

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 1 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Significant incident shall mean an incident, other than an incident of abuse or neglect, that because of its severity or the sensitivity of the situation may result in, or has the reasonably foreseeable potential to result in, harm to the health, safety, or welfare of a person receiving services, and shall include but shall not be limited to:

Conduct Between Persons Receiving Services that would constitute abuse as described if committed by a custodian, except sexual activity involving adults who are capable of consenting and consent to the activity; or conduct on the part of a custodian, that is inconsistent with the individual’s plan of services, generally accepted treatment practices, and/or applicable federal or state laws, regulations or policies, and which impairs or creates a reasonably foreseeable potential to impair the health, safety, or welfare of an individual receiving services, including:

Seclusion, which shall mean the placement of an individual receiving services in a room or area from which he or she cannot, or perceives that he or she cannot, leave at will except when such placement is specifically permitted by section 633.16 of this Title. Unless permitted by Section 633.16, the use of seclusion is prohibited;

Note: Section 633.16 of this Title (Person-Centered Behavioral Intervention) identifies a form of "exclusionary time out," which prevents egress from a time out room by a custodian's direct and continuous action, and requires constant visual and auditory monitoring. Use of exclusionary time out may be included in a formal behavior support plan and implemented in accordance with the conditions and limits set forth in paragraph 633.16(j)(3) of this Title. The use of exclusionary time out in the absence of an approved behavior support plan that incorporates the use of exclusionary time-out, or a failure to implement such a plan as designed, is considered to be “seclusion” and is prohibited.

Unauthorized Use of Time-Out, which (for the purposes of this clause only) shall mean the use of a procedure in which a person receiving services is removed from regular programming and isolated in a room or area for the convenience of a custodian, for disciplinary purposes, or as a substitute for programming;

Note: For the purposes of this provision "unauthorized use of time out" includes any use of time out that is inconsistent with an individual's plan of services, the administration of a prescribed or over-the-counter medication, which is inconsistent with a prescription or order issued for a service recipient by a licensed, qualified health care practitioner, and which has an adverse effect on an individual receiving services. For purposes of this clause, "adverse effect" shall mean the unanticipated and undesirable side effect from the administration of a particular medication which unfavorably affects the wellbeing of a person receiving services;

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 2 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Inappropriate Use of Restraints, which shall mean the use of a restraint when the technique that is used, the amount of force that is used, or the situation in which the restraint is used is inconsistent with an individual’s plan of services (including a behavior support plan), generally accepted treatment practices, and/or applicable federal or state laws, regulations or policies. For the purposes of this subdivision, a "restraint" shall include the use of any manual, pharmacological or mechanical measure or device to immobilize or limit the ability of a person receiving services to freely move his or her arms, legs or body.

Administration of a prescribed or over-the-counter medication that is inconsistent with a prescription or order issued for a service recipient by a licensed, qualified health care practitioner, and that has an adverse effect on an individual receiving services. For purposes of this clause, "adverse effect" means the unanticipated and undesirable side effect from the administration of a particular medication which unfavorably affects the wellbeing of a person receiving services;

Other Mistreatment

Other conduct on the part of a custodian, that is inconsistent with the individual’s plan of services, generally accepted treatment practices, and/or applicable federal or state laws, regulations or policies, and that impairs or creates a reasonably foreseeable potential to impair the health, safety, or welfare of an individual receiving services

Missing Person which shall mean the unexpected absence of an individual receiving services that based on the person’s history and current condition exposes him or her to risk of injury;

Choking, With Known Risk which shall mean partial or complete blockage of the upper airway by an inhaled or swallowed foreign body, including food, that leads to a partial or complete inability to breathe, involving an individual with a known risk for choking and a written directive addressing that risk; or

Self-Abusive Behavior With Injury, with injury, which shall mean a self-inflicted injury to an individual receiving service that, requires medical care beyond first aid.

All agency employees, interns, volunteers, consultants, contractors, and family care providers are required to report any event or situation that meets the criteria of a reportable incident or notable occurrence as defined in this Part. Pathways Custodians of programs and facilities certified or operated by OPWDD are

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 3 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

mandated reporters and are also required to report reportable incidents pursuant to section 491 of the Social Services Law. Reports shall be made in accordance with agency policies/procedures.

All reportable incidents, as defined in section 624.3 shall be reported to the agency's President & CEO (or designee, AOC) immediately upon occurrence or discovery.

Choking, with no known risk: For the purposes of this paragraph, partial or complete blockage of the upper airway by an inhaled or swallowed foreign body, including food, that leads to a partial or complete inability to breathe, other than a "reportable" *choking, with known risk*, incident (see subparagraph 624.3(b)(9)(iv)), involving an individual with a known risk for choking and a written directive addressing that risk. Any choking with no known risk event is considered a serious notable occurrence.

