

**State of Alaska**  
**Department of Health & Social Services**  
**Division of Public Health**  
**Certification & Licensing**

Notice of Protection From Retaliation, Resident's Grievance,  
Policy and Procedure, and Immunity Protection  
AS 47.33.340, AS 47.33.350

- 1. Protection from Retaliation.** Under AS 47.33.350, an Assisted Living Home may not take retaliatory action against a resident of the home if the resident, or the resident's representative:
  - a. exercises a right provided by AS 47.33, 7 AAC 75, or by law;
  - b. appears as a witness, or refuses to appear as a witness, in an adjudicatory proceeding regarding the home;
  - c. files a civil action alleging a violation of assisted living licensing statutes; or
  - d. claims a violation of assisted living licensing statutes before a state or federal agency having jurisdiction over the home or its employees.
  
- 2. Resident's Grievance Policy and Procedure.** Under AS 47.33.340, an Assisted Living Home must establish a written grievance procedure for handling complaints of residents. The procedure must provide for the following rights of residents:
  - a. the right to present both a written and oral explanation of the resident's grievance;
  - b. the right to have an advocate or representative of the resident's choice attend meetings concerning the resident's grievance; and
  - c. the right to be notified in writing, within 30 days after the filing of the grievance, of the final decision of the home regarding the grievance.

The grievance policy/procedure is as attached.

- 3. Immunity.** Under AS 47.33.510 a person who files a complaint concerning a suspected victim of this Chapter or of a regulation adopted under this Chapter, or who testifies in an administrative or judicial proceeding arising from a complaint concerning a suspected violation of this Chapter or of a regulation adopted under this Chapter, is immune from civil liability for the filing or testifying unless the person acted in bad faith or with malicious purpose.

I have read, or had read to me, in a language that I can understand, the foregoing Notice of Protection from Retaliation, Grievance Policy and Procedure, and Immunity Protection; and I was given a copy of this notice at the time I began residency at \_\_\_\_\_  
(NAME OF ASSISTED LIVING HOME)

\_\_\_\_\_  
Resident or the Resident's Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Assisted Living Home Representative

\_\_\_\_\_  
Date

## SAMPLE RESIDENT GRIEVANCE PROCEDURES

**STANDARD:** All residents or their representatives have the right to pursue a grievance with regards to their participation in the assisted living home. The \_\_\_\_\_  
(Assisted Living Home)  
will hear and attempt to resolve all grievances in a fair and timely manner.

### **PROCEDURES:**

1. The aggrieved person, or person acting on his/her behalf, will meet with the person against whom the complaint is directed, or with the person who is most involved in the conditions resulting in the complaint. This meeting will be informal and designed to provide a solution that will not require further discussion. Cases of verbal or physical abuse shall be reported directly to the Administrator/Owner.
2. If a solution cannot be reached, the aggrieved (or representative) may ask the Supervisor for an appointment. The meeting must be held within five (5) days of receipt of the grievance. The aggrieved (and/or representative) and the Supervisor will discuss the problem, and will attempt to reach a solution satisfactory to all parties.
3. If a solution cannot be reached, an appointment may be scheduled with the Administrator/Owner. The request for the meeting with the Administrator/Owner must be made within five (5) days of the meeting with the Supervisor. The Administrator/Owner will be supplied with notes from the previous meeting and will discuss the situation with the aggrieved (and/or representative) privately, and will attempt to reach a solution satisfactory to all parties. The Administrator/Owner shall remain the last and final avenue for the hearing of resident grievances.
4. A written summary of the formal grievance heard by the Administrator/Owner will be recorded, which includes the nature of the grievance and a remediation/correction plan.
5. Residents will be informed of their right to be represented by an advocate and/or protection and advocacy such as Disability Law Center of Alaska. A signed release of information will be required in order for \_\_\_\_\_ staff to discuss the grievance with such advocates.  
(Assisted Living Home)