

**Guidelines for Willowbrook Incident Reporting (July 2015)**

Please note: Incident/Occurrence notification requirements listed below are made in addition to other Part 624 requirement.

In addition, please note that the CAB, NYCLU and NYLPI do NOT have access to IRMA, therefore incident documents and death reports must be emailed (if secure) or faxed. Providers are able to download the 147 and convert it to a PDF. This PDF version can then be emailed or faxed to the appropriate parties identified on the back of this form.

**Incident Reporting:**

<u>Situation</u>	<u>Whom to Notify</u>	<u>How to Notify</u>	<u>When to Notify</u>
<p><b>Deaths (All)</b> All deaths must be reported to OPWDD.</p> <p>The death of a person who received OPWDD operated or certified services must also be reported to the Justice Center. Death reporting phone number (855) 373-2124</p>	<p>Correspondent, including CAB *</p> <p>SC,SC Supervisor MHLS *** DDRO WB Liaison Statewide: L. Lehmkuhl</p> <p>R. Mueller (with cc's to A. Ferguson, DDRO WB Liaison, and L. Lehmkuhl)</p>	<p>&gt; Phone &gt; Offer meeting to Correspondent &gt; Send OPWDD 148 to Correspondent &gt; 147 to CAB ** in ALL cases/ &gt; 148 also if CAB is Correspondent or Co-correspondent</p> <p>&gt; All others below, phone call &gt; " &gt; " &gt; "</p> <p>&gt; Written notification and OPWDD 147 and Report of Death &gt; "</p>	<p>&gt; Within 24 hrs of initial IRMA entry &gt; " &gt; Within 24 hrs of 148 completion &gt; Within 24 hrs of initial IRMA entry/ 148 completion</p> <p>&gt; Within 24 hrs of initial IRMA entry &gt; "</p> <p>&gt; Written notification and 147 w/in 24 hrs of initial IRMA entry, Report of Death sent within 5 working days of discovery of death. &gt; "</p>
<p><b>Reportable Incidents</b> All reportable incidents of abuse and neglect must be reported to OPWDD.</p> <p>A reportable incident involving a person who receives OPWDD operated or certified services must also be reported to the Justice Center. Reportable Incident phone number (855) 373-2122</p>	<p>Correspondent, including CAB *</p> <p>SC,SC Supervisor MHLS *** DDRO WB Liaison Statewide: L. Lehmkuhl</p> <p>B. Haroules A. Ferguson (CAB)</p>	<p>&gt; Phone &gt; Offer meeting to Correspondent &gt; Send OPWDD 148 to Correspondent &gt; 147 to CAB ** in ALL cases/ &gt; 148 also if CAB is Correspondent or Co-correspondent</p> <p>&gt; All others below, phone call &gt; " &gt; " &gt; "</p> <p>&gt; OPWDD 147 ** &gt; Incident Review Committee Minutes **</p>	<p>&gt; Within 24 hrs of initial IRMA entry &gt; " &gt; Within 24 hours 148 completion &gt; Within 24 hrs of initial IRMA entry/ 148 completion</p> <p>&gt; Within 24 hrs of initial IRMA entry &gt; " &gt; "</p> <p>&gt; Within 72 hrs of initial IRMA entry &gt; Minutes must be entered in IRMA w/in 3 wks of IRC meeting. Minutes and monthly updates to be sent w/in 24 hrs IMRA entry</p>
<p><b>Notable Occurrences</b> Notable occurrences are listed in Section 624.4 of the regulation.</p> <p>Note: Voluntary providers may document minor notable occurrences on 147 forms (IRMA entry not required)</p>	<p>Correspondent *</p> <p>SC, SC Supervisor MHLS * * *</p> <p>DDRO WB Liaison Statewide: L. Lehmkuhl</p> <p>A. Ferguson (CAB) B. Haroules A. Ferguson (CAB)</p>	<p>&gt; Phone &gt; Offer meeting to Correspondent &gt; Send OPWDD 148 to Correspondent &gt; All others, phone call &gt; " &gt; " &gt; " &gt; "</p> <p>&gt; OPWDD 147 ** &gt; OPWDD 147 ** &gt; Incident Review Committee Minutes **</p>	<p>&gt; Within 24 hours of IRMA entry &gt; " &gt; Within 24 hours of 148 completion &gt; " &gt; " &gt; " &gt; "</p> <p>&gt; Within 72 hours of IRMA entry &gt; " &gt; Minutes must be entered in IRMA w/in 3 wks of IRC meeting. Minutes and monthly updates to be sent w/in 24 hrs IMRA entry</p>
<p><b>When Incidents Involve Law Enforcement Agencies</b></p>	<p>OPWDD Counsel (who will advise OPWDD staff and coordinate with B. Haroules as necessary) A. Ferguson</p>	<p>&gt; Phone call &gt; OPWDD 147 **</p>	<p>&gt; Within 24 hours of Incident or next working day (whichever is sooner) &gt; Within 72 hours of IRMA entry</p>

\* If CAB is the correspondent or co-correspondent for a class member, the Staten Island Office of CAB must be notified of reportable incidents and notable occurrences by phone within 24 hours of initial IRMA entry; receive a copy of the OPWDD 147 and offer a meeting. OPWDD 148 (10 day report) should follow within 24 hours of 148 completion.

\*\*DDSOO and agencies need to send INCIDENT REVIEW COMMITTEE MINUTES and OPWDD 147/148 Incident Reports to CAB via secure email only to [OPWDD.CABINCIDENTS@opwdd.ny.gov](mailto:OPWDD.CABINCIDENTS@opwdd.ny.gov). If you do not have secure mail you must fax the report or send them by mail to CAB. Reports that go to Lori Lehmkuhl, Beth Haroules, or Roberta Mueller, may also be sent electronically via secure email to the email addresses provided below.