Unauthorized absence: The unexpected or unauthorized absence of a person after formal search procedures have been initiated by the agency. Reasoned judgments, taking into consideration the person's habits, deficits, capabilities, health problems, etc., shall determine when formal search procedures need to be implemented. It is required that formal search procedures must be initiated immediately upon discovery of an absence involving a person whose absence constitutes a recognized potential danger to the wellbeing of the person or others. Any unauthorized absence event is considered a serious notable occurrence.

Note: an unauthorized absence that results in exposure to risk of injury to the person receiving services is a "reportable" missing person incident.

Injury, With Hospital Admission

Any injury that results in the admission of a person to a hospital for treatment or observation because of injury.

Note: an injury due to self-injurious behavior that requires medical care beyond first aid is a "reportable incident."

Theft and financial exploitation:

Any suspected theft of a service recipient's personal property: (including personal funds or belongings) or financial exploitation, involving a value of more than \$100.00; theft involving a service recipient's credit, debit, or public benefit card (regardless of the amount involved); or a pattern of theft or financial exploitation involving the property of one or more individuals receiving services.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 4 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Immediate Reporting to OPWDD

Pathways will report all reportable incidents immediately to OPWDD by calling the Incident Management Unit Compliance Officer if the incident occurs between the hours of 8:30 am and 4:30 pm M-F at (585) 241-5707. If after hours, notify the Incident Management Unit at 1-888-479-6763. Immediate entry of initial information into the OPWDD Incident Report and Management Application (IRMA) shall not be sufficient to satisfy this requirement.

Reporting of Reportable Incidents to the Vulnerable Persons' Central Register (VPCR).

Pathways programs that are certified by OPWDD shall report all reportable incidents to the VPCR. Non-certified programs are not required to report to the VPCR.

All custodians ([see glossary](#)), in Pathways programs or facilities certified by OPWDD are “mandated reporters” and are required to report reportable incidents to the VPCR.

All custodians with direct knowledge of a reportable incident shall call the VPCR to report as well as the frontline Supervisor that has become aware of the reportable incident.

"Discovery" occurs when the mandated reporter witnesses a suspected reportable incident or when another party, including an individual receiving services, comes before the mandated reporter in the mandated reporter's professional or official capacity and provides the mandated reporter with reasonable cause to suspect that the individual has been subjected to a reportable incident.

Reports shall be submitted by a statewide, toll-free telephone number (a "hotline") or by electronic transmission, in a manner and on forms prescribed by the Justice Center.

A report to the VPCR shall include the name, title, and contact information of every person known to the mandated reporter to have the same information as the mandated reporter concerning the reportable incident.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 5 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Mandated reporters shall have the rights and responsibilities established by **section 491 of the social services law**.

Pursuant to section 491 of the social services law, the obligation of mandated reporters to report reportable incidents to the VPCR is not limited to reportable incidents occurring at the agency with which the mandated reporter is associated. If a Pathways employee (mandated reporter) becomes aware that an individual has been subjected to a reportable incident at a different facility or program subject to the requirements of Article 11 of the social services law, the mandated reporter is also required to report the incident to the VPCR. Facilities and programs subject to Article 11 include but are not limited to facilities and programs certified or operated by OPWDD, facilities under the oversight of the Office of Mental Health (OMH), specified residential schools (e.g. “853 schools” and “4201” schools), and summer camp.

When a report of a reportable incident is made to the VPCR:

- (1) initial information is automatically entered into IRMA; however,
- (2) Pathways is required to review the information within 24 hours of occurrence or discovery of the incident or by close of the next working day, whichever is later, and to report missing or discrepant information to OPWDD

When a report of a reportable incident is not made to the VPCR, initial information shall be entered into IRMA within 24 hours of occurrence or discovery or by close of the next working day, whichever is later.

Reporting subsequent information in IRMA.

(a) Subsequent information is information concerning the incident or occurrence that is not included in the initial information entered in IRMA. This includes, but is not limited to, information about required notifications that was not reported as part of the initial information and any updates to information related to deaths (e.g. autopsy reports).

Subsequent information shall be entered by the close of the fifth working day after the action is taken or the information becomes available, except as follows:

- Subsequent information about immediate protections shall be entered into IRMA within 24 hours after the action is taken or by the close of the next working day, whichever is later.
- Subsequent information about a death shall be entered in IRMA within five working days of the discovery of the death, in the manner and form specified by OPWDD.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 6 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

For reports of abuse and neglect Pathways will ensure that subsequent information includes findings and recommendations made by the Justice Center.

Pathways will comply with all requests by OPWDD for the entry of specific subsequent information.

Immediate Protections.

(1) A person's safety must always be the primary concern of the President & CEO (or designee, AOC). Pathways will take necessary and reasonable steps to ensure that a person receiving services who has been harmed receives any necessary treatment or care and, to the extent possible, take reasonable and prudent measures to immediately protect individuals receiving services from harm and abuse.

(2) When appropriate, an employee, intern, volunteer, consultant, or contractor alleged to have abused or neglected a person shall be removed from direct contact with, or responsibility for, all persons receiving services from the agency. For significant events, the Directors of the program will determine if staff need to be removed from providing service.

