmate, please refer them to:

- Via electronic (email) complaint to Geoff Garner, Executive Director of the Board of Local and Regional Jails at Geoff.garner@vadoc.virginia.gov
- Via electronic (email) complaint at docmail@vadoc.virginia.gov
- Via phone at (804) 674-3000
- Via mail at Department of Corrections, PO Box 26963, Richmond, Virginia 23261

If you have a complaint about a U.S. Marshals Service detainee being held in a state prison or local jail, please refer the caller to:

- Department of Justice, Office of Inspector General
  Via online complaint at https://oig.justice.gov/hotline/employee_complaint

Judges/Attorneys:

- **For complaint against judges**:

The Judicial Inquiry and Review Commission was created by the Constitution of Virginia to investigate charges of judicial misconduct or serious mental or physical disability. The Commission has seven members consisting of three judges, two lawyers, and two citizens who are not lawyers. The members are elected by the Virginia General Assembly for four-year terms.

- All complaints must be in writing, addressed to the Commission, and signed by the complainant. The writer should include the name of the judge, a detailed description of the alleged misconduct or disability, the names of any witnesses, and the writer's address and telephone number. The Commission does not accept fax or email complaints.
- For additional information on how to file a complaint against a judge, callers should be referred to:
  - Via mail directed to The Judicial Inquiry and Review Commission, P.O. Box 367
    Richmond, Virginia 23218-0367

○ Via phone at 804-786-6636

- **For complaints against attorneys:**

The Virginia State Bar (VSB) manages complaints against attorneys. The VSB encourages the public to submit complaints online. Concerns regarding the conduct of a lawyer, submit a complaint to the VSB:

- Via online complaint form at https://vsbc.virginiainteractive.org/ • Via electronic (email) complaint by completing the following:
  - Download and open the complaint form (PDF file) in **Adobe Acrobat** to fill it out. Using email software, **send the completed PDF file as an attachment** to webintake@vsb.org or mail it (**do not use Adobe's Share File option).**

- Via mail directed to: Intake Office, 1111 East Main, Suite 700, Richmond, Virginia 23219-0026
  - Specific instructions for the content needed for mailed letters can be found here: https://www.vsb.org/site/regulation/inquiry

Juvenile Detention Facilities:

Complaints may be submitted: (1) In writing, or on a form provided by Department of Criminal Justice Services (DCJS), signed by the complainant; (2) In writing, submitted anonymously, providing sufficient detailed information for DCJS to conduct an investigation; or (3) Via telephone, providing the complaint alleges activities which constitute a life threatening situation, or have resulted in personal injury/loss to the public or to a consumer, or which may result in imminent harm or personal injury, and that provides sufficient detailed information for DCJS to conduct an investigation:

- Via mail: 1100 Bank Street, Richmond, VA 23219
- Via email: https://www.dcjs.virginia.gov/vadcjs_user/1983/contact

Law Enforcement:

Complaints against law enforcement, including any deputy, officer, or other law enforcement personnel:

Local Police Department Complaints

- To submit a complaint against a local police department, please contact the police department directly.
- If you're uncomfortable calling the local police department to complain, you may contact the Internal Affairs at:
  - Via phone at 804-799-3223
  - Via electronic (email) complaint at IAUnit@vsp.virginia.gov

Virginia State Police Complaints

- To submit a complaint against a Virginia State Police officer, please contact the Virginia State Police at:
  - Via phone at 804-799-3223
  - Via electronic (email) complaint at IAUnit@vsp.virginia.gov
  - Via mail directed to the Superintendent of State Police or the Director or Professional Standards Unit at P.O. Box 27472, Richmond, Virginia 23261.
  - Via online using the Citizen Complaint Form (SP-163) located at www.vsp.virginia.gov

Social Security Administration:

The United States Social Security Administration is an independent agency of the U.S. federal government that administers Social Security, a social insurance program consisting of retirement, disability and survivor benefits. To qualify for most of these benefits, most workers pay Social Security taxes on their earnings; the claimant's benefits are based on the wage earner's contributions. Otherwise benefits such as Supplemental Security Income are given based on need.

