

# Non-Discrimination Policy

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## Anti-Racism Statement

Trillium wants all our members, families, staff, providers, and partners to know we stand against racism in all forms. Trillium values the diversity of the communities we serve and is committed to the inclusion of voices across the spectrum. We firmly believe that our differences make us stronger. We stand for the inclusion of people of different races in all areas of our society. We are committed to serving communities with the core values of integrity, equity, and respect leading the way. We do not stand for limiting anyone's potential through racist practices or beliefs. No Trillium staff or partner will aid, directly or indirectly, in employment or volunteer filtering based on race. We stand together, united and unapologetically, in the true spirit of partnership to collectively transform. We invite you to join us.

## Legal & Regulatory Compliance

Trillium adheres to the spirit of all applicable anti-discrimination regulations. While the definition of discrimination varies from regulation to regulation, Trillium has a policy not to discriminate on the basis of any protected category including, but not limited to: race, color, ethnicity, national origin, age, religion, sex, pregnancy, gender identity or expression, sexual orientation, disability, tribal affiliation or National Guard or Veteran's status.

Trillium complies with all applicable federal and North Carolina laws and existing regulations, guidelines, and standards, or those that may be lawfully adopted pursuant to the statutes, prohibiting discrimination including, but not limited to:

- i. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d et seq., which prohibits discrimination on the basis of race, color, or national origin;
- ii. Title VII of the Civil Rights Act of 1964, as amended., which prohibits discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity and national origin;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, which prohibits discrimination on the basis of handicap;
- iv. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et seq., which prohibits discrimination on the basis of sex;
- v. The Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 et seq., which prohibits discrimination on the basis of age;

- vi.** Section 654 of the Omnibus Budget Reconciliation Act of 1981, as amended, 42 U.S.C. § 9849, which prohibits discrimination on the basis of race, creed, color, national origin, sex, handicap, political affiliation or beliefs;
- vii.** The Americans with Disabilities Act of 1990, P.L. 101-336, which prohibits discrimination on the basis of disability and requires reasonable accommodation for persons with disabilities;
- viii.** Section 1557 of the Patient Protection and Affordable Care Act, which prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs or activities;
- ix.** The North Carolina Equal Employment Practices Act, Article 49A of Chapter 143 of the General Statutes, which prohibits employment discrimination on the basis of race, religion, color, national origin, age, sex or handicap by employers which regularly employ fifteen (15) or more employees;
- x.** The North Carolina Persons with Disabilities Protection Act, Chapter 168A of the General Statutes, which prohibits disability discrimination;
- xi.** The North Carolina Retaliatory Employment Discrimination Act, Article 21 of Chapter 95 of the General Statutes, which prohibits employer retaliation against employees who in good faith take or threaten to take protected action under the law; and
- xii.** The non-discrimination provisions in North Carolina Executive Order 24 dated October 18, 2017 by maintaining or implementing employment policies that prohibit discrimination by reason of race, color, ethnicity, national origin, age, disability, sex, pregnancy, religion, tribal affiliation, National Guard or Veteran's Status, sexual orientation, and gender identity or expression.

Trillium does not discriminate against members, providers, or employees, or in the provision of services or administration of its programs.

Trillium does not discriminate against individuals eligible to enroll on the basis of health status or need for health care services in accordance with 42 C.F.R. § 438.3(d)(3).

## **Collaboration with the North Carolina Department of Health and Human Services**

Trillium collaborates in an inclusive manner through contractual arrangements, care management, community partnerships, and engagement with the Department's Divisions and Offices, as appropriate, to identify resources and address the needs of

individuals with disabilities. This may include reviewing and resolving complaints or concerns related to Non-Discrimination. Trillium will be available to provide relevant information to the Department should an issue of discrimination arise. The Department and its thirteen divisions have access to Trillium via our Call Center and using the established communication pathways through the Waiver Contract Manager/NCDHHS liaison.

