



CIVIL RIGHTS PLAN

Mesa County Department of Human Services

Location: Community Services Campus

510 29 ½ Road

Grand Junction, CO 81504

Main Office Phone: 970-241-8480

Main Fax Number: 970-248-2849

Main Office Website: humanservices.mesacounty.us

Workforce Center: 970-248-0871

Workforce Center Website: mcwfc.us

TTY Users: 711 or 1-800-659-2656

Website: [Relay Colorado](#)

Civil Rights and Americans with Disabilities (ADA) Contact Person:

Jill Calvert, Mesa County DHS Executive Director

510 29 ½ Road, Grand Junction, CO 81504

Phone: 970-248-2806

Fax: 970-255-3694

Jill.calvert@mesacounty.us

The MCDHS Civil Rights Plan, MCDHS Nondiscrimination and State Nondiscrimination Statements are available in the reception areas of the Community Services and Workforce Center, and online at humanservices.mesacounty.us

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Background

This plan is in accordance with the provisions of the following legal federal and state established orders:

- [Title VI of the Civil Rights Act of 1964 \(race, color, national origin\)](#)
- [Section 504 of the Rehabilitation Act of 1973 \(disability\)](#)
- [Section 508 Amendment of the Rehabilitation act of 1973 \(disability\)](#)
- [Title II of the Americans with Disabilities Act of 1990; state and local government services \(disability\)](#)
- [Age Discrimination Act of 1975 \(age\)](#)
- [Section 1557 - Patient Protection and Affordable Care Act of 2010](#)

U.S. Department of Health and Human Services Regulations

- Title 45 code of Federal Regulations (CFR) Parts 80, 84, and 91
- Title 28 CFR Part 35

State of Colorado Regulations

- Title 24 Colorado Revised Statutes (CRS) Parts 4, 6, 8 and 34
- Title 10 Code of Colorado Regulations (CCR) Section 8.100
- The Colorado Anti-Discrimination Act (CADA)

Purpose:

The Mesa County Department of Human Services hereafter known as MCDHS, as a recipient of federal financial assistance, is committed to providing core services in an inclusive and welcoming environment for all individuals seeking access to program benefits and services. In order to give guidance and ensure compliance with civil rights authorities found in the “Background” section of this plan and per 10 CCR 2505-5.1.020.6 [10 CCR 2505-5.1.020.6 - Non-Discrimination](#) and [10 CCR 2505-5.1.020.7 - Accessibility \(ADA\)](#), MCDHS has developed this Civil Rights Plan for applicants/recipients, Human Services staff, other individuals that intersect with our programs, and the general public.

Equal Opportunity in Program Benefits and Service Delivery

MCDHS conducts its programs to guarantee all individuals will be given equal access and opportunity to program assistance, benefits and services without regard to race, color, ethnic or national origin, ancestry, gender, gender identity and expression, sexual orientation, intersex status, religious or political beliefs, creed, public assistance status, military status, age, intellectual, mental, physical or medical disability (including Acquired Immune Deficiency Syndrome (AIDS) or AIDS related conditions. In medical assistance programs, sex includes sex stereotypes and gender identity under any health program or activity receiving federal funds.

The MCDHS Civil Rights Plan encompasses a full range of services, programs and benefits, including but not limited to, access to information about services, eligibility

intake and determinations, admission procedures and treatment. The plan applies to the agencies and providers receiving federal and state funds under contracts, licenses and other arrangements with MCDHS. The Colorado Anti-Discrimination Act (CADA) also applies to the work of MCDHS and the agencies carrying out the work of MCDHS.

Program Accessibility for Individuals with Disabilities

In accordance with the requirements of Section 504 of the Rehabilitation Act of 1973 (504), Title II of the Americans with Disabilities Act of 1990 ("ADA"), and Section 1557 of the Patient Protection and Affordable Care Act of 2010, MCDHS does not discriminate against qualified individuals with disabilities on the basis of disability in employment, admission or access to, treatment or participation in, or receipt of the services and benefits under any of its programs, services and activities.

MCDHS executes safeguards against disability discrimination to provide accessibility to and use of programs, benefits and services through the following:

- Notifications to the public about the rights and procedures for people with disabilities under the Americans with Disabilities Act
- Make realistic modifications to MCDHS policies, procedures or practices as needed
- Assist individuals with disabilities to apply and qualify for eligibility based benefits and services
- Offer appropriate auxiliary aids and services, including accessible formats, to ensure effective communication with people with disabilities
 - Includes qualified readers and sign language interpreters, foreign language writers and interpreters who convey information effectively, accurately and impartially using specialized vocabulary
 - Does not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications
- Welcomes individuals with service animals into the MCDHS campus offices
- Equitable program case and services assignment
- Adjacent physical access that includes curb cuts and designated parking areas for people with disabilities
- Level access to the first floor of the MCDHS campus and elevator access to all other floors

If an individual believes that MCDHS has failed to provide these services or discriminated in another way, a grievance can be filed with the Civil Rights contact person by mail, phone, fax, or email within sixty (60) days of the incident. The Civil Rights contact person can also help file the grievance.

