



## Quality and Innovations: Provider Memo Incident Reports, Unusual Incidents, and Major Unusual Incidents

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**Effective Date:** 12/7/2017

**Purpose:** To outline the process of Incident Reports and Major Unusual Incidents to ensure coordinated efforts and efficiencies throughout the process for Miami County Board of Developmental Disabilities (Riverside) staff and providers.

**Incident Report (IR) Definition:** Documentation that contains details about a Major Unusual Incident (MUI) or an Unusual Incident (UI). The report must include, but is not limited to, the following: individual's name, individual's address, date of incident, location of incident, description of incident, type and location of injuries, immediate actions taken to ensure health and welfare of individual involved and any at-risk individuals, name of Primary Person Involved (PPI) and his or her relationship to the individual, names of witnesses, statements completed by persons who witnessed or have personal knowledge of the incident, notifications (of the guardian, SSA or Riverside staff, residential provider, or family caring for the individual at home) with name, title, time, and date of notice, further medical follow-up, and name or signature of person completing the Incident Report (IR).

### **Incident Report (IR) Process:**

1. An IR form is completed and sent to the Riverside in one of the following ways:
  - a. IR fax line: (937) 332-3496,
  - b. IR email address: [IR@riversidedd.org](mailto:IR@riversidedd.org), or
  - c. Paper copy delivered to the front desk.
2. An IR should be submitted to Riverside by 3:00 P.M. the next working day following discovery of a potential or determined MUI.
3. If a report needs to be submitted for a child under 21 years of age to the Children's Services Board of Miami County (CSB), the provider may call CSB directly at (937) 335-4103 and send the IR to Riverside.
4. The designated Investigative Agent (IA) at Riverside will review all IRs and sent them to the SSA.
5. If the IA has questions about the IR for the team, the IA will email the SSA or the whole team. If the provider is asked a question, please reply back to the team as soon as possible.
6. SSAs will be reviewing, case noting, and following up on all IRs and prevention plans. If ongoing issues or trends and patterns are noted, they will be addressed into the ISP. For example: Frequent hospitalizations for pneumonia, frequent mental health hospitalizations.

### **Unusual Incident (UI) Definition:**

An event of occurrence involving an individual that is not consistent with routine operations, policies and procedures, or the individual's care of Individual Service Plan (ISP), but is not a Major Unusual Incident (MUI). UI categories include, but are not limited to: dental injuries, falls, and injury that is not a significant injury, medication errors without a likely risk to health and welfare, overnight relocation of an individual due to a fire, natural disaster, or mechanical failure, an incident involving two individuals served that is not a peer-to-peer act Major Unusual Incident, and rights code violations or unapproved behavior supports without a likely risk to health and welfare.

**Unusual Incident (UI) Process:**

1. Unusual Incidents (UIs) shall be reported and investigated by the provider.
2. Agency providers are required to:
  - a. Develop and implement written UI policy and procedure that conforms to 5123:217-02,
  - b. Complete an IR no later than 24 hours after the occurrence of a UI,
  - c. Investigate the UIs, identify the cause and contributing factors when applicable, and develop preventative measures to protect the health and welfare of any at-risk individuals, and
  - d. Ensure that all staff are trained and knowledgeable regarding the UI policy and procedure.
3. Independent providers are required to:
  - a. Complete an IR,
  - b. Notify the individual's guardian or other person whom the individual has identified, and
  - c. Forward the IR to Riverside on the same day the Unusual Incident (UI) is discovered.
4. Agency providers and independent providers **both** are required to:
  - a. Review all UIs as necessary, but no less than monthly, to ensure appropriate preventative measures have been implemented and trends and patterns identified and addressed, and
  - b. Make available the IRs, documentation of identified trends and patterns, and corrective action to Riverside and DODD upon request.

