OMH NIMRS DEFINITIONS FOR INCIDENT TYPES AND REPORTABILITY

NEW YORK STATE | Office of Mental Health

Incident Type – Sub Type			
Abuse and Neglect **Report to JC & OMH**	**Allegation of Abuse and Neglect:** Abuse and neglect involve actions or a lack of actions by a custodian.		
	Physical Abuse*	**Intentional or reckless contact with a patient which causes or has the likelihood of causing physical pain or harm.**	**Report to JC & OMH** 1. **Report to the JC:** Call 1-855-373-2122 or submit the web form which can be accessed at: www.justicecenter.ny.gov/reporting-incident 2. **Report to OMH:** After the report is made to the JC, the VPCR report will appear in your JC Import Tracker in NIMRS. The report must be imported as a NIMRS incident. Enter required information into NIMRS and then click "Email OMH". 3. Investigate, document findings and submit the investigation via WSIR within 45 days.
	Psychological Abuse*	**Verbal or nonverbal conduct that intentionally or recklessly causes a substantial diminution of a patient's emotional, social, or behavioral condition.**	
	Sexual Abuse*	**Any sexual contact involving a custodian and a patient, or any legal sexual contact involving a patient that is encouraged or allowed by a custodian.**	
	Neglect*	**Any action, inaction or lack of attention that breaches a custodian's duty and that results in or is likely to result in physical injury or serious or protracted impairment of the physical, mental, or emotional condition of a patient.**	
	Deliberate Inappropriate Use of Restraint*	**Use of restraint for any reason other than as an emergency safety intervention.**	
	Obstruction of reports of Reportable Incidents*	**Conduct by a custodian intended to impede the reporting or investigation of a reportable incident.**	
	Unlawful use/ administration of a controlled substance*	**Any illegal administration, use, or distribution by a custodian of a controlled substance (e.g. codeine, OxyContin, Ambien, cocaine) while in the workplace or on duty.**	
	Aversive Conditioning*	**The use of unpleasant physical stimulus to modify behavior. ANY use of aversive conditioning is prohibited in facilities under the jurisdiction of OMH.**	
OMH & JC Death **Report to JC & OMH**	**OMH licensed or operated Inpatient Units, Residential Programs, or CPEP**	**Patients in OMH licensed or operated Inpatient Units, Residential Programs, or CPEP. Additionally, deaths of patients who had received services from such programs in the 30-day period preceding death.**	**Report to JC & OMH** 1. **Report to the JC:** Call JC Death Reporting Line at 1-855-373-2124 to make initial report. The VPCR report will appear in your JC Import Tracker in NIMRS. 2. **Report to OMH:** Import the VPCR report into a NIMRS Incident, enter required information on each NIMRS screen and then click "Email OMH". 3. Submit ***Report of Death to the Justice Center*** by clicking "Submit Death" within 5 days of the initial report to the JC.
OMH Only Death **Report to OMH**	**OMH licensed or operated OUTPATIENT programs**	**Death of patients receiving services only from an OMH licensed or operated OUTPATIENT program, must be reported to OMH via NIMRS. Additionally, deaths of patients who had received services from such programs in the 30-day period preceding death.**	**Report ONLY to OMH** 1. Log into NIMRS & select "Create Event" from the home screen. 2. Enter required information on each NIMRS screen and click "Email OMH".

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NEW YORK STATE | Office of Mental Health

