

Incident Notification & Risk Management Rule Changes

Breakout Session B- Community Mental Health Agencies & Residential Facilities

Welcome and Introduction

- CEUs – each participant must be logged in separately to be counted as having attended & therefore receive CEU's.
- Inquiries during Webinar – How do I ask a question? Questions will be answered as time permits.
- The webinar is being recorded and will be posted on the ODMH website.

Rule Overviews

*Community Rule: OAC 5122-26-13

<http://mentalhealth.ohio.gov/assets/licensure-certification/rules/20120101/5122-26-13.pdf>

*Residential Rule: OAC 5122-30-16

<http://mentalhealth.ohio.gov/assets/licensure-certification/rules/20120101/5122-30-16.pdf>

Changes in the Rule Language & Requirements

- The Old rules were very broad and general (they did not provide many details).
- The new rule provides more details related to what is required by the agency & provides greater clarity by adding clear definitions for each incident type & subtype.
 - The intent of the rule is to *eliminate the old “Reporting Instructions” document* and replace it with a clear rule that provides the information necessary to know what is reportable.

The Rule Requires for both the Community and Residential Rules

Both rules:

- add definitions (see Appendix A of each rule)
- add that agencies must create a system that includes a “mechanism for review & analysis of all reportable incidents such that clinical and administrative activities are undertaken to identify, evaluate, and **reduce risk** to clients / residents, staff, and visitors.
- require that as part of the PI process a periodic review and analysis of reportable incidents is conducted.

The Rule Requires for both the Community and Residential Rules (Continued)

Both Rules:

- require the agency / facility to maintain a log of reportable incidents (and to make the log available to ODMH upon request).
- require the reporting of alleged abuse and / or neglect to proper authorities.
- add 6 month reportable incidents
 - January 1 thru June 30 (due to ODMH by July 31)
 - July 1 thru December 31 (due to ODMH by January 31)

The Rule Requires for both the Community and Residential Rules (Continued)

Both Rules:

- require an incident to be forwarded to ODMH and the Mental Health Board within 24 hours. (“Board of Residence” = consumer’s home county).
- provide for the Department’s authority to investigate incidents.
- require that a reportable incident be filed on the appropriate form (See Example form).

Review DRAFT Form

- **The intent is to have a separate form for Community and Residential reports.**
- **Having separate forms allows us to highlight which incident types are reportable for each level of care. (Hopefully making things less confusing).**

Web Enabled Incident Reporting System (WEIRS)

- UPDATE: The Department intends to pursue an update to the WEIRS system to accommodate the changes in the rule. At this time we do not have an estimated date for this upgrade to be completed.
- In the interim – starting January 1, 2012 you will need to report all incidents on paper form:
 - FAX: (614) 387-2987
 - Email: IncidentReport@mh.ohio.gov
- 6 month reportable incident reports can be submitted this way as well.

6 Month Reporting Categories (NEW)

- The 6 month report will replace the old PI Survey.
- The first 6 month report will be due to ODMH July 31, 2012 for the period January 1, 2012 thru June 30, 2012.

6 Month Reporting Categories - Definitions

- **Community Agencies:**
 - **“Hours of Service” means the total number of hours of service provided to all clients (Total Volume).**
 - **“Unduplicated Clients Served” means the number of clients served during a specific timeframe. Each person can only be counted once, regardless of the number of services he or she receives (Total Open Clients).**

6 Month Reporting Categories - Definitions

- **Residential Facilities:**
 - **“Resident Days” means the sum of all census days less the sum of all leave days (authorized or unauthorized absences when resident is not under direct supervision of the residential operator).**

6 Month Reporting Categories – Definitions – (continued)

- For Both Community & Residential
 - “Mechanical Restraint” means a staff intervention that involves any method of restricting a Client’s / resident’s freedom of movement, physical activity, or normal use of his or her body, using an appliance or device manufactured for this purpose.
 - “Physical Restraint”, also known as “manual restraint”, means a staff intervention that involves any method of physically (also known as manually) restricting a client’s / resident’s freedom of movement, physical activity, or normal use of his or her body without the use of mechanical restraint devices.

