



# Putting People First

## Memorandum

**To:** Provider Associations  
Voluntary Provider Agency Executive Directors  
Developmental Disabilities State Operations Office Directors  
Developmental Disabilities Regional Office Directors  
IBR Director  
Commissioner's Advisory Council  
DDPC Consumer Caucus  
OPWDD Required Regulations Mailing List

**From:** Barbara Brundage, Director <sup>BB</sup>  
OPWDD Regulatory Affairs Unit

**Date:** April 15, 2014

**Re:** *Learning about Incidents* brochure

### Suggested distribution:

Administrators and Management Staff  
Incident Coordinators and Investigators  
Quality Assurance/Quality Improvement Staff  
Qualified Intellectual Disabilities Professionals  
Medicaid Service Coordination Staff

### Background:

OPWDD regulations contain a requirement that agencies make “written information” about incidents available to individuals, parents, guardians, correspondents or advocates. (See **OPWDD regulation** below for the full requirement.)

### Purpose:

OPWDD has issued an updated version of its *Learning about Incidents* brochure. OPWDD has designated the April 2014 version of the *Learning about Incidents* brochure to be the “written information” that is required to be made available as noted above.

OPWDD expects that translations of the brochure in various languages will be available in the near future. The translated versions can also be used to satisfy this requirement.

The *Learning about Incidents* brochure can be found on the OPWDD website at:

<http://www.opwdd.ny.gov/node/395>

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**OPWDD Regulation:**

14 NYCRR 624.5(a)(3)(i) states:

- (i) Upon commencement of service provision, and annually thereafter, an agency shall offer to make available written information developed by OPWDD in collaboration with the Justice Center for the Protection of People with Special Needs (Justice Center), and a copy of the agency's policies and procedures, to persons receiving services who have the capacity to understand the information and to their parents, guardians, correspondents (see glossary, section 624.20 of this Part) or advocates (see glossary, section 624.20 of this Part), unless a person is a capable adult who objects to their notification. The agency shall also offer to make available a copy of OPWDD's Part 624 regulations. In order to satisfy this requirement the agency shall:
  - (a) provide instructions on how to access such information in electronic format; and
  - (b) upon written request, provide paper copies of such information.

If you have any questions about complying with this requirement or other aspects of incident management, contact the OPWDD Incident Management Unit at:

[Incident.Management@OPWDD.ny.gov](mailto:Incident.Management@OPWDD.ny.gov).

Thank you.