

## **RESOLVING PROBLEMS WITH THE DEPARTMENT OF DEVELOPMENTAL SERVICES IN MASSACHUSETTS**

**Prepared by the Mental Health Legal Advisors Committee  
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### **Does DDS have a complaint process?**

DDS does have a complaint resolution process. DDS has an Investigation Unit and Complaint Resolution Teams.

### **Do agencies that contract with DDS have complaint processes?**

Each Family Support Provider Agency needs a written complaint resolution process available to individuals and families concerning service allocations and other matters.<sup>1</sup> Determinations made pursuant to such process are subject to review by DDS.<sup>2</sup>

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### **Is there a DDS complaint form?**

DDS does not have its own complaint form. However, the Disabled Persons Protection Commission (DPPC) has a form that can be used to file complaints for facilities that DDS licenses. There is an agreement between DDS and DPPC that allows for the streamlining of complaints, and under this agreement DPPC screens complaints for DDS. Therefore, if you would like to file a complaint with DDS, you must fill out and submit the DPPC complaint form. The form can be found on DPPC's website at <http://www.mass.gov/dppc/docs/form-19c-reporting.pdf>

You may also call DPPC on the phone to report a complaint.

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### **What happens after I submit the DPPC complaint form?**

DPPC will review your complaint. After review, DPPC may respond to you or forward your complaint to a DDS investigator, who will further review your complaint.

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### **Can this complaint form be used even if it is not for abuse?**

The DPPC complaint form is used to report abuse and mistreatment. Abuse is broadly defined, and includes physical, emotional, sexual, and other forms of abuse. If you are not sure whether you should use this complaint form or not, you can ask your DDS Service Coordinator. It is very likely that you should use this form if you want to file a complaint with DDS.

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### **What if my complaint has to do with an Individual Service Plan (ISP)?**

If your complaint has to do with a provision of an ISP, you should contact your DDS Service Coordinator. The Service Coordinator should be able to tell you whether you should file the

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<sup>1</sup> Dept. of Mental Retardation: New Family Support Guidelines and Procedures (July 2002), <http://www.mass.gov/eohhs/docs/dmr/reports/family-support/family-support-plan-fy09.pdf>.

<sup>2</sup> *Id.*

DPPC complaint or use the separate process of appealing the ISP, either formally or informally. You still may have the option of filing the DPPC complaint because using a provision in an ISP as a form of punishment is construed as mistreatment or abuse.

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**Does DDS have an Office for Human Rights?**

Yes, DDS has an Office for Human Rights. More information is available at <http://www.mass.gov/eohhs/consumer/disability-services/services-by-type/intellectual-disability/newsroom/about/major-dept/deputy-commish/developmental-services-human-rights-office.html>.

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**What organizations advocate for individuals served by DDS?**

To see a list of organizations that provide advocacy for individuals served by or potentially served by DDS, see the link to “Advocacy” on the DDS web page, <http://www.mass.gov/dds>. Among the organizations that do this work are the following:

- The ARC of Massachusetts;
- Mass. Developmental Disabilities Council;
- Mass. Families Organizing for Change;
- Mass. Advocates Standing Strong.<sup>3</sup>

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<sup>3</sup> The Arc of Mass., Building a Future: A Handbook for Families (3<sup>rd</sup> Ed. 2006), <http://www.arcmass.org/LinkClick.aspx?fileticket=q0pVSKSMgrE%3d&tabid=36&mid=2362>, at 3.