**Unusual Incident (UI) Log Process:**

1. Agency providers and independent providers **both** are required to maintain a log of all UIs. The log shall include, but is not limited to: the name of the individual, a brief description of the Unusual Incident (UI), any injuries, time, date, location, and preventative measures. Providers can use Riverside's UI Report Log or their own, and sent it to Riverside in one of the following ways:
  - a. IR fax line: (937) 332-3496,
  - b. IR email address: [IR@riversideddd.org](mailto:IR@riversideddd.org), or
  - c. Paper copy delivered to the front desk.
2. Providers and SSAs will work together to ensure that trends and patterns of Unusual Incidents (UIs) are included and addressed in the ISP of each individual affected.

**Major Unusual Incident (MUI) Process:**

1. If it is a true medical or law enforcement emergency, please call 911 immediately.
2. An MUI or potential MUI should be verbally reported 24/7/365 to the MUI Hotline at (937) 440-3001. A text, email, fax, or IR are not appropriate notifications of an MUI.
3. During business hours, all calls will be sent to both IAs phones.
4. After hours, all calls will be forwarded to Helplink and the SSA on-call. When providers call to report an MUI, they should let the Helplink staff know that they need to speak with the SSA on-call.
5. When the provider is reporting an MUI, they should ensure to provide their name and the agency they are reporting an incident for, a brief description of the incident, and what they have done to ensure the individual's health and welfare.
6. If the SSA on-call determines that the incident is an MUI or potential MUI, they will remind you to have an IR to the IA by 3:00 P.M. the next business day and to call the IA on-call as soon as possible.
7. If law enforcement calls you and you need assistance, the SSA on-call will connect law enforcement to the IA, who can speak with law enforcement directly.
8. If the provider is notified that the individual has been arrested, is in jail, or is the victim of a crime, contact the MUI Hotline to report. The IA will contact the SSA Director for direction on what specific involvement the SSA Department would like the IA to have in the judicial process.

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9. The IA may need to follow up with the provider to ensure the individual's health and welfare is secure. The IA may complete or direct the provider or MUI reporter to call law enforcement or Children's Services, secure immediate medical attention for the individual, remove an employee from direct contact with an at-risk individual when the employee is alleged to have abused or neglected the individual, or any other necessary measures.
10. The IA will notify the SSA of the MUI or potential MUI during business hours, or the next day.
11. The provider should make the following notifications of the MUI:
  - a. Guardian or other person whom the individual has identified,
  - b. SSA serving the individual,
  - c. Licensed or certified residential provider or support broker,
  - d. Staff or family living with the individual who have responsibility for individual's care, and
  - e. Individuals, individuals' guardians, and other persons whom the individuals have identified in a peer-to-peer act unless such notification could jeopardize the health and welfare of an individual involved.Notification shall not be made if the person to be notified is the Primary Person Involved (PPI), the spouse of the PPI, or the significant other of the PPI. If the PPI works for another provider, the IA will notify the other provider.
12. For incidents or allegations of: Accidental or Suspicious Death, Exploitation, Misappropriation, Neglect, Peer-to-Peer Act, Physical Abuse, Sexual Abuse, or Verbal Abuse, the provider must:
  - a. Call the MUI Hotline immediately, but no later than 4 hours after discovery of the incident and
  - b. Submit a written Incident Report (IR) to Riverside by 3:00 P.M. the next business day.
13. For incidents or allegations of: Exploitation, Failure to Report, Misappropriation, Neglect, Peer-to-Peer Act, Physical Abuse, Sexual Abuse, or Verbal Abuse which may constitute a criminal act, the provider must:
  - a. Immediately report to law enforcement by calling 911,
  - b. For a child under the age of 21, call Miami County Children's Services at (937) 335-4103,
  - c. Call the MUI Hotline immediately, but no later than 4 hours after notifying law enforcement, and
  - d. Submit a written Incident Report (IR) to Riverside by 3:00 P.M. the next business day.
14. For incidents or allegations of: Prohibited Sexual Relations, Rights Violations, Failure to Report, Attempted Suicide, Non-Accidental/Non-Suspicious Death, Medical Emergency, Missing, Significant Injury, Law Enforcement, Unapproved Behavior Support, or Unscheduled Hospitalization, the provider must:
  - a. Report to the MUI Hotline on the same day the MUI occurs, or the discovery of the MUI was made, but no later than 3:00 P.M. the next business day.
  - b. Submit a written Incident Report (IR) to Riverside by 3:00 P.M. the next business day.
15. If staff is removed from the schedule, notify them of an investigation, but not what it is about.
16. Once determined that the incident is an MUI, the IA will complete an MUI notification email to commence the administrative investigation according to Appendix A, B, or C, except when law enforcement or CSB is conducting the investigation.
17. If a staff has been placed on leave, the IA will keep the provider up-to-date on the status of the investigation, so the staff can return to work, if able.
18. SSAs may be asked to assist the IA by gathering documents from providers. The provider should not alert the PPI staff of the MUI, potential MUI, or investigation. The IA will notify them when they determine it is an MUI, to ensure the individual's health and welfare. If the provider has questions about how to approach the provider, they should consult the IA.
19. Along with the investigation, the IA will meet with the SSA and may request a team or crisis team meeting to review the MUI and their current status—judicial or otherwise, safety plan for returning home or relocation planning, service structure, ISP, BSP or schedule changes needed, causes and contributing factors to the MUI, development of preventative measures and reasonable steps to prevent the recurrence of the MUI.
20. The SSA and provider will work together to ensure that the preventative measures are fully implemented and may add the preventative measures to the individual's ISP.