(3) When appropriate, an individual receiving services shall be removed from a facility when it is determined that there is a risk to such individual if he or she continues to remain in the facility.

General Investigation Requirements.

(1) Any report of a reportable incident shall be thoroughly investigated by an investigator designated by the President & CEO, unless OPWDD or the Justice Center advises the President & CEO that the incident or occurrence will be investigated by OPWDD or the Justice Center and specifically relieves Pathways of the obligation to investigate.

(2) Investigations of all reportable incidents will be initiated immediately, with further investigation undertaken commensurate with the seriousness and circumstances of the situation.

- ❖ Pathways will commence an investigation immediately even when it anticipates that the Justice Center or Central Office of OPWDD will assume the responsibility for the investigation. However, if the agency can reasonably anticipate that the Justice Center or the Central Office of OPWDD is likely to investigate the incident, the actions taken by the agency are restricted to:
 - ✓ securing and/or documenting (e.g. photographing) the scene as appropriate;
 - ✓ collecting and securing physical evidence;
 - ✓ taking preliminary statements from witnesses and involved parties; and
 - ✓ performing such other actions as specified by the Justice Center or OPWDD.

In the event that law enforcement directs that Pathways forgo any of the actions noted above, Pathways will comply with such direction.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 7 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Pathways is responsible for monitoring IRMA to ascertain whether the Justice Center, the Central Office of OPWDD, or the agency is responsible for the investigation.

If the Justice Center or the Central Office of OPWDD is responsible for the investigation, Pathways will fully cooperate with the assigned investigator but shall not conduct an independent investigation.

Intermediate Care Facilities shall take steps as needed to comply with federal requirements for the completion of investigations within specified timeframes, including assuming the responsibility for conducting the investigation if necessary.

Federal regulation 42 CFR 483.420(d)(4) requires that the results of all investigations must be reported to the administrator or designated representative or to other officials in accordance with state law within 5 working days of the incident. To meet this requirement Pathways must conduct and complete an investigation into the incident and provide results of the investigation within 5 working days.

Investigations conducted by Pathways or the Central Office of OPWDD shall incorporate the following:

- If a person is physically injured, an appropriate medical examination of the injured person shall be obtained. The name of the examiner shall be recorded and his or her written findings shall be retained.
- Witnesses to the incident or occurrence shall be identified and shall be interviewed in as private an environment as possible.
- Interviews should be conducted separately by qualified, objective parties. Interviews of individuals receiving services should be conducted by parties with an understanding of the persons' unique needs and/or capabilities.
- Pertinent information shall be reviewed (e.g., records, photos, observations of incident scene, expert assessments).

Physical evidence, if any, shall be identified and appropriate steps will be taken to safeguard and preserve physical evidence.

If Pathways becomes aware of additional information concerning an incident that may warrant its reclassification, Pathways will report the additional information to the VPCR. At its discretion, the VPCR may reclassify the incident based on the additional information.

In other cases (e.g. incidents in non-certified programs which are not operated by OPWDD), Pathways shall determine whether the incident is to be reclassified and shall report any reclassification in IRMA. In the event that the incident is reclassified, Pathways will make all additional reports and notifications that may be warranted by the reclassification.

Investigations Completed by Pathways Inc.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 8 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Documentation is to include;

For all reportable significant incidents, investigative reports will be documented on OPWDD Form 149.

For reportable incidents the full text of the investigative report shall be entered into IRMA. (Note: In the event that the Central Office of OPWDD conducts an investigation of an incident the Central Office of OPWDD will make the investigative report available through IRMA.)

The investigation shall continue through completion regardless of whether an employee or other custodian who is directly involved leaves employment with Pathways (or contact with individuals receiving services) before the investigation is complete.

Pathways will maintain the confidentiality of information regarding the identities of reporters, witnesses, and subjects of reportable incidents and notable occurrences, and limit access to such information to parties who need to know, including, but not limited to, personnel administrators and assigned investigators.

Restrictions

Any party who has been assigned to investigate a reportable incident, in which he or she recognizes a potential conflict of interest in the assignment, shall report this information to Pathways immediately. Pathways will relieve the assigned investigator of the duty to investigate if it is determined that there is a conflict of interest in the assignment.

No Pathways employee may conduct an investigation of any reportable incident in which he or she was directly involved, in which his or her testimony is incorporated, or in which a spouse, domestic partner, or immediate family member was directly involved.

No Pathways employee may conduct an investigation in which his or her spouse, domestic partner, or immediate family member provides supervision to the program where the incident took place or provides supervision to directly involved parties.

Members of a special review committee (IRC) will not routinely be assigned the responsibility of investigating incidents or occurrences. In the event that an IRC member conducts an investigation of an incident, refer to the Incident Review Committee policies.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 9 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Pathways will assign an investigator whose work function is at arm’s length from staff who are directly involved in the reportable incident.

No employee in the direct line of supervision of staff who are directly involved in the reportable incident may conduct the investigation of such an incident.

