

Facts about the CMS

Fact 1: Is the Complaint Management System (CMS) Aligned with Vision 2030?

It has long been believed that service delivery in the public sector was less than desirable and impacts the 'doing business' profile of the country. Considering this, the Public Sector Transformation & Modernization Programme (PSTMP) was born.

To date, agreements have been made between the Office of the Cabinet and several Ministries, Departments and Agencies (MDAs) for the institution of the Service Excellence Programme.

The Compassionate Care Programme and the Complaint Management System emerged as a part of our commitment to Service Excellence. Both systems are geared towards:

- Increasing the access to healthcare;
- Improving the inclusivity of service delivery;
- Improving the quality of service delivery;
- Improving the involvement of the patient;
- Empowering clients to know their right to quality healthcare; and
- Positioning clients' involvement in the process of service delivery as a right.

Fact 2: What principles guide the CMS?

The following principles guide the how the CMS is designed and operates:



Fact 3: What complaints can be investigated through the CMS?

- Issues related to clinical and or administrative services offered at a public health facility (hospital or health centre)
- Issues related to clinical and or administrative services offered at a Health Department
- Issues related to services offered to the external clients by the different divisions within the Ministry of Health and Wellness that impact access to healthcare.
 - These include the services offered by the Standards and Regulation Division, MOHW, namely:
 - Registration Nursing Homes
 - Registration for drug and health related products
 - Permitting of the importation and sale of drugs, related health products, narcotics into country and to manufacture t
 - Approvals for Research Proposals intended to be conducted on human subjects
- Issues related to services and or products offered by Health Food Shops

Fact 4: What complaints cannot be investigated through the CMS?

- Complaints related to Human Resource Issues
- Complaints about services offered at Medical Laboratories
- Complaints related to Private Pharmacy Services
- Complaints related to Private Doctors' Offices
- Complaints about Health Insurance Companies
- Complaints about employee to employee interaction

Fact 5: Who Can Raise a Concern, Complaint or give a compliment?



Anyone can.

A Patient, or a family member, or a staff, or a visitor

NB. If you are not able to give feedback yourself, ask a relative, the Complaint Handling Officer at the facility where the incident happened or an advocate to assist you.

Fact 6: Can I provide feedback anonymously?



Feedback can be provided **anonymously**; however, as it relates to complaints, they can only be investigated if enough details are given to properly investigate the matter. Such details would include the **date and time** and **place of the incident**, and **what happened**. Please note if the matter involves the **treatment of a patient**, we will need the **full name** and **date of birth for the patient**.

Fact 7: What is a concern, complaint or compliment?

A **concern** is an issue raised by a person who does not want to complain, but wants something done. Every effort should be taken to assess the concern and where necessary, address improving the described situation or area.

A **complaint** is any written, electronic, or oral communication that alleges deficiencies or expresses dissatisfaction related to the quality or performance of the health care system in its delivery of service.

A **compliment** is any written, electronic, or oral communication that represents a polite expression of praise or admiration, or satisfaction with any situation experienced or witnessed while receiving healthcare.

Fact 8: What should I include in my feedback - a complaint or a compliment?

A description of the complaint should include:

- Who was involved?
 - Include the names or description of the staff and the patients and relatives involved or any other persons who may have witnessed the event)
- What happened and when it happened?
- What are your concerns? – *(only for complaints)*
- What experiences you had that you are happy with? - *(only for compliments)*
- How you have been affected by the incident (if affected positively or negatively, please state)?
- What do you want to happen now?
- What you want to be done to resolve this matter? *(only for complaints)*

Fact 9: What outcomes can I expect after making a complaint?

1. The service you need is provided.
2. An improvement in the delivery of care
 - Changes in the operations at a facility, changes in existing policy and procedure manuals, development of new policy and procedure manual.
3. Training of health care workers
4. An explanation of what happened, why it happened and where applicable what went wrong.
5. An apology – an apology is not an admission of guilt, it is the right thing to do.
 - Written or verbal.
6. Compensation –
 - If you want to be compensated for the injuries sustained, the finalization of your complaint would be handled in the court our through mediation.
7. You want someone to be disciplined or prosecuted –
 - Using the complaints procedure will not necessarily mean that the professional is disciplined. However, in some cases if your complaint is found to be true, the disciplinary procedures of the facility and or the professional council may follow.

Fact 10: Can I withdraw my Complaint?

Yes, you can withdraw your complaint.

If you no longer want to pursue the complaint lodged, you will be required to communicate this to the facility and/ or the Ministry of Health & Wellness, preferably in writing. It is important to note that your complaint or concern may still be investigated depending on the severity of the issues and if it is believed, an investigation is still needed. Once the investigation is completed, the necessary corrective and preventative measures will be undertaken and the case closed.