Incident Type – Sub Type			
Significant Incident Regardless of Harm	**Significant Incident:** The following incidents are **Significant Incidents**, reportable to the Justice Center and OMH, when they **occur on program premises** or when the patient was **under the actual or intended supervision** of a custodian:		
	Crime	**An event which is or appears to be a crime under New York State or Federal law, which involves a patient as a victim, or which affects or has the potential to affect the health or safety of one or more patients of the program or has the potential to have a significant adverse impact on the property or operation of the program. It also includes acts committed by persons less than 18 years of age which, if committed by an adult, would constitute a crime.**	**Report to JC & OMH** 1. **Report to the JC:** Call 1-855-373-2122 or submit the web form which can be accessed at: www.justicecenter.ny.gov/reporting-incident 2. **Report to OMH:** After the report is made to the JC, the VPCR report will appear in your JC Import Tracker in NIMRS. The report must be imported as a NIMRS incident. Enter required information into NIMRS and then click "Email OMH". 3. Investigate, document findings and submit CAP in NIMRS within 45 days.
	Financial Exploitation	**Use, appropriation, or misappropriation by a custodian of a patient's resources, including but not limited to funds, assets, or property, by deception, intimidation, or similar means, with the intent to deprive the patient of those resources. Examples include the deliberate misplacement, theft, or wrongful, temporary, or permanent use of a patient's belongings or money.**	
	Fire Setting	**Action by a patient, either deliberate or accidental, that results in fire on program premises.**	
	Injury of Unknown Origin*	**Any suspicious injury to a patient for which a cause cannot be immediately determined.**	
	Inappropriate Use of Restraint or Seclusion	**Unauthorized use of restraint or seclusion that is inappropriate because it was implemented without a valid physician's order or in a manner that was otherwise not compliant with applicable regulations, but which does not rise to the level of abuse (i.e. physical abuse or Deliberate Inappropriate Use of Restraint.)**	
	Missing Patient	**A patient of an inpatient or residential program: who has not been accounted for when expected to be present (in accordance with facility or program practice or policies) and who has not been found on the facility grounds or other expected location; or who is known to have left the facility grounds without the permission of an employee, when such permission is otherwise required and who is considered dangerous to others or unable to care for themselves; or who has not been accounted for when expected to be present and while missing was a victim of human trafficking. A patient of an outpatient program, who is under the age of 18, and whose whereabouts are not accounted for when expected to be present or under supervision of an employee.**	
	Sexual Assault	**Nonconsensual sexual conduct including the deliberate touching of a patient's intimate body parts, or clothing covering those body parts, or using force to cause self-touching by another patient of intimate body parts, or contact that results in vaginal, anal, or oral penetration, i.e., rape or attempted rape and sodomy or attempted sodomy; or any sexual conduct between a person who is 18 years old or more and a person who is less than 15 years old, or between a person who is 21 years of age or older and a person who is less than 17 years old; or any sexual conduct which involves a patient who is deemed incapable of consent.**	
	Sexual Contact Between Children	**Vaginal, anal, or oral penetration by patients under age 18.**	
	Suicide Attempt	**An act committed by a patient of a mental health provider in an effort to cause their own death.**	
	Wrongful Conduct*	**Actions or inactions on the part of the custodian that are contrary to sound judgment or training, and which are related to the provision of services, the safeguarding of patient health, safety or welfare, or patient rights, but which do not meet the definition of abuse or neglect. This includes activity of a sexual nature involving a patient and a custodian or activity of a sexual nature involving a patient that is encouraged by a custodian.**	

