

HSS Complaints - Frequently Asked Questions

1. Who may file a complaint and what information should I put in the complaint?

Anyone with knowledge about an incident or event that happened in one of the facilities or providers licensed and/or certified by the Louisiana Department of Health (LDH) – Health Standards Section (HSS) may file a complaint.

You should include the following details in the complaint:

- Your name and how to contact you (phone number, mailing address, email address). We request this information only so we may contact you if we need more information. You may request to remain anonymous.
- Where the incident happened - the name and address of the facility where the incident happened, including room number, unit, service area if applicable.
- The date the incident happened, as well as names of staff or other people involved in the incident or who saw or heard about the incident.
- Details about the incident. Include the reasons for your complaint and what you want the department to know about your complaint. Be specific about what happened to you, what you saw or heard, the time or part of the day (morning, afternoon, evening, night) and other information you feel is important. Give as much information as you can. If possible, include the name, address and phone number of each person who saw or heard the incident. You may attach more pages if necessary.

If you suspect that a crime has been committed, please contact local law enforcement prior to filing a complaint with HSS.

2. Who may I file a complaint against?

LDH-HSS investigates complaints against LDH licensed health care facilities or providers, as well as certain CMS certified healthcare providers. LDH-HSS **does not** investigate complaints involving billing, reimbursement, or services provided in a setting that is not licensed by LDH or CMS certified. The Health Standards Section has no authority over healthcare professionals, including but not limited to medical doctors or nurses. However, if HSS is made aware of allegations against a healthcare professional, then LDH will make referrals to the appropriate board governing the practices of those professionals.

3. When should I file a complaint?

You should contact us as soon as possible once you become aware of the incident or event. This allows us to retrieve and review pertinent evidence before they are lost. You're also most likely to remember important facts and circumstances soon after the incident and less likely to forget details.

In addition, pursuant to La. R.S 40:2009.14, no report shall be investigated by the office of the department assigned to investigate it if, in the office's judgement, the report is outdated or if the report is not within the investigating authority of the office. An outdated report is a report pertaining to an incident that occurred one hundred twenty (120) or more days prior to its being reported to the office.

4. What do I need to know if I am thinking about submitting a complaint to Louisiana Department of Health – Health Standards Section?

The mission of HSS is to enforce regulatory compliance of LDH licensed healthcare facilities and providers, as well as certain CMS certified healthcare providers. This is accomplished through periodic surveys and inspections of providers licensed and/or certified to operate in Louisiana. HSS also investigates complaints regarding allegations of abuse, neglect, exploitation, and extortion, and noncompliance with federal and/or state regulations that fall under the purview of LDH.

The role of LDH-HSS is not to validate whether the events contained in your allegations occurred. The role of LDH-HSS surveyors is to determine, through observations, interviews and record review, whether the facility is in substantial compliance with its licensing regulations and requirements for Medicare/Medicaid-certified providers/suppliers. Regulatory deficiencies, as well as civil monetary penalties, may be imposed if deficient practice is cited during LDH surveys and complaint investigations. A survey or investigation that is unable to verify the allegations of a complaint is not necessarily a reflection of the factual accuracy of your complaint.