These Divisions and Offices include:

- 🌱 Division of Aging and Adult Services
- 🌱 Division of Child Development and Early Education
- 🌱 Division of Disability Determination Services
- 🌱 Division of Health Benefits (NC Medicaid)
- 🌱 Division of Health Service Regulation
- 🌱 Division of Mental Health, Developmental Disabilities, and Substances Abuse Services
- 🌱 The Division of Public Health
- 🌱 The Division of Services for the Blind
- 🌱 The Division for the Deaf and Hard of Hearing
- 🌱 The Division of Social Services
- 🌱 The Division of State-Operated Healthcare Facilities
- 🌱 The Division of Vocational Rehabilitation Services
- 🌱 The Office of Minority Health and Health Disparities
- 🌱 Office of Rural Health
- 🌱 Office of Economic Opportunity

## Application of Policy

Trillium's Non-Discrimination Policy informs all clinical, marketing, operations, and care management programs offered to members and recipients, and applies uniformly and as applicable to each of the afore-mentioned organizational endeavors.

Specific to marketing, Trillium ensures that:

- 🌱 It will provide any marketing material to the entire Trillium service area and will use the most culturally appropriate tactics for its market/regions.
- 🌱 All marketing material and strategies will abide by the Non-Discrimination Policy and will not discriminate against members, potential members, recipients or potential recipients who live or receive health care in rural or underserved areas or experience income disparities.
- 🌱 All marketing material will comply with the language, accessibility and cultural competency requirements as outlined in Trillium's contract with the Department, as well as all applicable federal and state laws and regulations.

## Access to Policy

Trillium maintains a copy of this Non-Discrimination Policy on its website where it may be accessed by both Trillium members and recipients and Trillium employees.

In addition, Trillium will make its Non-Discrimination Policy available for the Department to review upon request.

## Internal & External Grievance and Complaint Processes for Members and Recipients

If a member or recipient thinks that Trillium or one of Trillium's Network Providers has discriminated against them on the basis of race, color, national origin, age, disability, sex, or another other protected category, they may file a grievance with:

### **Trillium Grievance Coordinator**

201 W. 1<sup>st</sup> St.

Greenville, NC 27858

(P) 866-998-2597, (F) 252-215-6878

[Complaints and Grievances Submission](#)

A member or recipient may file a grievance in person or by mail, fax, e-mail or on-line through Trillium's website. If a member or recipient needs help filing a grievance, Trillium's Grievance Coordinator is available to assist them in doing so. If a member or recipient files a grievance anonymously, Trillium will make all reasonable efforts to protect that anonymity. Trillium provides language services, as necessary, to assist members and recipients during the grievance process.

Qualified staff trained in Trillium's grievance process will investigate all grievances and issue a resolution letter at the end of each investigation.

If a grievance alleging discriminatory behavior is filed against a Trillium staff member that is ultimately substantiated, the grievance will be referred to Trillium's Human Resources Director.

Upon review, the Human Resources Director will take appropriate action, which may include, but is not limited to: verbal or written warning; requirement to complete training; or reassignment or termination.

If a grievance alleging discriminatory behavior is filed against a Trillium Network Provider that is ultimately substantiated, the grievance will be referred to Trillium's Network Department. Upon review, the Network Department will take appropriate action, which may include, but is not limited to: verbal or written warning; requirement to complete training; or termination as a Trillium provider.

If a grievance alleging discriminatory behavior is filed with Trillium against an external entity that is ultimately substantiated, Trillium will make every effort to refer the grievance to the applicable governing authority or body of the external entity.

A member may also file a civil rights complaint with the U.S. Department of Health and Human Services or the North Carolina Department of Health and Human Services. The contact information for these agencies are as follows:

### **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

The mission of the U.S. Department of Health and Human Services is to enhance the health and well-being of all Americans, by providing for effective health and human services and by fostering sound, sustained advances in the sciences underling medicine, public health, and social services.