For reports of abuse or neglect in programs certified or operated by OPWDD, Pathways will notify each subject of the report that an investigation is being conducted, unless notifying the subject of the report would impede the investigation.

Notification shall be made by issuing the **notice of investigation form**.

OPWDD and the Justice Center have the right to review and/or investigate any reportable incident and/or notable occurrence regardless of the source of the information. All relevant records, reports, and/or minutes of meetings at which the incident or occurrence was discussed shall be made available to reviewers or investigators. Persons receiving services, staff, and any other relevant parties may be interviewed in pursuit of any such review or investigation.

Investigation Follow Up

When an incident is investigated or reviewed by OPWDD and OPWDD makes recommendations to Pathways concerning any matter related to the incident or occurrence (except during survey activities), Pathways will implement each recommendation in a timely fashion and submit documentation of the implementation to OPWDD; or in the event that the agency does not implement a particular recommendation, submit written justification to OPWDD, within a month after the recommendation is made, and identify the alternative means that will be undertaken to address the issue, or explain why no action is needed.

When the Justice Center makes findings concerning matters referred to its attention and the Justice Center issues a report and recommendations to Pathways regarding such matters, Pathways will make a written response, within ninety days of receipt of such report, of action taken regarding each of the recommendations in the report.

Reporting Updates

For reportable incidents, Pathways will enter reporting updates into IRMA on at least a monthly basis or more frequently as requested by OPWDD, until closure of the incident or occurrence. The Executive Vice President of Quality Assurance or designee will complete all updates in IRMA.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 10 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Pathways will complete required fields in IRMA for the reporting update. Among other required information, the reporting update shall include:

- ✓ A brief review of additions to the summary of evidence and specific investigatory actions taken since the last update was entered into IRMA, if any; and
- ✓ If there have been no additions to the summary of evidence or investigatory actions taken since the last report, an explanation of why no progress has been made.
- ✓ If Pathways is not responsible for conducting the investigation, Pathways will complete the required fields to the extent possible given information provided to the agency.
- ✓ If Pathways is responsible for conducting the investigation and if the investigation has not been completed within the timeframe specified, Pathways will inform OPWDD of the reason for extending the timeframe of the investigation and will continue to keep OPWDD informed on at least a monthly basis of the progress of the investigation and other actions taken.

Completion of Investigations

When Pathways is responsible for the investigation of an incident:

1. The investigation shall be completed no later than 30 days after the incident is reported to the Justice Center and/or OPWDD. An investigation shall be considered complete upon completion of the investigative report.

2. The agency may extend the timeframe for completion of a specific investigation beyond 30 days if there is adequate justification to do so. The agency shall document its justification for the extension.

Circumstances that may justify an extension include (but are not limited to):

- whether a related investigation is being conducted by an outside entity (e.g. law enforcement) that has requested that the agency delay necessary investigatory actions; and
- whether there are delays in obtaining necessary evidence that are beyond the control of the agency (e.g. an essential witness is temporarily unavailable to be interviewed and/or provide a written statement).

Closure of an Incident

For reportable incidents of abuse and neglect incident closure will occur when;

1. The SRC has ascertained that no further investigation is necessary; or
2. If the investigation is conducted by the Central Office of OPWDD, when the Central Office of OPWDD notifies the agency of the results of the investigation; or
3. When the Justice Center provides written notice to the agency that it has accepted the results of the

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 11 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

investigation; or

4. If the Central Office of OPWDD conducts the investigation, when the Justice Center provides written notice to the agency that it has accepted the results of the investigation; or
5. If the Justice Center conducts the investigation, when the Justice Center provides written notice to the agency that the incident is closed.

Final Reports to the Justice Center.

Pathways will submit a final report to OPWDD for all reportable incidents that were accepted by the VPCR. Final reports must be submitted in the manner, form, and format specified by OPWDD.

Final reports must be submitted within 50 days of the VPCR accepting a report of abuse or neglect.

Pathways may take additional time to submit its final report provided, however, that the reasons for any delay must be for good cause and must be documented. The report must be submitted as soon thereafter as practicably possible.

In the event that the Justice Center or OPWDD conducts the investigation instead of Pathways, the agency is not required to submit the final report to the Justice Center. In the event that OPWDD conducts the investigation, OPWDD will submit the final report to the Justice Center. However, Pathways will provide information as requested by the Justice Center or OPWDD that may be necessary for the completion of the final report.

Note: Final information on significant incidents is automatically available to the Justice Center through IRMA.

In the event that the Justice Center requests additional information from Pathways or OPWDD, in accordance with law or regulation, Pathways or OPWDD shall provide such requested information in a timely manner.

Record Retention

Pathways will retain records pertaining to incidents as follows:

1. Records that must be retained include but are not limited to evidence and materials obtained or accessed during the investigative process.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 12 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

2. Records shall be retained for a minimum period of seven years from the date that the incident or occurrence is closed, however, when there is a pending audit or litigation concerning an incident or occurrence, agencies shall retain the pertinent records during the pendency of the audit or litigation.

