

Incident Reporting Policy

Part I: Definition of Consumer and Staff

Policy Background and Summary

This policy provides guidelines for determining the status of consumers and staff for the purposes of determining the correct procedures to follow for reportable and non-reportable incidents (OPWDD Regulation Part 624). This policy is needed because Challenge is an organization that both provides services and employs individuals with and without disabilities, with a current workforce that includes service participants who are and are not associated with OPWDD. The following definitions are to be used to determine the proper reporting procedures.

Consumer: All individuals who receive services through the Employment Services Department, including but not limited to supported employment services, DH/PV blended services, competitive placement, department of social services job club, and other DOL and VESID-funded assessment and training programs. An individual is considered to be a consumer if he/she is employed by Challenge, as long as he/she continues to receive employment services. Consumers include individuals who participate in work center services, are employed in one of Challenge's business operations, work in a position within Challenge's administrative or employment services departments, and individuals who receive assessment, training, job placement, or follow-along and long-term supports.

Staff: All individuals employed by Challenge, directly or contracted, who do not receive employment services. This includes employees with and without disabilities. It also includes employees who at one time received employment services through Challenge, but are no longer involved in services at the time of the reportable or internal (non-reportable) incident.

Application of Definitions to Allegations of Abuse:

The definitions of **consumer** and **employee** are to be used in determining whether an allegation of abuse is filed. An allegation of abuse is filed in the following situations:

- The alleged perpetrator is a staff member
- All situations of sexual abuse where the consumer involved is not able to consent to sexual activity, whether the other person is a consumer or staff member

Allegations of Abuse involving Challenge Employees

When an incident of suspected abuse occurs, the 624 Coordinator will appoint an investigator to investigate the situation. The 624 Coordinator, Departmental Director and Human Resources Associate will meet to review the allegation and discuss the process of the investigation. If warranted, the staff member involved in the incident will be moved to a different area of the agency or placed on administrative leave during the investigation. The Departmental Director or Manager and the Human Resources Associate will notify the staff member in person and in writing of the allegation, the initial action (change in job, administrative leave) and that the staff member will be contacted for an interview.

The investigator will interview all individuals with knowledge or involvement in the incident and prepare a review. The staff member directly involved in the allegation will be interviewed last, unless other information reveals the need for additional interviews. Findings from the investigation will be submitted to the Departmental Director and the Human Resources Associate and in conjunction with Departmental Managers, will decide if and what type of disciplinary action is indicated based on the situation.

Part II: Reporting and Investigation Responsibilities by Employment Service Categories

The following are guidelines to be followed to determine what type of reporting, investigation and notification process needs to occur in the event of a reportable or internal (non-reportable) incident as defined by OPWDD 624 regulations. While these guidelines cover the vast majority of situations, there are unique situations which are not covered by these guidelines. Also, the severity of a situation will also be an influencing factor as to how an incident is reported and what process is followed. In either of these situations, Challenge staff is expected to report the situation to the 624 Coordinator, Director of Services, or other Senior Management member, who in discussion with Challenge's President will determine the proper procedures to follow.

OWPDD Funded Consumers

If Challenge is the agency that discovers the reportable incident, Challenge is responsible for following all 624 regulations regarding reporting and investigation of the incident. This applies to all reportable incidents that occur during Challenge employment or other program services, at home and in the community. Challenge is responsible for making all notifications, including notification to family, MSC, the local and regional DDSO, law enforcement, MHLS and CQC (abuse allegations). Challenge's Special Review Committee reviews the final investigative report.

If the incident occurred during involvement in another OPWDD service, Challenge staff will notify the other agency and about the incident and come to a mutual agreement as to which agency (or both together) will report and investigate the incident. If the other agency takes on the responsibility for reporting and investigating the incident, staff will work with the service coordinator, residential or other provider to ensure the health, safety and comfort of the consumer, and cooperate fully with the investigation. Challenge will request a summary of the investigation when it is completed.

Internal Incidents

Behavioral incidents involving one or more consumers (that are not covered by 624 incident reporting regulations) will be reported utilizing the Internal Incident Reporting Procedure, with corresponding notification requirements. This internal reporting mechanism is only used for OPWDD funded consumers receiving Day Hab/Pre Vocational Blended and/or Work Center Services and Non-OPWDD funded consumers enrolled in the work center. The original report will be submitted to the QA department for review and a copy given to the Director of Services.

Injuries

Injuries incurred by consumers on Challenge's payroll during work activities (i.e. work center, dish rooms, custodial, imaging, Finger Lakes Fresh or other Challenge businesses/contracts) should be reported using Challenge's Accident/Incident Reporting Form and turned into the Human Resources Department. Injuries to OPWDD funded consumers and Non-OPWDD funded consumers in the work center and Life Options program that require professional medical attention other than a diagnostic screening need are reportable incidents. Minor injuries incurred during Life Options activities (non-work injuries) will be reported using the Life Options Injury Report.

Non-OPWDD Funded Consumers

Work Center/Life Options Consumers

All reportable and internal (non-reportable) incidents involving Non-OPWDD funded consumers should be reported following 624 regulations, with corresponding notifications requirements other than OPWDD, CQC and MHLS. These incidents will be reviewed by Challenge's Special Review Committee.

Supported Employment, Competitive Placement, DSS and OTDA Consumers (and consumers of other short-term training and placement services)

Reportable and significant non-reportable incidents involving these consumers (for those employed in both Challenge and non-Challenge businesses) are documented with a summary note in the consumer file, with notification made within 24 hours to the Employment Services Manager or Director of Services. Challenge is responsible for notifying family, other agencies and law enforcement officials where appropriate.

Allegations of abuse by Challenge staff involving these consumers should be reported following 624 regulations. The 624 Coordinator or Director of Services should be notified immediately about the allegation and the completed form should be turned in within a 24 hour period. The investigation will be conducted by Human Resources, in consultation with the Senior Management staff. Employment Services staff will ensure all actions are taken to ensure the health, safety and comfort of the consumer(s) involved, along with all other consumers. A summary of the incident and actions taken are documented with a summary note in the consumers file. Challenge is responsible for notifying family, other agencies and law enforcement officials where appropriate.

Part III: Challenge Reporting Procedure

To help alleviate these delays and make the process smoother for everyone, please use the procedure (and timeframes) outlined below to report possible incidents. All serious reportable incidents and allegations of abuse are now reported on a centralized data base and the initial report must be entered within a 24 hour period.

Potential incidents (both reportable and internal) must be reported directly to the Quality Assurance Department directly or via contacting the supervisor or manager in your department the day the incident

occurs/is discovered. Contact should be by phone or in person if possible, but voice or e-mail are ok. If it is after 4, please leave an e-mail or voice mail so we can follow up first thing the next work day. If both Quality Assurance staff are out, the incident should be reported to the Director of Services or other Senior Management. The incident should be reported as soon as possible, after you have taken steps to ensure the comfort and safety of the individual(s) involved. Please do not wait until the end of the day when it may be difficult to put in place supports for the individual and meet the required timelines for reporting the incident. Please wait to start to fill out any paperwork until you speak with QA Staff so we can determine the classification of the incident and let you know what form to use and what specific information we need you to include in your report.

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