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21. To close the investigation, the IA will send to the team a written summary of the administrative investigation including the allegations, the facts and findings, whether the case was substantiated or unsubstantiated, preventative measures implemented in response to the MUI, and dispute resolution information. The written summary shall not be provided to the PPI, the spouse of the PPI, or the significant other of the PPI.
22. The IA will notify the PPI as to whether the Major Unusual Incident (MUI) has been substantiated, unsubstantiated/insufficient evidence, or unsubstantiated/unfounded.
23. If a staff member is unexpectedly questioned by the media, never say, "No comment." Rather, direct them to contact Melissa Nichols or Brian Green by calling (937) 440-3000.

**MUI Logs Process:**

1. Agency providers and independent providers both are required to produce a semi-annual and annual report regarding MUI trends and patterns that shall contain the following elements: date of review, name of person completing review, time period of review, comparison of data for previous three years, explanation of data, data for review by MUI category type, individuals involved in established trends and patterns (i.e., five Major Unusual Incidents of any kind within six months, ten Major Unusual Incidents of any kind within a year, or other pattern identified by the individual's team), trends by residence, region, or program, previously identified trends and patterns, and action plans and preventative measures.
2. Providers can use Riverside's MUI Log Form or their own, and send it to Riverside in one of the following ways:
  - a. IR fax line: (937) 332-3496,
  - b. IR email address: [IR@riversidedd.org](mailto:IR@riversidedd.org), or
  - c. Paper copy delivered to the front desk.
3. The semi-annual review shall be cumulative for January 1<sup>st</sup> through June 30<sup>th</sup> of each year and include an in-depth analysis. The annual review shall be cumulative for January 1<sup>st</sup> through December 31<sup>st</sup> of each year and include an in-depth analysis.
4. All reviews and analyses shall be completed within thirty (30) calendar days following the end of the review period.
5. Providers shall conduct the analysis, implement follow-up actions, and send the analysis and follow-up actions to the county bard for all programs operated in the county by August 31<sup>st</sup> of each year for the semi-annual review and by February 28<sup>th</sup> of each year for the annual review.
6. Riverside and their Human Rights Committee will semi-annually review the analysis to ensure that all issues have been addressed to prevent recurrence and ensure that trends and patterns of Major Unusual Incidents (MUIs) are included and addressed in the ISP of each individual affected.

**Training:**

1. Agency providers shall ensure staff employed in direct services positions are trained on the requirements of the MUI rule prior to direct contact with any individual, and staff employed in positions other than direct service positions are trained on the requirements of this rule no later than ninety (93) days from date of hire. Thereafter, staff shall receive annual training on the requirements of this rule including a review of health and welfare alerts issued by the department since the previous year's training.
2. Independent providers shall be trained on the requirements of this rule prior to application for initial certification in accordance with rule 5123:2-2-01 of the Administrative Code and shall receive annual training on the requirements of this rule including a review of health and welfare alerts issued by the department since the previous year's training.