

	Title: Non-Discrimination	Version: 2
	Owner: Melissa Mitchell (Director of Production)	Approved: 03/22/2018

Purpose: To establish Dental Care Organization’s (DCO’s) policy on not discriminating against enrollees.

Responsibility: Quality Improvement (QI)/Utilization Review (UR) Committee

Scope: Advantage Dental Services, LLC

Definitions:

1. *Age Discrimination Act (ADA)* - The Age Discrimination Act prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance.
2. *American with Disabilities Act (ADA)* - The Americans with Disabilities Act (ADA) gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, State and local government services, and telecommunications.
3. *Civil Rights Act* - The Civil Rights Act outlaws discrimination based on race, color, religion, sex, or national origin. It ended unequal application of voter registration requirements and [racial segregation](#) in schools, at the workplace and by facilities that served the general public

Forms: n/a

References: 42 CFR 438.100; 42 CFR 438.206; 45 CFR Part 84; OAR 410-141-3160; OAR 410-141-3235; OAR 410-141-3465

Policy:

The DCO, its employees, agents, and contractors will provide all persons with full and equal accommodations, advantages, facilities and privileges without any distinction, discrimination or restriction on account of race, color, disability, religion, sex, sexual orientation, national origin, marital status or age.

1. The DCO’s policy is for its providers to comply with the American Disabilities Act, Civil Rights Act, Age Discrimination Act regulations, and State statutes, rules, and regulations.
2. If the provider has questions regarding the American Disabilities Act, Civil Rights Act, Age Discrimination Act regulations, and State statutes, rules, and regulations; the Provider Relations Department is willing to help the provider obtain the information needed to comply with these regulations.

Complaint Process:

DCO has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Health and Human Services regulations (45 C.F.R. Part 84), implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. 794). Section 504 states, in part, that “no otherwise qualified disabled individual...shall solely by reason of his/her disability, be excluded



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from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance...”.

- i. The complaint can be written or oral, should contain the name and address of the person filing it, and briefly describe the discriminatory act.
- ii. A complaint may be submitted to the DCO using the Grievance and Appeals process or it may be submitted to the Compliance Manager (see contact information below).
- iii. The Compliance Manager, or designee, will investigate the complaint. The investigation will be informal but thorough, affording all interested persons and their representatives an opportunity to submit evidence relevant to the complaint.
- iv. The Compliance Manger, or designee, shall issue a written decision determining the validity of the complaint in accordance with the Grievance process.
- v. The Compliance Manager shall maintain the files and records relating to complaints filed in addition to records kept in the Grievance and Appeals process and reporting. The Compliance Manager may assist persons with the preparations and filing of complaints, and advise the Chief Operating Officer and Vice President and General Council concerning their resolution.
- vi. These rules shall be liberally construed to protect the substantial rights of interested persons to meeting appropriate due process standards and assure compliance with Section 504 and the regulations.
- vii. In case of questions regarding this policy, or in the event of a desire to file a complaint alleging violations of the above, contact:

Rose Novak,
Compliance Manager
Advantage Dental
442 SW Umatilla Avenue Suite 200
Redmond, OR 97756
Direct: (866) 471-6685

An individual who files a complaint may pursue other remedies including filing with:

Office for Civil Rights
U.S. Department of Health and
Human Services
2201 Sixth Avenue - M/S: RX-11 Seattle, WA 98121-1831
Voice Phone: (800) 368-1019
Fax: (206) 615-2297
TDD: (800) 537-7697

Approvals:

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Approved by:
Compliance/Privacy/Security, Lorena Reinhart (Executive Assistant), Executive Assistant, Vice President of Information Technology, VP and Corporate Counsel, Information Systems, Legal, Operations

Reviewed and Revised

06/14/2012				
05/02/2014	Jeanne Dysert	Tamara Kessler	Missy Mitchell	Laura Donadio
02/23/2015	Jeanne Dysert	Tamara Kessler	Missy Mitchell	Laura Donadio
02/23/2016	Jeanne Dysert	Tamara Kessler	Missy Mitchell	Jeff Dover
02/14/2017	Jeanne Dysert	Tamara Kessler	Missy Mitchell	
03/17/2017	QI/UR Committee			
03/12/2018	Jeanne Dysert	Tamara Kessler	Missy Mitchell	Rose Novak