3. Records, reports, and documentation shall be retrievable by the person's name and filing number or identification code assigned by the agency. For incidents and occurrences that are reported in IRMA, such information shall be retrievable by the master incident number in IRMA.

4. When there is an incident or occurrence reported involving more than one person receiving services:
- From a statistical point of view, the situation shall be considered as one event and shall be recorded as such.
 - Pathways will ensure that overall statistics reflect single events and that, when an event involves more than one person, records are retrievable by event in addition to being retrievable by a person's name.

Confidentiality of records will be kept confidential and shall not be disclosed except as otherwise authorized by law or regulation. Records of reportable incidents that are reported to the Justice Center are to be kept confidential pursuant to section 496 of the Social Services Law.

Retaliation

Pathways will not take any retaliatory action against an employee or agent who believes that he or she has reasonable cause to suspect that a person receiving services has been subjected to a reportable incident or notable occurrence, and the employee or agent makes a report to the VPCR and/or OPWDD and/or if the employee or agent cooperates with the investigation of a report made to the VPCR or OPWDD.

Effective January 1, 2014, when an agency enters into a new contract or renews a contract for the provision of services that are provided by one or more employees or agents who have regular and substantial physical contact with persons receiving services, the contract shall include a provision concerning retaliation by the contractor. The provision shall require the contractor not to take any retaliatory action against an employee or agent of the contractor when:

- The employee or agent believes that he or she has reasonable cause to suspect a person receiving services has been subjected to a reportable incident or notable occurrence, and the employee or agent makes a report to the VPCR and/or OPWDD in accordance with this section; and/or

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 13 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

- If the employee or agent of the contractor cooperates with the investigation of a report to the VPCR and/or OPWDD.

Notice of findings involving employees or agents of contractors.

Reporting to Law Enforcement

An appropriate law enforcement official must be contacted immediately in the event that an emergency response by law enforcement is needed. Dial 911

Pathways will report to an appropriate law enforcement official anytime a crime may have been committed against an individual by a custodian. This is in addition to reporting to the Justice Center when the event or situation is a reportable incident (if the services are certified or operated by OPWDD).

Pathways will report to the appropriate law enforcement official as soon as practicable, but in no event later than 24 hours after occurrence or discovery. Pathways procedure is to contact the District Attorney via the designated fax report outlining the incident details. (Non-Emergency Only)
Information about the report to the appropriate law enforcement official shall be entered into IRMA within 24 hours of the report being made.

Qualified Persons Report

Pathways will provide telephone notice to one of the following: a person's guardian, parent, spouse or adult child. (Qualified Person)

Pathways will not provide such notice to a party in the following situations:

- There is written advice from the guardian, parent, spouse or adult child that he or she objects to such notification to himself or herself (notice shall then be provided to another party who is a guardian, parent, spouse or adult child, if one exists); or
- If the person receiving services is a capable adult who objects to such notification being made. If the capable adult objects to notification of all parties who are a guardian, parent, spouse or adult child, the capable adult shall be provided the notice described in this subdivision; or
- If the guardian, parent, spouse or adult child is the alleged abuser.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 14 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

The telephone notice shall be provided as soon as reasonably possible, but no later than 24 hours after completion of the written initial incident/occurrence report or entry of initial information in IRMA by the agency.

The telephone notice shall include:

- A description of the event or situation and a description of initial actions taken to address the incident or occurrence, if any;
- An offer to meet with the President & CEO (or designee) to further discuss the incident or occurrence; and
- For reports of abuse and neglect, an offer to provide information on the status and/or finding of the report. Requested information shall be provided verbally or in writing, unless the person is a capable adult and objects to the provision of this information. In providing such information, Pathways will protect the privacy rights of other parties.

Once the phone call has been completed, the caller will document all information noted above on the **qualified persons report** and attach to the original incident documentation.

The complete telephone notice may be comprised of more than one call, so long as the initial call includes a description of the event or situation and is within the required period of time or is attempted within the required period of time. Follow-up calls with the additional required information will be made within a reasonable timeframe after the initial call. Notice may be made in person instead of by telephone.

Notice may be provided by other methods at the request of the party receiving the notice.

Methods of notification.

The complete telephone notice may be comprised of more than one call, so long as the initial call includes a description of the event or situation and is within the required period of time or is attempted within the required period of time. Follow-up calls with the additional required information shall be made within a reasonable timeframe after the initial call.

Notice may be made in person instead of by telephone.

Notice may be provided by other methods at the request of the party receiving the notice.

(6) If the person does not have a guardian, parent, spouse or adult child, or if such parties are not reasonably available, or if there is written advice that such parties do not want to be notified; the agency shall provide notice to the following parties in the manner (and subject to the same limitations) specified in this subdivision:

- the person receiving services, if the person is a capable adult; and
- the person's advocate or correspondent (if one exists).