OMH NIMRS DEFINITIONS FOR INCIDENT TYPES AND REPORTABILITY

NEW YORK STATE | Office of Mental Health

Incident Type – Sub type			
Significant Incidents Only with Serious Injury or Harm	**Significant Incident Only with Serious Injury or Harm:** The following incidents are **Significant Incidents**, reportable to the Justice Center and OMH, when they **occur on program premises** or when the patient was **under the actual or intended supervision** of a custodian with **serious injury or harm involved**:		
	Assault	**A violent or forceful physical attack by a person other than a custodian, in which a patient is either the victim or aggressor, and which results in *serious injury or harm.***	**Report to JC & OMH** 1. **Report to the JC:** Call 1-855-373-2122 or submit the web form which can be accessed at: www.justicecenter.ny.gov/reporting-incident 2. **Report to OMH:** After the report is made to the JC, the VPCR report will appear in your JC Import Queue in NIMRS. The report must be imported as a NIMRS incident and then "emailed" to OMH. 3. Investigate, document findings and submit CAP in NIMRS within 45 days.
	Choking	**An event where a patient is unable to breathe as a result of ingestion of food or other foreign object which requires physical intervention; that results in *serious injury or harm* or admission to a hospital, or where there is a written directive for such patient concerning risk of choking in place at the time of the event.**	
	Falls by Patients	**Events where patients trip, slip or otherwise fall in an inpatient or residential setting, resulting in *serious injury or harm.***	
	Fight	**A physical altercation between two or more patients, in which there is no clear aggressor and no clear victim, resulting in *serious injury or harm*.**	
	Medication Error	**An error in prescribing, dispensing, or administering a drug which results in *serious injury or harm*.**	
	Other Incident	**An event, other than one identified in this section, which has or creates a risk of *serious injury or harm.***	
	Overdose	**When a patient consumes an amount of a substance (e.g., prescription, over-the-counter, legal, or illegal) which is not intended to cause their own death, but results in *serious injury or harm.***	
	Severe Adverse Drug Reaction*	**Unintended, unexpected, or excessive response to a medication given at normal doses, which results in transfer to ER or *serious injury or harm*.**	
	Self-Abuse	**Self-inflicted injury not intended to result in death that results in *serious injury or harm.***	
	Verbal Aggression by Patients	**A sustained, repetitive action or pattern by a patient or patients of ridiculing, bullying, demeaning, making derogatory remarks, verbally harassing, or threatening to inflict physical or emotional harm on another patient or patients, which causes *serious injury or harm.***	

OMH NIMRS DEFINITIONS FOR INCIDENT TYPES AND REPORTABILITY

Office of Mental Health

OMH Only Incidents **Report Only to OMH**	**OMH INCIDENTS: The following off-site incidents are reportable ONLY to OMH**		**Report ONLY to OMH** 1. Log into NIMRS & select "Create Event" from the home screen. 2. Enter required information on each NIMRS screen and click "Email OMH".
	Crimes in the Community	**An event which is, or appears to be, a crime under New York State or Federal law, and which is perceived to be a significant danger to the community, or which involves a patient whose behavior poses an imminent concern to the community.**	
	Missing Subject of AOT Order	**A person who is subject to an AOT order who fails to keep a scheduled appointment and/or who cannot be located within a 24-hour period (Outpatient Only). Inpatient and residential programs should report missing AOT persons under "Missing Patient".**	
	Suicide Attempt, Off-site	**An act committed by a patient of a mental health provider in an effort to cause their own death that occurs off program premises, when the patient was not under the actual or intended supervision of a custodian.**	
	Human Trafficking, Off-site	**A patient of an inpatient or residential youth program, while on authorized leave or pass from the program, is the victim of human trafficking. Human Trafficking means a crime under the penal law that involves compelling or coercing a person to provide labor or services, or to engage in commercial sex acts. The coercion can be subtle or overt, physical, or psychological. Exploitation of a minor for commercial sex is human trafficking, regardless of whether any form of force, fraud, or coercion was used.**	

* Incidents with an asterisk (*) have an abbreviated definition provided. Please review 14 NYCRR Part 524 Incident Management Program regulations for full incident definitions, as well as investigation and incident management guidelines.

Definition of Custodian: A director, operator, employee, security personnel, or volunteer of a mental health provider; or a contractor that performs services pursuant to a contract that permits regular and substantial contact with patients of a mental health provider.

Definition of Serious Injury or Harm: Physical harm requiring medical treatment or intervention beyond first aid, including the use of an opioid antagonist (i.e. Narcan/Naloxone) when used to counter the effects of a suspected opioid overdose (excluding routine diagnostic tests such as laboratory work, X-rays, or scans if no medical treatment is indicated); or **psychological harm** evidenced by negative changes in affect, behavior, cognition, or which necessitate a significant change in psychotropic or psychotherapeutic intervention; or **a risk for** life threatening physical injury or for psychiatric emergency or trauma.

PLEASE CALL NIMRS HELPDESK at (518) 474-3619 OR EMAIL NIMRSHelp@OMH.NY.GOV FOR ANY INQUIRIES RELATING TO REPORTING AN INCIDENT or IN NIMRS, SELECT THE "Ask A Question" TAB ON THE HOME PAGE.