

"AT A GLANCE"

Independent Provider Responsibilities with Major Unusual Incidents and Unusual Incidents

From Rule	REQUIREMENT
(D)(4) REPORTING	Immediately upon identification or notification of a major unusual incident, the provider shall take all reasonable measures to ensure the health and welfare of at-risk individuals. The provider and county board shall discuss any disagreements regarding reasonable measures in order to resolve them. If the provider and county board are unable to agree on reasonable measures to ensure the health and welfare of at-risk individuals, the department shall make the determination. Such measures shall include: (a) Immediate and ongoing medical attention, as appropriate; (b) Removal of an employee from direct contact with any individual when the employee is alleged to have been involved in physical abuse or sexual abuse until such time as the provider has reasonably determined that such removal is no longer necessary; and (c) Other necessary measures to protect the health and welfare of at-risk individuals.
(D)(6)	Immediately, but no later than 4 hours after discovery of the incident, notify the county board through means identified by the county board for the incidents or allegations: (a) Accidental or suspicious death; (b) Exploitation; (c) Misappropriation; (d) Neglect; (e) Peer-to-peer act; (f) Physical abuse; (g) Prohibited sexual relations; (h) sexual abuse; (i) Verbal abuse; (j) When the provider has received an inquiry from the media regarding a major unusual incident.
(D)(7)	Provide a written incident report to the CB contact or designee by 3PM on the first working day following the day the provider becomes aware of a potential or determined MUI.
(E)(1) ALLEGED CRIMINAL ACTS	Immediately report to law enforcement any allegation of a criminal act.
(F) ABUSED OR NEGLECTED CHILDREN	Immediately report to Children Services all allegations of abuse or neglect involving individuals under the age of twenty-one years.
(G)(1) NOTIFIC- ATIONS	Ensure notifications to the individuals as identified in (G)(1)(a)-(d) of the rule, as applicable, when the incident of discovery of the incident occurs when such provider has responsibility for the individual. The notification shall be made on the same day the incident or discovery of the incident occurs and include immediate actions taken. Make Notification to: (a) Guardian or other person whom the individual has identified. (b) Service and Support Administrator (c) Other providers of services as necessary to ensure continuity of care/support (d) Staff or family living at the individual's residence who have responsibility for the individual's care.
(G)(2)	All notifications or efforts to notify shall be documented.
(G)(3)(a)	Notification shall not be made if the person to be notified is the PPI, the PPI's spouse or the PPI's significant other.
(G)(4)(b)	Notifications shall not be made when such notification could jeopardize the health and welfare of an individual involved.
(G)(5)	Notification to a person is not required when the report comes from such person or in the case of a death when the family is already aware of the death.
(H)(8) GENERAL INVESTIG- ATION	All DD employees shall cooperate with administrative investigations conducted by entities authorized to conduct investigations and respond to requests for information from the county board or the department within the timeframe requested. The timeframes identified shall be reasonable.

(M1) UI REQS	Unusual incidents shall be reported and investigated by the provider.
(M)(4)	The provider providing services when an unusual incident occurs shall notify other providers of services as necessary to ensure continuity of care and support for the individual.
(M)(5)	Independent providers shall complete an incident report, notify the individual's guardian or other person whom the individual has identified, as applicable and forward the incident report to the service and support administrator or county board designee on the first working day following the day the unusual incident is discovered.
(M)(6)	Each independent provider shall review all unusual incidents as necessary, but no less than monthly, to ensure appropriate preventive measures have been implemented and trends and patterns identified and addressed as appropriate.
(M)(7)	The unusual incident reports, documentation of identified trends and patterns, and corrective action shall be made available to the county board and department upon request.
(M)(8)	Each independent provider shall maintain a log of all unusual incidents. The log shall include, but is not limited to, the name of the individual, a brief description of the unusual incident, any injuries, time, date, location, cause and contributing factors, and preventive measures.
(M)(10)	A provider, upon request by the department or a county board, provide any and all information and documentation regarding an unusual incident and investigation of the unusual incident.
(P)(3) TRAINING	Follow the requirements for initial training on the provisions of the rule according to their certification requirements and receive annual training from the date of certification on identification and reporting of MUIs and UIs and health and safety alerts released since the previous year's training.