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 15 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

Requests for the written initial incident/occurrence report.

Process for requests.

Requests may be made for a copy of the written initial incident/occurrence report by the person receiving services (or who formerly received services), guardian, parent(s), or correspondent/advocate.

Such request shall be in writing. However, at the discretion of the agency, documented verbal requests may be accepted in lieu of a written request.

If the person is a capable adult and objects to the provision of the written initial incident/occurrence report, such report shall not be provided to otherwise eligible requestors.

If an otherwise eligible requestor is the alleged abuser, the written initial incident/occurrence report shall not be provided to that requestor.

Requests may be made for a copy of the written initial incident/occurrence report by the person receiving services (or who formerly received services), guardian, parent(s), or correspondent/advocate.

Such request shall be in writing. However, at the discretion of Pathways Inc., documented verbal requests may be accepted in lieu of a written request.

(c) If the person is a capable adult and objects to the provision of the written initial incident/occurrence report, such report shall not be provided to otherwise eligible requestors.

(d) If an otherwise eligible requestor is the alleged abuser, the written initial incident/occurrence report shall not be provided to that requestor.

(ii) Redaction.

The copy of the report shall incorporate redaction of the names of employees who are involved in the incident or occurrence or the investigation or who are interviewed as a part of the investigation, persons receiving services (or who formerly received services), and any information tending to identify such employees or persons. Redaction shall be waived if the employee or person authorizes disclosure, unless redaction of the specific information is necessary because it tends to identify another employee or person who has not authorized disclosure or for another reason specified in this subparagraph.

In addition, if the report identifies a particular party as having made a child abuse or maltreatment report to the Statewide Central Register of Child Abuse and Maltreatment (SCR), contacted the SCR, or

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 16 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

otherwise cooperated in a child abuse/maltreatment investigation, that name as well as any information tending to identify the party shall be redacted.

The copy of the written initial incident/occurrence report shall be provided to an eligible requestor as soon as reasonable, but in no event more than 10 days after the request is made.

(iv) The copy of the written initial incident/occurrence report shall be accompanied by a statement that all contents are preliminary and have not been substantiated.

Report on actions taken

Pathways will provide a report on initial actions taken to address the incident. Such report shall include:

- any immediate steps taken in response to the incident or occurrence to safeguard the health or safety of the person receiving services; and
- a general description of any initial medical or dental treatment or counseling provided to the person in response to the incident or occurrence.

The report shall be provided within 10 days of the completion of the written initial incident/occurrence report or entry of initial information in IRMA.

The report that is provided shall be in the form and format specified by OPWDD or in a similar format developed by Pathways. See Qualified Persons Report

The report that is provided shall not include names of anyone who is involved in the incident or occurrence or the investigation, or who is interviewed as a part of the investigation, or any information tending to identify such parties. Names of any such parties as well as any information tending to identify those parties shall be excluded or redacted.

The following documentation shall be maintained:

- the telephone notice and responses received, including the identity and position of the party providing the notice, the name of the party receiving the notice, the time of the original call or attempted call, the time of subsequent attempted calls if the initial call was not successful and the time of follow up calls if the notice occurred in more than one call;

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 17 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

- any requests for a meeting or the written initial incident/occurrence report;
- meetings held in response to the request, and those present;
- when the report on actions taken and any requested written initial incident/occurrence report was provided;
- a copy of the report on actions taken and any written initial incident/occurrence report (with redaction) that was provided; and
- advice that a particular party does not want to receive notifications or that the capable adult receiving services objects to notice or objects to the provision of documents/ information.

For the purpose of redaction as specified in this subdivision and section 624.8 of this Part only, the term employee means any party who is, or formerly was:

- directly employed by an agency; or
- used by an agency to provide services substantially similar to those that are or could be provided by someone who is directly employed by an agency. Such parties shall include, but not be limited to: those who are employed by other entities on behalf of an agency and/or for the care and treatment of the person receiving services; consultants; contractors; or volunteers; or
- a family care provider or family care substitute/respite provider; or a party living in the home of the provider.

For the Willowbrook class, Pathways Inc. shall comply with the incident reporting requirements of the Willowbrook Permanent Injunction, dated March 11, 1993.

The individual's service coordinator (e.g. a Medicaid Service Coordinator or Plan of Care Support Services Service Coordinator, or Willowbrook Service Coordinator) must be notified by the agency of all reportable incidents and notable occurrences involving any individual receiving non-ICF services that are certified, funded, or operated by OPWDD and must be provided with subsequent information, as follows:

- ❖ The service coordinator must be notified within 24 hours of the completion of the written initial incident/occurrence report (for minor notable occurrences) or entry of initial information in IRMA. The notification must include a description of immediate protections.
- ❖ The service coordinator must be provided with subsequent information that may be needed to update an individual's plan of services and to monitor protective, corrective, and other actions taken following a reportable incident or occurrence. Specifically:

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 18 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

The service coordinator must be provided with written information identifying investigative conclusions (including the findings of a report of abuse or neglect) and recommendations pertaining to the individual's care, protection, and treatment. The information provided must exclude information that directly or indirectly identifies agency employees, consultants, contractors, volunteers, or other individuals receiving services. This information must be provided to the service coordinator within:

- ❖ 10 days after completion of the investigation if the investigation was completed by the agency; or
- ❖ 10 days after the agency's receives notice of the results of an investigation conducted by the Central Office of OPWDD or the Justice Center.

