

## Richland County Health & Human Services

### Wisconsin Intoxicated Driver Program (IDP) Appeals Process

Client rights are written to protect clients from inappropriate treatment or restriction of rights. IDP clients have the following rights:

- 1.) The right to prompt and adequate treatment, rehabilitation, and education.
- 2.) The right to appeal if you feel the treatment recommended is inappropriate.
- 3.) The right to challenge the accuracy, completeness, timeliness or relevance of information in your record.
- 4.) The right to be fully informed of your rights and the appeals process.

If you wish to file an appeal you must submit your request in writing within five (5) working days to the designated IDP Coordinator, Myranda Culver. The IDP Coordinator must notify you within eleven (11) working days as to the procedure for the review of the appeal.

#### **Appealing the Initial Assessment and Treatment Recommendations**

If you believe that the results of the assessment are incorrect:

- 1.) You should discuss the results with the assessor.
- 2.) If the issue is not resolved, you should discuss the assessment findings and recommended plan with the IDP Coordinator.
- 3.) If you are still not satisfied with the results, you may file a formal appeal in writing within five (5) working days to the IDP Coordinator.

You may be offered the opportunity to undergo another assessment by another assessment agency at your own expense.

Richland County Health & Human Services is responsible for forwarding the results of the existing assessment to the alternate agency with instructions that the facility is not to submit a DC S-75 6 or MVD-3257 to the Department of Transportation (D.O.T.), but to submit all but the facility and client copy back to Richland County Health & Human Services.

You may be informed that Richland County Health & Human Services will review the Results of all information and determine whether an amendment to the initial assessment is indicated.

- 4.) If the IDP Coordinator determines that the assessment findings and plan are substantially correct, you will be informed of the right to appeal this decision to the Director of Richland County Health & Human Services.
- 5.) The IDP Coordinator shall submit a report of non-compliance to D.O.T. at this time if the client refuses to sign the assessment report and initiate the plan.

**Appeal the Individualized Treatment Plan**

If you believe that the individualized treatment plan which fulfills their rehabilitative/driver safety plan is inappropriate and you refuse to consent to treatment, the following is recommended:

- 1.) You should express your dissatisfaction with the plan to the assessor and/or therapist at Richland County Health & Human Services and request that he or she review and consider an amendment of the treatment plan.
- 2.) If the conflict still exists, you may appeal in writing within five (5) working days to the IDP Coordinator. The following may occur:

Your record must be reviewed. You shall be informed that Richland County Health & Human Services will determine whether an amendment to the individualized treatment plan is indicated.

If the IDP Coordinator determines that it is warranted, you may be reassigned to a different therapist.

If the IDP Coordinator determines that the individualized treatment plan is appropriate and an amendment is determined not to be warranted, you shall be informed of the right to appeal this decision to the Director of Richland County Health & Human Services by following the agency appeals process.

- 3.) The IDP Coordinator shall submit a report of non-compliance to the D.O.T. at this time if the client refuses to comply with its recommendations.

**Non-Compliance Report**

Non-compliance reports shall be submitted to the D.O.T. whenever you refuse to cooperate with the determined assessment, rehabilitation/driver safety plan, or individualized treatment plan and you do not appeal further or you have reached the final step.

Non-compliance with assessment includes, but is not limited to the following situations:

- 1.) Failure to appear for assessment
- 2.) Failure to authorize release of any information gained during the assessment interview
- 3.) Failure to allow an collateral contacts to verify unclear area, thus preventing completion of a competent assessment
- 4.) Failure to pay for the assessment

Non-compliance with the driver safety plan means not following or completing the plan, including but not limited to the following situations:

- 1.) Failure to give written consent to the driver safety plan

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- 2.) Failure to pay the driver safety plan fee required under s.46.03 (18)(f). Stats, if you are found to have the ability to pay the fee
- 3.) Failure to participate promptly in accordance with s.HFS 62.04 (8)(c) in the driver safety plan programs
- 4.) Failure to accept driver safety plan programs by not attending or not cooperating
- 5.) Failure to show reasonable progress in completing the driver safety plan according to the goals set out in the individualized treatment plan

The IDP Coordinator may approve submission of the non-compliance report to the D.O.T. during the appeals process if there is documentable evidence that the client’s use of alcohol, controlled substance, or any combination is a threat to their safe driving capability and public safety.

**Contact People**

First Appeal Step Contact: Your IDP Assessor at Richland County Health & Human Services

Second Appeal Step Contact: Myranda Culver, LMFT, IDP Coordinator  
Richland County Health & Human Services  
221 W Seminary Street  
Richland Center, WI 53581  
(608) 649-5792

Third Appeal Step Contact: Tracy Thorsen, LCSW, Agency Director  
Richland County Health & Human Services  
221 W Seminary Street  
Richland Center, WI 53581  
(608) 647-8821

To arrange for an IDP assessment at another facility with a state approved IDP assessor, contact Richland County Health & Human Services at 608-647-8821.

\_\_\_\_\_  
Signature of Client

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date