



EXCELLENCE IN EMERGENCY MEDICINE



POLICY AGAINST DISCRIMINATION and GRIEVANCE PROCEDURE

EPPA will comply with applicable laws and regulations that prohibit discrimination in health programs and activities. This policy applies to EPPA providers and other employees in all settings, including hospitals, Urgency Room clinics, and EPPA's business office. For hospital-based services, EPPA providers must also follow applicable hospital policies.

EPPA does not discriminate based on race, color, national origin, sex, disabilities, or other protected classes in its health programs and activities. This applies to all activities, including, but not limited to, access to care, provision of care, and treatment of patients and their guests.

Discrimination *based on sex* includes, but is not limited to, discrimination based on pregnancy, false pregnancy, termination of pregnancy, or recovery therefrom, childbirth or related medical conditions, sex stereotyping, and gender identity.

The term *sex stereotype* means stereotypical notions of masculinity or femininity, including expectations of how individuals represent or communicate their gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, chosen pronouns or body characteristics. These stereotypes can include the expectation that individuals will consistently identify with only one gender and that they will act in conformity with the gender-related expressions stereotypically associated with that gender. Sex stereotypes also include gendered expectations related to the appropriate roles of a certain sex.

The term *gender identity* means an individual's internal sense of gender, which may be male, female, neither, or a combination of male and female, and which may be different from an individual's sex assigned at birth. The way an individual expresses gender identity can be fluid and is frequently called "gender expression," and may or may not conform to social stereotypes associated with a particular gender. A transgender individual is an individual whose gender identity is different from the sex assigned to that person at birth. EPPA's policy is to treat individuals consistent with their gender identity.

In EPPA's Urgency Room clinics, EPPA will

- provide appropriate auxiliary aids and services, including qualified interpreters for individuals with disabilities and information in alternate formats, free of charge and in a timely manner, when such aids and services are necessary to ensure an equal opportunity to participate to individuals with disabilities;

- provide language assistance services, including translated documents and oral interpretation, free of charge and in a timely manner, when such services are necessary to provide meaningful access to individuals with limited English proficiency; and
- comply with appropriate accessibility standards for its buildings, facilities, and with respect to its electronic and information technology.

EPPA providers and other employees are required to follow this policy. EPPA designates its Medical Director of Quality as the individual who is responsible to coordinate efforts to comply with and carry out the responsibilities of this policy.

GRIEVANCE PROCEDURE

It is the policy of EPPA and The Urgency Room not to discriminate based on race, color, national origin, sex, age, disability, or other protected classes. EPPA and The Urgency Room have adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 1557 of the Affordable Care Act (42 U.S.C. 18116) and its implementing regulations at 45 CFR part 92, issued by the U.S. Department of Health and Human Services. Section 1557 prohibits discrimination based on race, color, national origin, sex, age or disability in certain health programs and activities. Section 1557 and its implementing regulations may be examined in the office of

Peter Currie, MD
 Medical Director of Quality
 Section 1557 Coordinator
 Emergency Physicians Professional Association
 4300 MarketPointe Drive, Suite 100
 Bloomington, MN 55435
 Phone: (952) 835-9880
 Fax: (952) 857-1554
pcurrie@eppahealth.com

who has been designated to coordinate the efforts of EPPA and The Urgency Room to comply with Section 1557.

Any person who believes someone has been subjected to discrimination based on race, color, national origin, sex, age, disability, or other protected class may file a grievance under this procedure. It is against the law for EPPA or The Urgency Room to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

Procedure:

- Grievances must be submitted to the Section 1557 Coordinator within (60 days) of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing and contain the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 1557 Coordinator (or her/his designee) shall investigate the complaint. This investigation may be informal, but it will be thorough, affording all interested people an opportunity to submit evidence relevant to the complaint.

- The Section 1557 Coordinator will maintain the files and records of EPPA and The Urgency Room relating to such grievances. To the extent possible, and in accordance with applicable law, the Section 1557 Coordinator will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.
- The Section 1557 Coordinator will issue a written decision on the grievance, based on a preponderance of the evidence, no later than 30 days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.
- The person filing the grievance may appeal the decision of the Section 1557 Coordinator by writing to the Physician Chair of the Compliance Committee within 15 days of receiving the Section 1557 Coordinator's decision. The Physician Chair of the Compliance Committee shall issue a written decision in response to the appeal no later than 30 days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination based on race, color, national origin, sex, age, or disability in court or with the U.S. Department of Health and Human Services, Office for Civil Rights.

A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue SW., Room 509F, HHH Building, Washington, DC 20201.

Complaint forms are available at: <http://www.hhs.gov/ocr/office/file/index.html>. Such complaints must be filed within 180 days of the date of the alleged discrimination.

EPPA and The Urgency Room will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing taped cassettes of material for individuals with low vision, or assuring a barrier-free location for the proceedings. The Section 1557 Coordinator will be responsible for such arrangements.

EPPA will post appropriate notices related to this policy at its Urgency Room facilities and on its websites.

Date Last Revised: 10/17/2022
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1/30/2018