If the IRC review results in additional findings, conclusions, or recommendations regarding the individual's care, protection, and/or treatment, this information must be provided to the service coordinator, in written form, within 3 weeks after committee review.

If the Justice Center's review of an investigation conducted by the agency or by the Central Office of OPWDD results in additional findings, conclusions, or recommendations regarding the individual's care, protection, and/or treatment, this information must be provided to the service coordinator, in written form, within 10 days after the agency's receipt of the information.

The service coordinator may request additional information concerning the incident or occurrence in order to monitor protective, corrective, and/or other actions taken. In the event that an agency receives a request for this information from a service coordinator, the agency shall provide information that it deems appropriate. In providing this information, the agency must exclude information that directly or indirectly identifies agency employees, consultants, contractors, volunteers, and other individuals receiving services. If an agency determines that it would be inappropriate to disclose specific information requested, the agency must advise the service coordinator of this determination and its justification, in writing, within 10 days after the request. If the agency does not have specific information requested by the service coordinator (e.g. if the Justice Center conducted the investigation and it has not provided that information to the agency) the agency shall advise the service coordinator that it does not have the requested information.

Note: A service coordinator may be permitted to access information related to substantiated reports in accordance with section 496(2)(n) of the Social Services Law.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 19 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

If the service coordinator is identified as the subject of a report of abuse or neglect or as a witness to a reportable incident or occurrence, the agency shall not provide information to that party. In such a case, notifications and written information identified in paragraphs (1) and (2) of this subdivision must be provided to the service coordinator's supervisor or the administrator of the agency providing service coordination in lieu of the service coordinator.

The individual's Qualified Intellectual Disabilities Professional (QIDP) and (if the person is a Willowbrook class member), the Willowbrook Case Services Coordinator (WCSC) must also be notified by Pathways Inc. of all reportable incidents and occurrences involving any individual who resides in an Intermediate Care Facility that is operated or certified by OPWDD. The QIDP and WCSC must also be provided with subsequent information. Information to the QIDP and WCSC shall be provided in the same manner that the information is provided to the Non-ICF service coordinator, in accordance with paragraphs 624.6(h)(1) and (2). If the QIDP or WCSC is identified as the alleged abuser, or is a witness to an incident or alleged abuse, the required notifications and subsequent information must be provided to the QIDP's or WCSC's supervisor or the administrator of the agency providing the residential or WCSC services, in lieu of the QIDP or WCSC.

Note: A service coordinator (including a QIDP performing that function) may be permitted to access information related to substantiated reports in accordance with Section 496(2)(n) of the Social Services Law.

Administrative appeal process - denial of requested records/documents.

A requestor denied access to the initial incident/occurrence report or report on actions taken may appeal in writing such denial to the incident records appeals officer designated by the commissioner of OPWDD.

Upon receipt of the appeal, the agency issuing the denial will be notified of the appeal and given an opportunity to submit relevant information to the incident records appeals officer, including the reasons for denial, within 10 business days of the receipt of such appeal. The incident records appeals officer may also request additional information from the requestor as may be necessary to resolve the appeal.

Within 10 business days of the receipt of complete information, the incident records appeals officer will make a determination about whether the requested documents should be released. The incident records appeals officer will issue his or her determination with an explanation of the reasons for the determination to the requestor and the agency. If so directed by the incident records appeals officer, the agency shall provide the requested records and/or documents to the requestor.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 20 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

- ❖ It is the responsibility of a designated staff member of the agency where a report on a reportable incident or notable occurrence is received or made out, to notify any other agency where the person receives services of that reportable incident or notable occurrence if the incident or occurrence resulted in visible evidence of injury to the person, may be of concern to another agency, or may have an impact upon programming or activities provided by another agency.
- ❖ Notwithstanding any other provision in this Part, reports of Obstruction of reports of reportable incidents (see paragraph 624.3(b)(6)) that are reported to the Justice Center and/or OPWDD are not subject to the notification requirements in this section.

