Incident Management (IM) Bulletin Revisions

The Office of Developmental Programs (ODP)

Goals for Today

- Understand how and why changes to the bulletin came about
- Review major changes within the Bulletin
- Give tips for the review of the new IM bulletin
Why Update?

- Current IM bulletin has been in place since 2004
  - 15 years
  - Practices have evolved
- New ODP regulations
  - 55 Pa. Code § 6100
- Revision of Licensing Regulations
  - 55 Pa. Code § 2380
  - 55 Pa. Code § 2390
  - 55 Pa. Code § 6400
  - 55 Pa. Code § 6500

Scope of the Bulletin

- Health, safety and rights protections for individuals who receive services through ODP, including the Bureau of Autism Services, in a home and community-based setting
- ICF/IDD Programs are not covered in the new bulletin as they are not included in the scope of the 6100 regulations.
Methodology

• Process began in 2014
• Used a team approach that involved subject matter experts throughout ODP

Methodology

• Bulletin was written with *Everyday Lives, Values in Action* as a guiding document
  – The areas of importance identified by individuals and their families was utilized when developing content, with particular emphasis on the recommendations of:
    • The promotion of self-direction, choice and control
    • The promotion of health, wellness, and safety
“Everyday Lives: Values In Action”

People with disabilities have a right to an everyday life; a life that is no different than that of all other citizens.

FREEDOM: I have the same rights as all other members of the community and I can fully use them. My family, supporters, and community respect my rights.

Methodology

Research...Research...and more Research

- Feedback from Stakeholders
- Practices in other states
- Global Practices
- Human Rights
- Healthy Homes
- Audit Results
- ODP Documents, Regulations, Policies etc.
- Incident Management Data
Methodology

- The team reviewed global resources such as the United Nations (UN) Convention on the Rights of Persons with Disabilities to incorporate promising practices related to human rights

![United Nations - Disability](image)

Methodology

- Centers for Disease Control and Prevention and U.S. Department of Housing and Urban Development. Healthy housing reference manual
  - Having a healthy home and physical/mental health is connected
  - Lack of a healthy home can lead to a variety of incidents

![Healthy Housing Reference Manual](image)
Maslow’s Hierarchy of Needs

- **Physiological needs:** food, water, warmth, rest
- **Safety needs:** security, safety
- **Belongingness and love needs:** intimate relationships, friends
- **Esteem needs:** prestige and feeling of accomplishment
- **Self-actualization:** achieving one’s full potential, including creative activities

**Methodology**

- Bulletin explains how to put incident management regulations, policies, procedures etc. into practice
  - Building policies and structures to support incident management.
  - Taking timely and appropriate action in response to incidents.
  - Reporting, investigating and taking corrective action in response to incidents.
  - Implementing quality improvement, risk management and incident management processes
Most primary incident categories change from a “Response” to an incident to a “Description” of an incident

– For example: Hospitalization changes to **Serious Illness** or **Serious Injury**-Depending on the nature of the incident

Data related to the “response” to an incident will still be available for trending purposes and to maintain data integrity

– For example: users will still be able to determine if an individual went to an ER, was admitted to a hospital or if law enforcement was involved in an incident based on other data elements within the EIM incident report
All primary and secondary categories have a definition

- Office of Inspector General (OIG) audits of other states and promising practices indicated that recognition of abuse is in part hindered because "policies and procedures did not establish clear definitions and examples of potential abuse or neglect that should be reported (MA OIG Report July 2016 A-01-14-00008)"

Secondary categories have more targeted language to aid in data collection for systemic improvement

- For example: **Rights Violation** secondary categories are linked to 6100 regulations and current promising practices in the field.
  - Collection of this type of data will drive creation of training/education materials needed for systemic improvement efforts and targeted technical assistance
Methodology

• Overall Decrease in the number of secondary incident categories
  – Removal of generic secondary categories such as “other”
  – Removal of secondary categories related to the “who” may have been involved in the incident

• Investigation determinations will continue to be linked to the primary/secondary category combination
  – Administrative Review Committee will assess evidence presented by the Certified Investigator (CI)
  – Make a determination of confirmed, not confirmed or inconclusive
  – N/A will no longer be an option for an investigation determination
Methodology

• Increase in the detail related to all aspects of the incident management process to ensure all entities are utilizing all the required tools that exist for IM
  – Discussion of Administrative Review of Investigations
  – Discussion of the Certified Investigator Peer Review (CIPR) process

Methodology

• Requirement for individual and agency-wide quality management activities
  – Focus on the need to take action(s) based on results of quality management activities
  – Focus on the need to have methods to communicate between all stakeholders
Summary of Major Changes

Psychological Abuse has been modified to include verbal abuse

- Research has shown that verbal abuse is a form of psychological abuse and the two forms often are present at the same time.