MCDHS Civil Rights Complaint Process

The Mesa County Department of Human Services values the basic civil right of an individual to be free from discrimination when applying for and/or receiving government services. The Civil Rights contact person or designee will certify that applicable accommodations are in place to guarantee people with disabilities are provided with reasonable modifications, i.e. interpreters for individuals who are deaf or hard-of-hearing, accessible formats for individuals who are blind or have little vision, and a physically accessible location

MCDHS has implemented the “DHS-2020-03, Treatment of Client Discrimination Complaints” policy to deliver a timely and effective process in anticipation of resolving a complaint. This policy has been approved by the Department of Health Care Policy and Financing hereafter referred to as HCPF. The policy is available to the complainant upon request. The MCDHS Civil Rights contact person will be notified within twenty-four (24) hours of the complaint being received by the agency or a representative of the agency. Management staff are responsible for documentation, investigation, evaluation, and reasonable resolution of civil rights complaints. Complaints received by the MCDHS executive director (Civil Rights contact person) from the county commissioners, county administrator, the State Department of Human Services, etc., will be forwarded to the appropriate manager to initiate the complaint process.

All complaints will be tracked by the MCDHS executive administration manager using the MCDHS Civil Rights Complaint Log. Complaints will be tracked with the outcome of the investigation (founded or unfounded), process changes that were implemented based on the result of the investigation, and training provided as a result of the investigation’s outcome. The complaint log is be used to monitor the progress of investigations to ensure timelines are followed. Complaint log data will be submitted to HCPF (using the County Relations Webform Ticket <https://hcpfdev.secure.force.com/HCPFCountyRelations>) on a biannual basis (July 31st and January 31st of each year) with the first submission being January 31, 2024.

HCPF will be provided with a detailed description of actions taken and modifications made to correct the violation within three (3) calendar days from the completion of the investigation. This information will be sent using the County Relations Webform Ticket or via email [HCPF CountyRelations@state.co.us](mailto:HCPFCountyRelations@state.co.us). Upon receipt of MCDHS’s investigation findings and description of its corrective action, the Department of Health Care HCPF will work with MCDHS on any additional required steps.

MCDHS will cooperate fully with the federal and state investigative processes. If HCPF receives or is notified of a complaint of discrimination against MCDHS, HCPF will initiate corrective actions as specified in 10 CCR 2505-5 1.020.11 until MCDHS rectifies the issue. Non-compliance with corrective action will result in sanctions as stated in 10 CCR 2505-5 1.020.12

MCDHS Appeal Process

Individuals have a right to appeal the outcome of the complaint if they are not satisfied with the decision. At the time of notifying the applicant, recipient and/or the individual that submitted the complaint of the results of the investigation, they will also be notified of the right to appeal the initial decision rendered by the MCDHS. To appeal, the individual needs to do the following within thirty (30) days of receiving the written decision:

- Briefly state in writing the reason the individual disagrees with the decision and any additional information that may be applicable to the complaint
- Mail: Mesa County Department of Human Services
ATTN: Jill Calvert, Civil Rights Contact Person
510 29 ½ Road
Grand Junction, CO 81504
- Phone: 970-248-2806
- Fax: 970-255-3694
- Email: jill.calvert@mesacounty.us

The appeal will be forwarded to HCPF and to the MCDHS appeal designee by the Civil Rights contact person.

Appeal decisions must be rendered by the MCDHS appeal designee within fifteen (15) calendar days of the appeal being received by MCDHS. When making an appeal decision, the MCDHS appeal designee will consider all testimony and relevant evidence introduced during the appeal. The applicant, recipient, and/or the individual that submitted the complaint and the agency's Civil Rights contact person may both be allowed to introduce witnesses and evidence in a fair and consistent manner and may be represented by counsel if desired. All decisions will be in writing and provided to the agency's Civil Rights contact person, the applicant, recipient, and/or the individual who submitted the complaint, and to HCPF. The Civil Rights contact person must update the Civil Rights Complaint Tracking Log with the outcome of the appeal.

Per federal law, anyone who works for or contracts with MCDHS will not retaliate against an applicant/recipient or individual who files a complaint or who cooperates in the investigation of a civil rights complaint nor will an individual's assistance be terminated for filing a complaint.