For all Reportable Incidents: (Significant Events)

- Immediately look for any signs or symptoms of injury or distress and provide all necessary protective actions. At this time the suspected staff target will be removed from the situation for their protection and the individual’s protection.
 - In conjunction with the witness to the event, the reporting Supervisor / Manager will conduct a preliminary investigation using the designated preliminary investigation form to determine the circumstances to the event and to identify all witnesses” Once the preliminary investigation is complete, notify the Administrator on Call (AOC) to discuss and make determination.
- If determined to be a Reportable Incident;
- All witnesses or staff with direct knowledge of the event notifies the Justice Center individually. Call 1-855-373-2122. Each call will generate confirmation # to be documented on the preliminary investigation form.
 - The discovering Supervisor / Manager will also notify the Justice Center of the event indicating how many staff witnesses and individuals are involved. The Justice Center will be making determination as to who will be conducting the investigation. (Justice Center, OPWDD or Pathways Inc. or other) This will be indicated on the IRMA system once the Justice Center enters the information in to IRMA.
 - Notify OPWDD by calling the Incident Management Unit Compliance Officer if the incident occurs between the hours of 8:30 am and 4:30 pm M-F at (585) 241-5707. If after hours, notify the Incident Management Unit at 1-888-479-6763.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 21 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

- Notify parent, guardian, correspondent, etc. within 24 hours unless the involved individual is a capable adult and requests that he/she/they not be notified or unless he/she/they have requested in writing that they not be notified of these occurrences. All notifications will be made by utilizing the Qualified Persons notification report. Notifying staff will complete the report and attach to the incident packet.
- The manager will inform the employee who is identified in the complaint or who has been involved in the incident that he or she is a subject of an investigation and will, within 24 hours, provide the employee with a written notice that an allegation has been made.
Employees involved in incidents will be placed on Administrative Leave until the completion of the investigation. An employee on administrative leave is not eligible to work during that period of time.
- Utilize the Reportable Incident Notification form to ensure all notifications are made and within identified time frames.
- **The Justice Center is responsible for initiating the report in to the IRMA system. Managers / Directors need to monitor IRMA so that the remaining items in IRMA can be added immediately to the justice Center entry in to IRMA.**
- For ICF's - The results of all investigations must be reported to the administrator or designated representative or to other officials in accordance with state law within five working days of the incident and if the alleged violation is verified (substantiated) appropriate corrective action must be taken. All investigative findings must be entered in to the IRMA system within five days of the incident discovery date.
- **For all investigations deemed substantiated, copies of the investigative report will be submitted to the President & CEO, Chief Operating Officer and the respective Vice President of Program Operations. The Vice President of Program Operations will determine the employee's status.**

In the case of any reportable incident where a crime may have been committed, it is the responsibility of Pathways Inc. to notify law enforcement officials.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 22 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

- 1) Pathways Inc. is responsible for notifying law enforcement officials if there is reasonable basis to believe that a person who receives services may be the victim of criminal activity or may have committed a crime, unless a report to law enforcement has already been made.
- 2) It is the responsibility of the agency to make this notification even if the person or the person's parents or guardian object.

This obligation to report is derived from the Mental Hygiene Law, sections 13.21(b) and 16.13(b) and applies regardless of whether the possible crime was committed by an employee or another person or by the person receiving services.

- 3) Crimes committed by persons receiving services would be reported on the OPWDD 147 in accordance with Part 624. Crimes committed by employees do not get reported on the Form OPWDD 147 as a possible criminal act because, by regulatory definition, "possible criminal acts" are actions that can only be made by persons receiving services. Instead, crimes committed by employees are reported, classified and monitored in accordance with agency policy/procedures.
- 4) Possible crimes must be reported to appropriate law enforcement officials as soon as possible and, in any event, must be reported within 24 hours.
- 5) In addition to notifying law enforcement officials, provider agencies must also report possible crimes which are reportable incidents to OPWDD and the Justice Center.
 - Once the investigation is complete, the investigation packet will include the following when completed by the agency
 - ❖ Completed Reportable Incident notification log
 - ❖ Completed preliminary findings report
 - ❖ Immediate protections provided to the consumer(s)
 - ❖ Completed Qualified Persons Report
 - ❖ Completed version of OPWDD form 149 investigation
 - ❖ Completed version of OPWDD form 147
 - ❖ Completed version of OPWDD form 148 (QA Only)
 - ❖ Completed version of OPWDD form 150 if applicable
 - ❖ If applicable, copy of completed notification to Law Enforcement
 - ❖ All relevant documents such as clinical history
 - ❖ Written statements by staff / consumer witnesses
 - ❖ All evidence if applicable. Photos, clothing, diagrams etc.

PATHWAYS, INC. DD SERVICES	DATE ISSUED	DATE REVISED 12/15	PAGES 23 of 23	TOPIC NO. 2.5
POLICIES AND PROCEDURES MANUAL	<u>FUNCTION:</u> INCIDENT REPORTING			
<u>SOURCE/REFERENCE:</u> NYCRR – 624.3 article 130 of the penal law section 488 of the Social Services Law article 33 of the public health law 42 CFR Part 483 491 of the social services law	<u>SUBJECT:</u> Significant Incident			
	<u>TOPIC:</u> Processing of a Reportable Incident Significant Event			

❖ Send completed packet to the Executive Vice President of Quality Assurance

All Significant Events must be closed out by Pathways Inc. QA Department

Record Keeping All reportable incidents will be maintained by the Quality Assurance Department for seven years from the date of the conclusion of the incident.