Fact 11: How can I give feedback – a Concern, Complaint or Compliment?

Feedback can be lodged by using any of the following mediums:

- Speak to the Patient Affairs Officer or Customer Service Representative at the facility where the incident took place. Fill out the Complaint Intake Form and submit it to the Complaint Handling Officer or the Customer Service Officer.
- Call the facility where the incident occurred between the hours of 9am to 5pm Monday through to Friday and ask to speak with the Complaint Handling Officer or the Customer Service Officer.
- Fill in [the online feedback form](#) on the MOHW website.
- Email us at myexperience@moh.gov.jm
- Write a letter to the Ministry of Health & Wellness ensuring to include your contact number and email address. Please address the letter to:

Director, Investigation & Enforcement Branch
Ministry of Health & Wellness
52-60 Grenada Crescent

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Kingston 5.

- Contact Jamaican Network for Seropositives (JN+) for HIV related matters at www.myjinplus.org or at (876) 929-7340.

Fact 12: Where do I provide feedback about public healthcare facilities?

You may have had a poor experience and told a member of staff or the person providing your care. If so, they will try to help you immediately, if possible, or within 48 hours.

- **For matters about the public healthcare facilities, your first option should be to report it to the facility:**
 - Speak to the Patient Affairs Officer or Customer Service Representative at the facility where the incident took place. Fill out the Complaint Intake Form and submit it to the Complaint Handling Officer or the Customer Service Officer.
 - Call the facility where the incident occurred between the hours of 9am to 5pm Monday through to Friday and ask to speak with the Complaint Handling Officer or the Customer Service Officer.
- You can also provide feedback directly to The Investigation & Enforcement Branch, Standards & Regulation Division, Ministry of Health & Wellness by:
 - Filling in the online feedback form on the MOHW website.
 - Emailing us at myexperience@moh.gov.jm
 - Calling us at 876 633-7187 or 633-7134
 - Visit our office at 52- 60 Grenada Crescent, Kingston 5
- Hire an attorney and take legal action, for example for issues related to medical negligence.
- Report a healthcare professional to their regulatory body, in cases of professional misconduct, for example the Medical Council of Jamaica, Nursing Council, Pharmacy Council, etc.
- Contact Jamaican Network for Seropositives (JN+) for HIV related matters at www.myjinplus.org or at (876) 929-7340.

NB. If you have complained about a procedure/treatment within the public health facility but care was first received or was continued at a private healthcare facility you may be asked to authorize the release of your records from the private healthcare facility to conduct a full assessment of your care and medical history related to the treatment being complained about.

For example, if you delivered your baby at the Princess Margaret Hospital (PMH) and were referred to the University Hospital of the West Indies (UHWI), and were not satisfied with the outcome at PMH and your treatment was continued at the UHWI, the health records from both PMH and UHWI would more than likely be required.

Fact 13: Where do I provide feedback about services provided by the MOHW head office?

For matters about the services offered to the external clients by the different divisions within the Ministry of Health and Wellness:

- You can provide feedback directly to The Investigation & Enforcement Branch, Standards & Regulation Division, Ministry of Health & Wellness by:
 - Filling in the online feedback form on the MOHW website.
 - Emailing us at myexperience@moh.gov.jm
 - Calling us at 876 633-7187 or 633-7134
 - Visiting our office at 52- 60 Grenada Crescent, Kingston 5

Fact 14: What happens after you make a complaint?

If you made a complaint (via email, letter or fax), receipt of complaint will be confirmed.

- Complaints received via letter will be acknowledged **within 5 working days**
- Complaints received via email, voice message or facsimile will be acknowledged **within 2 working days.**
- You will be informed of the Complaint Process and the next steps.
- You will be asked to explain what you want to happen after making the complaint.
- Your complaint details will be reviewed and you will be contacted **within 5 working days** to request more information, if required.
- An investigation will be conducted.
- You will be contacted **within 30 working days** to keep you informed of the progress and ask for more time, if needed.
- You will be informed of the progress of the investigation.
- The findings of the investigation will be reviewed internally.
- You will be contacted to attend a meeting (face to face or virtually) to discuss the findings of the investigation, answer you concerns and determine your satisfaction level and the next steps.
- The complaint will be escalated for further management if you are not satisfied with the outcome and still want to continue with the complaint. Escalating the complaint allows for all options to be taken to review the complaint and to arrive at a resolution of the matter.
- If you are satisfied with the outcome or not satisfied and do not want to continue with the complaint the complaint is closed.
- At the end of the complaint process, you will receive in writing of the final outcomes of the complaint. You will be asked to complete and return the form that allows you

to let us know how you feel about how your complaint was managed and the final outcome. This feedback helps us improve the complaint process to better serve you.

