

PATHWAYS, INC. Developmental Disabilities Services	DATE ISSUED 6/95	DATE REVISED 5/12 10/14 6/15	PAGE 1 of 3	TOPIC NO. 2.10
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING/REVIEW PROCESS			
<u>SOURCE/REFERENCE:</u> 624.2(a-f) 633.7 633.8 Article 20 of Executive Law 29.29 of Mental Hygiene Law	<u>SUBJECT:</u> Background and Intent			
	<u>TOPIC:</u> Board/President & CEO/Designee's Responsibilities			

POLICY:

The purpose of reporting, investigating, reviewing, correcting and/or monitoring certain events or situations is to enhance the quality of care provided to persons with developmental disabilities to protect them (to the extent possible) from harm, and to ensure that such persons are free from mental and physical abuse.

The primary function of the reporting of certain events or situations is to enable Pathways Board of Directors, Central Administrators, Program Administrators, Managers, Directors, and Supervisors to become aware of problems to take corrective measures and to minimize the potential for reoccurrence of the same or similar events or situations. The prompt reporting of alleged abuse can ensure that immediate steps are taken to protect persons receiving services and support from being exposed to the same or similar risk.

The reporting of certain events or situations in an orderly and uniform manner facilitates identification of trends, whether within a particular program or a program type operated by Pathways Inc., which may ultimately allow the agency to develop and implement preventive strategies.

With this policy and procedure those significant events or situations which endanger a person's well-being while in or under the auspices of Pathways, Inc. services defined in Part 624 as "Reportable Incidents" or "notable occurrences", are reported, investigated, reviewed, and corrective actions are taken as necessary. The same shall be done for Allegations of Abuse.

It is not the intent of this policy to mandate that every potentially harmful event, occurrence, or situation attributable to or involving a person receiving services in certified Pathways, Inc. programs, such as an aggressive behavior problem (including the need for psychiatric services elsewhere), illness, medication problem, inappropriate living arrangements or conditions, or inappropriate social behavior, be recorded as a reportable incident or a notable occurrence.

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POLICY: (continued)

Serious behavior problems will be recorded, reviewed by appropriate parties, and a record maintained of the actions taken. However, reporting through the incident/abuse process shall only occur when the behavior problem results in an incident or an allegation of abuse as defined in Part 624 regulations. Incidents other than reportable, serious reportable, or allegations of abuse shall be documented, monitored, analyzed for trends and reviewed through Program Managers/Directors and the Trend Analysis committee of the Incident Review Committee.

The Board of Directors and the President & CEO are responsible for the management of incidents and allegations of abuse within Pathways, Inc.

The governing body, Pathways, Inc. Board of Directors, shall ensure the effectiveness of the identification, recording, investigation, review and corrective actions with regard to events or situations involving persons receiving services from Pathways Inc. programs. This shall be achieved via membership by a Board member of the agency's Special Review Committee.

The President & CEO shall receive all minutes of the Special Review Committee's deliberations, but shall delegate day to day oversight of the incident reporting process of the Developmental Disabilities services and functioning of the Incident Review Committee (IRC) to the Executive Vice President of Quality Assurance. The President & CEO shall retain oversight for the incident reporting process within programs receiving funding from the Office For People With Developmental Disabilities (OPWDD). In addition The Executive Vice President of Quality Assurance shall facilitate Policy and Procedure changes for all programs and the Incident Review Committee, as well as monitor the effectiveness of the incident reporting process for all programs. All staff and/or programs which have questions or are in need of direction relative to incident reporting shall seek assistance of the Executive Vice President of Quality Assurance.

It is the intent of this Part to require a process for Pathways Inc. that is in full compliance with the provisions of section 29.29 of the Mental Hygiene Law.

Pathways programs that are certified or operated by OPWDD are required to comply with relevant provisions of Article 20 of the Executive Law (Protection of People with Special Needs) and Article 11 of the Social Services Law (Protection of People with Special Needs), and to implement regulations promulgated by the Justice Center for the Protection of People with Special Needs (Justice Center).

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Notification of Policy & Procedure

Upon commencement of service provision and annually thereafter Pathways shall offer to make available written information developed by OPWDD in collaboration with the Justice Center for the protection of people with special needs and a copy of Pathways policy and procedure to persons receiving services who have the capacity to understand the information and to their parents, guardians, correspondents or advocates, unless a person is a capable adult who objects to their notification. Pathways will also offer to make available a copy of OPWDD's part 624 regulations. In order to satisfy this requirement Pathways shall;

1. Provide instructions on how to access such information in electronic format;
www.opwdd.ny.gov
2. Upon written request, provide paper copies of such information.

Upon employment or initial volunteer, contract, or sponsorship arrangements and annually thereafter Pathways will make the agency's policies and procedures on incident management known to agency employees, interns, volunteer, consultants, contractors and family care providers. For parties who are required to be trained, this information shall be provided in conjunction with training conducted in accordance to 633.8 of this title.

In accordance with section 633.7 of this title, custodians with regular and direct contact in facilities and programs operated or certified by OPWDD will be provided with the code of conduct adopted by the Justice Center.