#### **U.S. Department of Health and Human Services, Office for Civil Rights**

200 Independence Avenue SW., Room 509F, HHH Building

Washington, D.C. 20201

(P) 1-800-368-1019

[Complaint forms](#)

## **NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES**

The Department of Health and Human Services (DHHS) manages the delivery of health- and human-related services for all North Carolinians. The Department works closely with health care professionals, community leaders, and advocacy groups; local, state and federal entities; and many other stakeholders. In some instances, an individual may elect to file a complaint directly with DHHS by following the process outlined below.

### **How to File a Complaint with the North Carolina Department of Health and Human Services:**

You must file your complaint in writing within sixty (60) days of the date you become aware of the alleged violation. The complaint must contain the name and address of the person filing it, the name of the DHHS Division involved, the date(s) of the alleged violation, and a brief description of the alleged violation.

If, due to a disability, you require assistance to prepare a complaint, the Department or Division ADA/RA coordinator shall provide such assistance upon request. The Department's Compliance Attorney can be contacted using the following address and/or phone number:

**Office of the Secretary**  
101 Blair Drive, Raleigh, NC 27603,  
(919) 855-4800.

The form for filing a complaint is attached to the end of this document. Additionally, the form can be requested from the Department's Compliance Attorney and is available online at: [North Carolina Department of Health and Human Services Grievance Procedure](#). To file a complaint, completed forms must be mailed to:

**DHHS ADA/RA Complaints Office of General Counsel**  
2001 Mail Service Center Raleigh, NC 27699-2001

## **Internal & External Complaint Process for Employees**

The following practice governs the process for formally addressing concerns for employees regarding discrimination.

- 🌱 Grievances that allege discrimination, harassment, or retaliation must be made in writing and must be received by the CEO within 15 calendar days of the alleged action giving rise to the grievance.



- 🌱 The grievance must include a description of the actions giving rise to the grievance; reason(s) the action(s) are perceived to be wrong, unfair, or offensive; and a proposed resolution or remedy.
- 🌱 The CEO will issue a written decision to all parties concerned within 10 business days of his/her meeting with the staff.
- 🌱 Career Status employees who do not follow the agency's grievance process shall have no right to file a contested case with the Office of Administrative Hearings (OAH). Employees that have not gained Career Status entitlement shall follow the agency's grievance process and have no appeal rights with the OAH.
- 🌱 If the employee has completed the agency grievance process and is not satisfied with the final agency decision or is unable to obtain a final agency decision within 90 calendar days from the date the grievance was filed, the employee may file a petition for a contested case hearing with the OAH. A petition for a contested case hearing must be filed within 30 calendar days after the grievant receives the final agency decision.

If there is a finding of discriminatory behavior, the Human Resources Director will take appropriate action that may include, but is not limited to: verbal or written warning; requirement to complete training; reassignment or termination.

If necessary, an employee may also contact the United States Equal Employment Opportunity Commission or the North Carolina Human Relations Commission to discuss the investigative and legal processes associated with allegations of discrimination. Contact information for those agencies is as follows:

### **UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

The U.S. Equal Employment Opportunity Commission is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, transgender status, and sexual orientation), national origin, age (40 or older), disability or genetic information.

#### **United States Equal Employment Opportunity Commission**

131 M Street, NE

Washington, D.C. 20507

(P) 202-663-4900

[U.S. Equal Employment Opportunity Commission Public Portal](#)

## **NORTH CAROLINA HUMAN RELATIONS COMMISSION**

The Commission advocates, enforces, and promotes equality of opportunity in the area of housing, fair employment practices, public accommodations, education, justice and governmental services.

### **NC Human Relations Commission, NC Office of Administrative Hearings**

1711 New Hope Church Road

Raleigh, N.C. 27609

(P) 919-431-3000, (F) 984-236-1946

[Human Relations Commission](#)

## **Revisions & Review**

Trillium updates its Non-Discrimination Policy as necessary and reviews the policy annually.