- Via online complaint form at Office of the Inspector General: Report Fraud, Waste, or Abuse Form, Social Security (ssa.gov)
- Via contacting your local SSA office in person or in writing. You can get the address of your local SSA office by plugging in your zip code at the Office Locator link or by calling 800-772-1213 (TTY 800-325-0778).

- Via contacting the national office of the SSA. You can write a letter to the following address, detailing your complaint:
    - Social Security Administration
      Office of Public Inquiries
      1100 West High Rise
      6401 Security Blvd.
      Baltimore, MD 21235

For specific SSA discrimination issues and unfair treatment:

If your complaint specifically has to do with discrimination or unfair treatment by an administrative law judge, the SSA has specific forms you can complete:

- Complaints of discrimination: If you feel you were unfairly treated on the basis of your race, color, national origin, lack of proficiency in English, religion, gender, sexual orientation, age, or disability, you may file a formal complaint with the SSA. Such complaints should be registered within 180 days of the action about which you are complaining.
- Mail the signed, dated discrimination complaint form, along with your written consent to allow the SSA to reveal your name in the course of its investigation, to the following address:

Social Security Administration
Civil Rights Complaint Adjudication Office
P.O. Box 17788
Baltimore, MD 21235-7788

For SSA complaints of unfair treatment by administrative law judges:

Your complaint should include:

- All of your basic contact information;
- Your Social Security number;
- The name of the administrative law judge about whom you are complaining;
- When the incident occurred; and,
- Names and contact information of any witnesses.
- Your complaint should state your concerns as precisely as possible and what you considered to be unfair. Make clear the actions and words to which you object.

The SSA provides some background regarding complaints pertaining to law judge at the SSA website. Send your written complaint to the following address:

Office of Disability Adjudication and Review
Division of Quality Service
5107 Leesburg Pike, Suites 1702/1703
Falls Church, VA 22041-3255

For SSA Fraud

The Inspector General Act of 1978, as amended, allows the Office of the Inspector General (OIG) at the Social Security Administration (SSA) to collect your information, which OIG may use to investigate alleged fraud, waste, abuse, and misconduct related to SSA programs and operations. Providing the information is voluntary, but not providing all or part of the information may limit our ability to conduct a complete investigation. As law permits, we may use and share the information you submit, including with other Federal and local government agencies, and others, as outlined in the routine uses within System of Records Notices (SORN) OIG-001 and OIG-002, available at www.ssa.gov/privacy . When appropriate, the information you submit may also be provided to the SSA for use in computer matching

programs to establish or verify eligibility for SSA programs and to recoup debts under these programs. All SSA SORNs are also available at www.ssa.gov/privacy .

If you would like to report fraud, such as:

- Misusing a Social Security number or Social Security benefits
- Providing false or misleading information to begin or continue receiving benefits
- Hiding benefit eligibility factors such as work, earnings, disability, or living arrangements
- Misuse or fraud by a representative payee

  - Please refer to Report Fraud | Office of the Inspector General (ssa.gov)

Reporters may remain completely anonymous and should follow the directions provided in the link.

Virginia Labor Board:

For an employee with a complaint regarding working conditions at a DBHDS licensed/funded provider, including retaliation *unrelated* to the Human Rights Regulations, it can be reported to the Virginia Department of Labor and Industry using the following email address:

  - LaborLaw@doli.virginia.gov

Veteran Affairs:

The mission of the Department of Veteran Affairs, Office of Inspector General, is to serve veterans and the public by conducting meaningful independent oversight of the Department of Veterans Affairs.

- If you would like to file a complaint, please refer to:
  - Submit a Complaint | Department of Veterans Affairs OIG (vaoig.gov)

- Additional helpful referral resources for veterans can be found here:
  - OIG Hotline Frequently Asked Questions | Department of Veterans Affairs OIG (vaoig.gov)