Summary of Major Changes

- Death incidents require additional reporting when there is a suspicion of abuse and/or neglect related to the death.
Summary of Major Changes

• Removal of Emergency Room (ER) visit as a primary incident category.
  – Still required to report ER visits in the event of a Serious Injury

Summary of Major Changes

• Removal of Hospitalization as a primary incident category term
  – Replaced with Serious Illness
  – Reported when an individual experiences an inpatient hospitalization as a result of an illness
Summary of Major Changes

Increase in required investigations related to injuries to rule out Abuse/Neglect

- Increase related to requirements in 6100 regulations
- Increase related to research and OIG audit information
- All **Accidental** and **Unexplained Injuries** now require an investigation

Summary of Major Changes

- **Addition of Choking** and **Decubiti (Pressure Ulcer/Bedsore)** as secondary categories requiring investigation
  - Goal is to investigate in order to intervene before serious harm or death occurs due to these types of incidents
  - Investigation allows for a more in depth examination of the cause of the incident which in turn allows for more effective corrective actions
Summary of Major Changes

- Addition of **Seclusion** as a secondary category under Abuse
  - Expanded definition to include situations that do not involve obvious signs of seclusion such as locked doors

Summary of Major Changes

- Addition of primary category of **Behavioral Health Crisis Event**
  - Will allow for data collection related to psychiatric hospitalizations
  - Will allow for data collection related to behavioral health interventions that did not rise to the level of requiring a hospitalization where only law enforcement or other services intervened
Summary of Major Changes

• Addition of **Exploitation** as a primary incident category
  – Allows for targeted data collection for a variety of types of Exploitation beyond the traditional misuse of funds

Summary of Major Changes

• Expansion of secondary categories under **Rights Violations**
  – The secondary categories associated with Rights Violations are not intended to specifically spell out every human right that exists that could potentially be violated
  – Intended to capture the most common Rights Violations that occur
Addition of **Passive** and **Self-Neglect**

- Categories to be managed by Supports Coordination Organizations (SCOs)
- Do not require an investigation by a Certified Investigator (CI)
- Aligns better with protective service definitions and thresholds
- Allows for corrective actions and risk mitigation planning with individuals and families without the stress of a formal investigation

Summary of Major Changes

**Summary of Major Changes**

**•** Removal of **Chemical** and **Mechanical** restraints as reportable incidents under Restraints
  - Clarified language to add that physical restraints are only to be used in an emergency situation when health and safety are at risk
Providers and SCOs must release the incident report, or a summary of the incident, the findings and the actions taken…to the individual, and persons designated by the individual, upon request.

Summary of Major Changes

• CI certification now required for certain roles
  – Incident Management (IM) Representative
  – County ID Programs/AE Incident Manager
Summary of Major Changes

- Separation of requirements for AE and SCOs
- Addition of guidance for SCOs related to the need to monitor all incidents both in EIM and while on-site

Summary of Major Changes

- Quality Management activities are to be conducted on an ongoing basis
  - Monthly data monitoring
  - Three month trend analysis
Summary of Major Changes

• Monthly data monitoring includes:
  – Focus on effectiveness of corrective actions
  – Focus on implementation of preventative corrective actions
  – Circumstances of restraints and medication errors
  – The need to update the Individual Plan (IP) based on data monitoring activities

Summary of Major Changes

• Three month trend analysis includes:
  – Review of timeliness of incidents
  – Evaluation of effectiveness of corrective actions
    • Including education provided to individuals, staff and others
  – Review of feedback from management reviews
Summary of Major Changes

- Expansion of information about Victim Service programs
  - Increase the ability of individuals to access services in their community

Additional Information

- EIM will be updated to align with the new IM bulletin
  - New pages
  - New reports
  - New data fields
  - New functionality
Additional Information

- EIM will be updated to give users the ability to select secondary categories for Optionally Reportable Events (OREs).

- Expanded OREs will allow for easier tracking of risk mitigation activities for events that do not rise to the level of an incident.
Tips

- Review the bulletin in the order it has been presented
  - Do not skip around and try to locate the sections that may be applicable to your role
  - Try and imagine how the entire system works together to increase health, safety and rights protections

Tips

- Keep in mind that some aspects of the bulletin may be unable to be changed
  - Due to law, regulation or other “rules” that are already in place that must be implemented as written
- Think about what improvements could be made to the bulletin
  - Always try and propose a solution, alternative language or other information when providing feedback
Tips

• Keep in mind that training and education about the new bulletin will occur
  – The bulletin cannot contain every detail about all incident management subjects
  – Some concepts may be better suited to appear in training or educational materials

Next Steps

• Collect public comments
• Conduct listening tours in each region
• Incorporate comments into the bulletin
Final Steps

- Release final IM bulletin
- Conduct/Release training and education information
- Implement new IM bulletin