\*\*\*Per the Permanent Injunction, MHLS is provided “reasonable, unrestricted access” to incident reports to the extent it represents the class member. In ADDITION, advise R. Cohn, Independent Evaluator, of reportable incidents and notable occurrences for class members on Attachment 1 monitoring status; and D. Blood for class members on Appendix C.

- ✓ The initial IRMA entry creates the 147 form in IRMA.
- ✓ For all incidents involving any class member, the DDSOO/Agency is to continue to follow the normal reporting policy and procedure, in conformance with Part 624.
- ✓ Notification is made to the Willowbrook attorneys as follows: Roberta Mueller, NYLPI, is to receive notification in the event of the death of a class member; and Beth Haroules, NYCLU, is to receive copies of 147 forms reflecting reportable incidents and notable occurrences to members of the class.
- ✓ The Consumer Advisory Board (CAB), Antonia Ferguson, Executive Director, receives notice of reportable incidents or notable occurrences involving ANY class member, not only those it represents via the OPWDD 147 reports. This is to be sent to Antonia Ferguson via secure electronic transmission to [OPWDD.CABINCIDENTS@opwdd.ny.gov](mailto:OPWDD.CABINCIDENTS@opwdd.ny.gov). If you do not have a secure e-mail account then you must fax the reports to (718) 477-8805, or send by mail to 1050 Forest Hill Road, Staten Island, NY 10314.
- ✓ DDSOO/Agency must ALSO submit the portion of Incident Review Committee Meeting minutes that deal with Willowbrook class members to Antonia Ferguson (CAB). Minutes must be sent regularly and in a timely fashion to facilitate meaningful follow up by CAB on behalf of the class member.
- ✓ Incident Management regulations, effective June 30, 2013, expand upon Jonathan’s Law to include all notifications of reportable incidents and notable occurrences as defined in 624.3 and 624.4
- ✓ Notification includes phone calls to the correspondent and/or other identified parties as reflected on these Guidelines for Willowbrook Incident Reporting and Other Notifications (grey cheat sheet).
- ✓ For reportable incidents and notable occurrences 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.
- ✓ An offer to hold a meeting with the DDSOO Director/CEO or designee should also be made at the time of notification.
- ✓ For allegations of abuse and neglect, notification also includes an offer to provide information on the status and resolution of the allegation.
- ✓ The person receiving the notification must be sent the Report on Actions Taken (OPWDD 148). If CAB is the correspondent or co-correspondent, they must be sent the Report on Actions Taken (OPWDD 148) as well.

*SEND ALL OFFICIAL COMMUNICATION WITH CAB, BOTH VERBAL AND WRITTEN, TO THE CAB STATEN ISLAND OFFICE. OFFICAL COMMUNICATION INCLUDES NOTIFICATIONS REQUIRED BY THE INJUNCTION, POLICIES AND PROCEDURES, AND REGULATION. DDSOOs and agencies with secure email only may send INCIDENT REVIEW COMMITTEE MINUTES and OPWDD 147 and 148 Incident Reports to CAB via secure email to [OPWDD.CABINCIDENTS@opwdd.ny.gov](mailto:OPWDD.CABINCIDENTS@opwdd.ny.gov). For questions or assistance regarding secure email, contact the DDRO WB Liaison.*

**Contact information for Willowbrook Incident Reporting and Other Notification is as follows:**

- Beth Haroules, Willowbrook Attorney, New York Civil Liberties Union, 125 Broad Street, 19<sup>th</sup> Floor, New York, NY 10004; phone (212)607-3300; fax (212)607-3318 or 3329. E-mail address: [bharoules@nyclu.org](mailto:bharoules@nyclu.org)
- Roberta Mueller, Willowbrook Attorney, New York Lawyers for Public Interest, 151 W. 30<sup>th</sup> Street, 11<sup>th</sup> Floor, New York, NY 10001-4007; phone (212)244-4664; fax (212)244-4570. E-mail address: [rmueller@nylpi.org](mailto:rmueller@nylpi.org)
- Antonia Ferguson, Executive Director, Consumer Advisory Board, 1050 Forest hill Road, Staten Island, NY 10314; phone (718)477-8800; fax (718)477-8805.
- Lori Lehmkuhl, OPWDD Statewide Willowbrook Liaison, 44 Holland Avenue, 4<sup>th</sup> Floor, Albany, NY 12229; phone (518)473-6026; fax (518)473-1121. E-mail address: [Lori.Lehmkuhl@opwdd.ny.gov](mailto:Lori.Lehmkuhl@opwdd.ny.gov)
- Elizabeth Matthews, OPWDD Counsel, 25 Beaver Street, 4<sup>th</sup> Floor, New York, NY 10004; phone (646) 766-3203; fax(646) 766-3483.
- For any class members on Attachment 1 during Attachment 1 monitoring status, Ronnie Cohn, Independent Evaluator, Hudson Valley DDRO, Westchester Office, 220 White Plains Road, Suite 675, Tarrytown, New York 10591. E-mail address: [Ronnie.Cohn@opwdd.ny.gov](mailto:Ronnie.Cohn@opwdd.ny.gov). In addition for any class member on Appendix C who are deemed “as if on Richmond Complex”, Ronnie Cohn with a copy to Antonia Ferguson, Executive Director, Consumer Advisory Board.