6 Month Reporting Categories – Definitions – (continued)

- For Both Community & Residential
 - “Seclusion” means a staff intervention that involves the involuntary confinement of a client / resident alone in a room where the client / resident is physically prevented from leaving.
 - “Transitional Hold” means a staff intervention that involves a brief physical (also known as manual) restraint of a resident face-down for the purpose of quickly and effectively gaining physical control of that client / resident, or prior to transport to enable the resident to be transported safely.

6 Month Reportable Data Forms

- Page 1 of Appendix B is the same for both Community Agencies and Residential Facilities.
 - Name of Agency / Resident Facility Name
 - Agency Certification or Licensure #
 - Name of Operating Agency (Residential Facilities Only)
 - Contact information for the person completing the form
 - The reporting period for which the data applies:
 - January 1 – June 30 (report by July 31)
 - July 1 – December 31 (report by January 31)

6 Month Reportable Data Forms (Continued)

Part A – If your agency / facility prohibits the use of seclusion & restraint and you did not utilize either during the reporting period, check the box.

Part B – Residential – list the Total Resident Days for each month of the reporting period

Part C – Residential –

-Check the box if your facility did not utilize seclusion or restraint during the reporting period (you are done).

-If your agency did utilize seclusion & / or restraint, fill out the next section of Part C.

6 Month Reportable Data Forms (Continued)

- **Community Agencies**
 - **Part B – Crisis intervention MH Service**
 - **Part C – Partial Hospitalization Service**
 - **Part D – All other Certified MH Services**

6 Month Reportable Data Forms (Continued)

Community Agency Guidance (Continued):

- Parts B & C require 1 of 4 boxes to be checked:
 - 1) Agency is not certified for Crisis / PHP
 - 2) Agency Policy Prohibits the use of seclusion or restraint in Crisis / PHP and did not utilize seclusion or restraint during the reporting period.
 - 3) Agency did not utilize seclusion or restraint in Crisis / PHP during the reporting period.
 - 4) Seclusion or restraint was utilized in Crisis / PHP (Fill out Tables B1, B2, & C1, C2).

6 Month Reportable Data Forms (Continued)

- Part D (Certified Agencies) – choose one of three boxes:
 - 1) Agency Prohibits the use of seclusion other than in Crisis Intervention and / or Partial Hospitalization service and the agency did not utilize seclusion and restraint in other certified services during the reporting period (You are finished)
 - 2) Agency did not utilize seclusion or restraint in all other Certified MH Services during the reporting period (you are finished)
 - 3) Seclusion or restraint was utilized in MH services other than Crisis and PHP service. Complete Table D1.

6 Month Reportable Forms

- Community Agency:
http://www.registerofohio.state.oh.us/pdfs/5122/o/26/5122-26-13_PH_FF_N_APP2_20110908_1239.pdf
- Residential Facility:
http://www.registerofohio.state.oh.us/pdfs/5122/o/30/5122-30-16_PH_FF_N_APP2_20110908_1239.pdf

Questions?

- Answer Pending Questions....
(Time Permitting).

Conclusion:

- Thank you for participating in the ODMH Webinar.
- All attendees can receive 1 hour of CEU credit for this session (You had to sign in individually to receive credit). Remember because this was originally approved as a two hour program - psychologists will not receive CEU's unless they also attended the first session of the October 13 webinar and are making up the second hour of that webinar today.
- We will be emailing you an evaluation form. Once we have received your completed evaluation form (provided you signed into the webinar) – ODMH will send your CEU Certificate. If you have any questions, feel free to contact Rob Nugen:
Email: robert.nugen@mh.ohio.gov
Telephone: (614) 466-9074
- Today's presentations will be posted on the ODMH website for future reference.