

~ Racker ~
Community Support Services
Incident Management – Not Under the Auspices of Racker
[Policy issued 9/9/96; Procedure issued 8/6/13; revised procedure: 7/12/23]

POLICY

Racker is committed to the responsibility of assuring the safety and well-being of the individuals at all times. This commitment includes proper, timely and thorough reporting, reviewing, correcting, and monitoring of certain events or situations in order to enhance the quality of care and to ensure that individuals are free from all forms of abuse. In addition to the agency's Protective Oversight Policy and Guidelines, OPWDD funded programs abide by supplemental regulatory requirements.

NOTE

The following definitions and procedures are applicable to events and situations that ***do not*** occur under the auspices of the agency. *** For incidents that occur under the auspices of the agency, see the appropriate policy and procedure for *Incident Management – Under the Auspices*.

DEFINITIONS

UNDER THE AUSPICES

An event or situation in which agency personnel (staff, interns, contractors, consultants, and/or volunteers) are, or should have been, physically present and providing services at that point in time.

NOT UNDER THE AUSPICES

Any event or situation that exclusively involves the family, friends, employers, or co-workers of an individual receiving services, whether or not in the presence of agency personnel or at a certified site.

EVENTS & SITUATIONS

1. *Physical abuse*. The non-accidental use of force that results in bodily injury, pain or impairment, including but not limited to, being slapped, burned, cut, bruised or improperly physically restrained.
2. *Sexual abuse*. Non-consensual sexual contact of any kind, including but not limited to, forcing sexual contact or forcing sex with a third party.
3. *Emotional abuse*. The willful infliction of mental or emotional anguish by threat, humiliation, intimidation, or other abusive conduct, including but not limited to, frightening or isolating an adult.
4. *Active neglect*. The willful failure by the caregiver to fulfill the care-taking functions and responsibilities assumed by the caregiver, including but not limited to, abandonment, willful deprivation of food, water, heat, clean clothing and bedding, eyeglasses or dentures, or health related services.
5. *Passive neglect*. The non-willful failure of a caregiver to fulfill care-taking functions and responsibilities assumed by the caregiver, including but not limited to, abandonment or denial of food or health related services because of inadequate caregiver knowledge, infirmity, or disputing the value of prescribed services.
6. *Self neglect*. An adult's inability, due to physical and/or mental impairments, to perform tasks essential to caring for oneself, including but not limited to, providing essential food, clothing, shelter, and medical care; obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety; or managing financial affairs.
7. *Financial exploitation*. The use of an adult's funds, property, or resources by another individual, including but not limited to, fraud, false pretenses, embezzlement, conspiracy, forgery, falsifying records, coerced property transfers, or denial of access to assets.
8. *Death*. The end of life, expected or unexpected, regardless of cause.

PROCEDURE FOR REPORTING AN EVENT OR SITUATION THAT OCCUR NOT UNDER THE AUSPICES OF THE AGENCY:

It is understood that professional and reasonable judgment will be used to address all situations. This procedure serves as a reference and guide and is not inclusive of all situations and circumstances.

Also note: The Director of Quality Standards may and should be consulted for clarification on any part of this procedure.

The Staff Member observing or discovering the event or situation will:

1. Respond to the individual involved. Take **immediate** action/ intervene to stop continuation of the event/ situation, if needed;
2. Provide First Aid treatment or secure treatment from others, if needed;
3. Contact emergency personnel, if needed;
4. If possible child abuse (individual is under the age of 18) has occurred, **call New York State Central Registry (Child Abuse Hotline) at 1-800-635-1522**
 - a. staff may request assistance from an administrator with making call, **but should not delay** in reporting to hotline;
5. Inform supervisor or administrator, if not done already;
6. Follow instructions as provided by supervisor or administrator;
7. Initiate, complete, and submit an 'Events to Consider' (ETC) form to supervisor.

The Supervisor/ Administrator will:

1. Ensure the safety and well-being of the individual is being addressed;
2. Provide support to staff member with suggestions, directives, etc.;
3. Ensure ETC form is completed;
4. Notify Director of Community Support Services.

The Director of Community Support Services/ designee will:

1. Ensure the safety and well-being of the individual is being addressed;
2. Determine if:
 - a. Situation occurred under the auspices of the agency
 - i. If so, follow policy and procedures for *Incident Management - Under the Auspices of the Agency*
 - b. Situation occurred under the auspices of another agency/ program certified or operated by a State Oversight Agency (OPWDD, OMH, OASAS, DOH, OCFS, SED)
 - i. If so, notify that agency/ program
 - ii. Ensure an ETC form is completed
 - c. Situation did **not** occur under the auspices of the agency or another agency that is certified or operated by a State Oversight Agency (OPWDD, OMH, OASAS, DOH, OCFS, SED) and the event or situation falls into one of the definitions as listed above:
 - i. Ensure intervention occurs which may include, but is not limited to:
 1. Contacting CPS, PSA, CPS; family members; school; hospital
 - a. It is required to contact PSA (Protective Services for Adults @ local DSS) if protective services are necessary for individual and Racker is unable to provide those services.
 2. Making referral (s)
 3. Interviewing people
 4. Reviewing records and other relevant documentation
 5. Assessing and monitoring the individual;
 6. Educating the individual about his or her choices and options regarding the matter.
 - ii. Receive and review information provided on ETC form;

- iii. Enter the situation into IRMA as a '625' report – be sure all necessary fields are completed.
3. Notify the service recipient's Care Manager
4. Notify the Director of Quality Standards and/ or the QS Incident Response Coordinator

The Director of Community Support Services and Director of Quality Standards/ designee will:

1. Ensure the safety and well-being of the individual is being addressed;
2. Consult with one another to ensure a cohesive and comprehensive approach is implemented;
3. Ensure completion of IRMA entry as well as subsequent information in following days;
4. Provide other direction to reporter, as necessary.