



FMRS Health Systems, Inc.

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| Policy #: | 1224 |
| Policy Name: | Non-Discrimination (Title VI/ADA) Compliance |
| Effective Date: | 12/13/2022 |
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FMRS Organizational Policies and Procedures

I. Policy Statement

FMRS Health Systems, Inc. (FMRS) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services, based on race, color, national origin, sex, age, or disability.

II. Discussion

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (42 U.S.C. Section 2000d). Section 1157 of the Patient Protection and Affordable Care Act of 2010 (Affordable Care Act) 42 C.F.R. 18116 prohibits discrimination based on race, color, national origin, sex, age or disability in certain health programs and activities. The Americans with Disabilities Act of 1990 (ADA) Pub. L. No. 101-336, 104 Stat. 328 (1990) prohibits discrimination against people with disabilities in several areas, including employment, transportation, and in all places, public and private, that are open to the public.

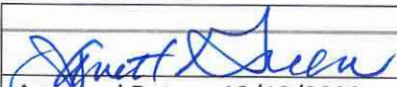
III. Guidelines


Contact Information

Chief Compliance Officer or designee, 304-256-7100, Ex. 1172, 101 S. Eisenhower Drive, Beckley, WV 25801.

Title VI/ADA Information Dissemination

1. Title VI information posters shall be prominently and publicly displayed in all facilities, vans used to transport consumers and on the FMRS website.
2. The Non-Discrimination (Title VI/ADA) Compliance Policy shall be disseminated to employees at hire during orientation and a process will be put into place to disseminate Title VI/ADA information to current staff. Supervisors will be responsible for updating employees and providing them with information about Title VI/ADA at their annual review. This is to

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|  | President, Board of Directors |
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ensure that employees are aware of FMRS’s commitment to Title VI/ADA and of their responsibilities in their daily work and duties.

Subcontractors and Vendors


1. All subcontractors and vendors who receive payments from FMRS where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.
2. Written contracts shall contain non-discrimination language.

Record Keeping

1. FMRS will maintain permanent records, which include, but are not limited to signed acknowledgements of receipt from the employees indicating the review of the FMRS Non-Discrimination (Title VI/ADA) policy, copies of Title VI/ADA complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI/ADA investigations.

Title VI/ADA Complaint Procedures

1. The Complainant may file a signed, written complaint up to one hundred and eight (180) days from the date of the alleged discrimination. The complaint should include the following information:
 - Name, mailing address and how to contact the complainant (i.e., telephone number, email address, etc.)
 - How, when, where and why the complainant believes they were discriminated against. The location, names and contact information of any witnesses should be included.
 - Other information that is significant.
2. The Non-Discrimination (Title VI/ADA) Complaint Form (Appendix A) may be used to submit the complaint information.
3. All complaints alleging discrimination based on race, color, national origin, or disability in a service provided by FMRS will be directly addressed in an expeditious and thorough manner. FMRS will provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English.

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4. A letter acknowledging receipt of complaint will be mailed within seven days to the Complainant. In responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

5. FMRS will send a final written response letter to the complainant. The written responses may be drafted subject to review of FMRS' legal counsel. If the complaint is not substantiated, FMRS will notify the complainant in a letter and advise the complainant of his or her right to 1) appeal within seven calendar days of receipt of the final written decision and/or 2) file a complaint externally with the U.S. Department of Transportation, and /or the Federal Transit Administration. Every effort will be made to respond to Non-Discrimination (Title VI/ADA) complaints within 60 working days of receipt of such complaints, if not sooner.

Limited English Proficiency (LEP) Plan

FMRS Health Systems, Inc. will perform a four-factor analysis at a minimum of every two years. to determine the need for a Limited English Proficiency (LEP) Plan.

Community Outreach

As an agency receiving federal financial assistance FMRS has and will make the following community outreach efforts:

- All FMRS consumers are made aware of their rights to services and their right to file a complaint if they feel that their rights have been violated, at intake. They are offered a copy of the FMRS Client Handbook on Rights and Responsibilities at that time.
- FMRS will ensure that all new riders on our vans are provided with a copy of the Non-Discrimination (Title VI/ADA) Policy when referred to a program that includes transportation. The policy will be provided to all current riders upon its approval. Any questions or concerns may be forwarded to the Chief Compliance Officer or designee through the vehicle operator, or an appointment may be made in person to discuss questions or concerns with the Chief Compliance Officer or designee.
- Transportation issues are discussed and reviewed at the Board level. All FMRS Health Systems, Inc. Board meetings are open to the public and follow the WV Code Chapter 6, Article 9-A on Open Governmental Proceedings.
- Consumer Satisfaction Surveys are completed in all programs monthly and will include consumers who use FMRS transportation. These surveys will be reviewed by the Compliance Officer or designee who will provide a yearly report to the FMRS Board of Directors.