AUDIENCE: Providers who receive funds from ODP, Administrative Entities (AEs), County MH/ID Programs, Supports Coordination Organizations (SCOs), and other interested parties

PURPOSE: The purpose of this memorandum is to reinforce the requirement set forth in the Incident Management (IM) statement of policy bulletin 6000-04-01 regarding the finalization of incidents within 30-days or notification of an extension prior to the expiration of the 30-day period.

BACKGROUND:

There are three requirements within the IM statement of policy that set forth expectations regarding timely finalization of incidents and notifications of extensions. These include:

§6000.961 (3) states, “the final section [of the incident report] is to be submitted through HCSIS within 30 days of the incident being recognized or discovered. If the provider agency determined they will not be able to meet the 30-day reporting timeframes for completion of the final section, notification of an extension is to be made to the county and the regional office of ODP by means of HCSIS prior to the expiration of the 30-day period.”

§6000.941 states, “providers, supports coordination entities and counties are to create an administrative structure that is sufficient to implement the requirements of the statement of policy”. Specifically, they shall:

1. Assign an individual with overall responsibility for incident management
2. Develop a policy for incident management
3. Ensure that staff, individuals and families are trained on incident management policies and procedures.

4. Assign roles within their organization for reporting and investigation of incidents.

5. Assure corrective action to individual incidents.

6. Conduct analysis of data on incidents and the quality of investigations.

7. Identify and implement individual and systemic changes based on risk management analysis.

§6000.953 states, “the IM representative is the person designated by the provider with the overall responsibility for incident management and is responsible for the finalization of the incident report within 30-days of the incident.”

Based on these requirements and Appendix E within statement of policy, it is expected that entities have an administrative structure that supports the incident management process which includes the timely finalization of incidents. This is achieved by the creation and implementation of effective incident management policies and procedures that include the entity’s designation of an Incident Management Representative and a process to ensure timely finalization that includes the use of extension notifications when the 30-day timeframe cannot be met.

Compliance with these requirements ensures that prompt action, remediation, and initiation of corrective action occur for each incident recognized or discovered. Unnecessary delays have the potential to compromise the quality of an investigation and the incident management process as a whole.

DISCUSSION:

On a statewide basis, there is a low compliance achieved regarding the timely finalization of incidents. In Fiscal Year (FY) 2012-2013 and 2013-2014, compliance with our state goal for critical incident finalizations was at 60% and 61%, respectively. This is well below an acceptable rate of performance. ODP expects that 100% of incidents submitted are compliant with this requirement.

The timely finalization of incidents is used as a CMS performance measure under the Health and Welfare assurance area identified in both the PFDS and Consolidated waivers. Because of this low compliance percentage, ODP is requesting that providers and AEs be vigilant in monitoring their processes to ensure timely finalization of incidents which includes ensuring incidents are finalized within 30-days from the date recognized or discovered as well as ensuring notification of an extension prior to the expiration of the 30-day period. Additional notifications of extension can be submitted when finalization will occur after the date of the initial extension.
ODP understands not every incident can be finalized within 30-days from the date of discovery due to circumstances beyond the control of the provider. The use of the extension notification functionality in HCSIS is the tool available for providers to assist in requesting additional time to finalize incidents when these circumstances exist.

HCSIS contains a report titled *Management Review Report* which serves as a tool for providers and AEs to self-monitor their compliance with timely incident finalizations. The *Reports Guide* contained in the HCSIS LMS provides an explanation of how to use this report. ODP encourages providers to regularly use this report in order to monitor their compliance. Below is a screenshot showing the location of the *Management Review Report*.

In addition, when an incident report final section is not approved by the AE/County or ODP Regional office as part of the management review process and successful finalization will occur beyond the 30-day timeframe from the date of the incident report, providers must utilize the extension notification functionality in HCSIS in order to keep the incident report from being considered noncompliant. Providers should input an extension notification of 10-days when an incident has been not approved in order to align with the “Response required by this Date” field in HCSIS.

**SUMMARY:**

Below is a summary of the timeline requirements for all providers, AEs and county programs to follow.

All incident reports must be:
- Submitted within 24 hours from when the incident occurred or was discovered
- Finalized within 30 days
  - If necessary, an extension must be entered when additional time is needed
  - All extension deadlines must be met
    - Subsequent extensions must be entered as needed
  - A 10 day extension must be entered when an incident is not approved and successful finalization will exceed the 30-day requirement. This will align with
the “Response required by this date” field and functionality of the incident reporting system.

For incidents requiring an investigation, Certified Investigators must:

- Be assigned within 24 hours from when the incident occurred or was discovered
- Conduct the First witness interview within 24 hours of being assigned the investigation
- Conduct the Last witness interview within 10 day of being assigned the investigation

Oversight of these requirements will be conducted as part of ODPs Provider Monitoring, Supports Coordination Organization Monitoring, and Administrative Entity Oversight Monitoring Processes. Corrective Action Plans (CAP) and Directed Corrective Action Plans (DCAP) will be issued to address areas of noncompliance regarding these requirements.

**ADDITIONAL INFORMATION:**

For technical assistance regarding the use of the *Management Review Report* or for clarification regarding this Informational Memo, please contact your respective Risk Manager within the ODP Regional Program Office.