Direct Submission of Civil Rights/Discrimination Complaints

Per state and federal law, individuals can submit a civil rights or discrimination complaint directly to the state or federal government. All of the options listed below, which are listed in the MCDHS office lobbies and high-traffic areas, are in regards to the direct individual submission of civil rights and discrimination complaints. To submit a complaint, an individual can file online, email, mail or fax the information use the following resources:

U.S. Department of Health and Human Services

Office for Civil Rights

1961 Stout Street, Rooms 08-148

Denver, CO 80294

Telephone: 800.368.1019

TDD: 800.537.7697

Fax: 202.619.3818

Email: OCRComplaint@hhs.gov

www.hhs.gov/civil-rights/filing-a-complaint/complaint-process/index.html

Colorado Department of Health Care Policy and Financing

Civil Rights Officer

1570 Grant Street

Denver, CO 80203

Telephone: 303.866.6010

State Relay: 711

Fax: 303.866.2828

Email: hcpf504ada@state.co.us

<https://hcpf.colorado.gov/americans-disabilities-act>

Colorado Department of Regulatory Agencies

Colorado Civil Rights Division

1560 Broadway, Suite 825

Denver, CO 80202

Telephone: 303.894.2997

Toll Free: 800.262.4845

State Relay: 711

Fax: 303.894.7830

Email: dora_ccrd@state.co.us

MCDHS Agency Contractor, Vendor, and Partner Compliance Requirements

As specified in 10 CCR 2505-5 1.020.6.1.c, MCDHS's association with contractors, vendors, partners of other parties that do business on behalf of the county, and who are paid using federal and state Medical Assistance funds, or who have contact with applicants and/or recipients, will safeguard that these parties are in compliance with federal and state civil rights laws.

- MCDHS will notify HCPF within three (3) calendar days via email HCPF_CountyRelations@sate.co.us, if MCDHS is alerted to any discriminatory activity.
- At HCPF's direction, if MCDHS, state or federal government finds that any of MCDHS's contractors, vendors or partners are in violation of federal and state civil rights provisions, the agency may be required to terminate any payments or association with that party, per 10 CCR 2505-5 1.020.6.1.d. Termination must occur immediately upon notification from HCPF to MCDHS.

MCDHS Civil Rights Plan Administration and Monitoring

Mesa County Department of Human Services will administer its Civil Rights Plan by appointing Jill Calvert, MCDHS Executive Director, as the Civil Rights Contact Person, who is fair, just, and independent. Ms. Calvert will:

- Act as a point of contact for applicants, recipients, and/or individuals and HCPF for MCDHS's Civil Rights Plan and requirements
- Act as a point of contact for civil rights complaints
- Maintain up-to-date information on civil rights laws and requirements, ensuring updates are shared with staff regularly
- Certify that Civil Rights Plan, notices and updates are displayed in the Community Service and Workforce Center's lobbies and MCDHS website
- Manage the discrimination investigation procedures, conduct investigations and address issues of civil rights non-compliance
- Will confirm that all staff appointed to fulfill duties relating to the administration of Medical Assistance and who have direct contact with applicants/recipients or staff who supervise those who have direct contact with applicants/recipients and are appointed to administer the Medical Assistance program will complete an annual civil rights/nondiscrimination and disability competency training to be obtained through the Staff Development Center (SDC)
- Collaborate with the Economic Assistance division director, managers, and Economic Assistance staff development specialists to provide annual MCDHS Civil Rights Plan training, that has been approved by the State Department, to all staff appointed to fulfill duties relating to the administration of Medical Assistance and who have direct contact with applicants/recipients or staff who supervise

those who have direct contact with applicants/recipients and are appointed to administer the Medical Assistance program.

- Training will be facilitated by and completed through the Economic Assistance staff development specialists or the Economic Assistance division director's designee
- Training will include all up-to-date civil rights/nondiscrimination and disability competency
- Training will provide staff with information on how to access auxiliary aids and services, and language access services for applicants and/or recipients
- Documentation of training completion will be maintained by MCDHS and provided to HCPF upon request
- Confirm that the MCDHS executive administration manager will monitor and track civil rights complaints using the MCDHS Civil Rights Complaint Log
 - Submit MCDH's Civil Rights Complaint Log bi-annually to (HCPF) for review
 - Certify that civil rights complaint records are retained for three years beyond the year of the complaint
- Will collaborate with the applicable parties to make reasonable process changes based on analysis of the complaints
 - Staff will be trained on implementation of the process changes as they occur
 - Submit foreseen updates of MCDHS's Civil Rights plan to HCPF for approval

This plan will be reviewed annually by MCDHS and updated as necessary, including changes to the Civil Rights Contact person and/or their contact information. Any changes to the plan will be resubmitted to HCPF (by submitting a [County Relations Request form ticket](#) or by email HCPF_CountyRelations@state.co.us).