Fact 15: Why are complaints escalated?

Complaints are escalated because of one of the following reasons:

- The complaint was investigated but the client is not satisfied with the findings.
- The investigation reveals misconduct, negligence, liability or there is doubt.
- The complaint is potentially litigious.
- The complainant has indicated they are seeking compensation
- The facility has received a letter from the client's lawyer.

Fact 16: How are complaints escalated?

Complaints **not related** to clinical treatment or care

- The facility will escalate the complaint based on your request.
- All efforts will be taken to address your concerns through the escalation of the complaint.
See Diagram of the Escalation Steps below.



Complaints about Clinical Care

- The facility will escalate the complaint based on your request.
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See Diagram of the Escalation Steps below.



Fact 17: If I am not happy with the final outcome of the investigation, what do I do?

If you have reached the end of the complaints process, and are not happy with the final decision, you have the right to bring your complaint to the:

Modernization Specialist,
Customer Service Development,
Public Sector Modernization Division
Office of the Cabinet
2A Devon Road
Kingston 6

Or

Public Defender
Office of the Public Defender
22-24 Duke Street
Kingston

Fact 18: Can I get access to my health records if I need it for my complaint?

Yes, you can get access to your health records. The Ministry's *Release of Client Information Policy and Procedures Manual* outlines the requirements to allow you to view or have copies of your files.

Fact 19: How can I get access to my health records if I need it for my complaint?

Accessing your medical records is your right. You are required to:

1. Write a letter addressed to the **Chief Executive Officer (CEO) of a Hospital** or the **Parish Manager of the Parish Health Services in charge of the Health Centre** explaining your interest in accessing your records.
2. Complete the Authorization for Release of Medical Records Form at the facility,
3. Pay the administrative fee in accordance with the National Health Services (Fees) (Amendments) Regulations.
4. Provide proof of fees paid, and proof of identification when you go to access your health records.

Fact 20: What should the letter of authorization include so I can access my health records?

The body of the letter of authorization should include the:

- Name and address of the facility to which the application is made,
- Client's full name, address and date of birth
- Reason for wanting access to the health records
- The specific time period to be covered, for example record from 2008 - 2010
- Signature of client or his /her legal representative
- Date and time of signature
- How long the authorization is valid, for example, please cancel after 60 days,
- Signature of witness

Fact 21: Can I access my child's, spouse or relatives' health records?

Yes, you can. You can **only** access someone else's records if you are authorized to do so.

To access someone else's health records, you must:

- Be listed as the next of kin on the medical records for the patient whose records you want to access, or
- Be acting on the patient's behalf, with their written consent, or
- Have legal authority to make decisions on the patient's behalf - (power of attorney), or you are the executor of their estate, or
- Have another legal basis for access, such as you are the legally appointed guardian for the patient.

Fact 22: How can I access my child's, spouse or relatives' health records?

For patients who require someone else to access his or her medical records the following is required:

1. The patient would need to write a letter authorizing the person to access their records. This letter must state what they are being allowed to do:
 - a. Complete the facility form, or
 - b. Pay the administrative fee or
 - c. Collect a copy of the records or
 - d. View the records or
 - e. All of the above.
2. For Jamaican national residents, the patient as well as the persons being authorized to access the patient's records would need to provide proof of the identification, using a government issued identification card – valid passport, valid drivers' license or a valid voter's ID.

3. For patients living overseas, you will also be required to have the letter of authorization notarized.
4. The patient would need to write a letter addressed to the **Chief Executive Officer of a Hospital** or the **Parish Manager of the Parish Health Services in charge of the Health Centre** explaining your interest in accessing your records.
5. Complete the Authorization for Release of Medical Records Form at the facility,
6. Pay the administrative fee in accordance with the National Health Services (Fees) (Amendments) Regulations, and
7. Provide proof of fees paid.

For **deceased patients whose medical records need to be accessed**, the legal guardian, next of kin, legal representative, or executor of their estate would need to do the following:

1. Write a letter addressed to the **Chief Executive Officer (CEO) of a Hospital** or the **Parish Manager of the Parish Health Services in charge of the Health Centre** explaining your interest in accessing the deceased health records.
2. Complete the Authorization for Release of Medical Records Form at the facility,
3. Pay the administrative fee in accordance with the National Health Services (Fees) (Amendments) Regulations.
4. Provide proof of fees paid.
5. Provide proof of relation, of being the legal representative, or the executor of their estate.
6. Provide proof of identification.
7. For persons living overseas, you will also be required to have the letter of authorization notarized.