The individual makes **reports** of abuse, neglect, or mistreatment that are unsubstantiated or false (See definitions in Part 624).

There is documentation clearly indicating and confirming that an individual demonstrates a **pattern of making false reports** of abuse, neglect, or mistreatment.

A pattern is:

1) Three (3) unsubstantiated or false reports of abuse, neglect, or mistreatment during the most recent six (6) consecutive months;
2) There is a pattern or similarity in the type of reports;
3) The conduct, if it were true, meets the definition of abuse, neglect, or mistreatment.

No
A pattern of false reporting, as defined above, has not been demonstrated.

Yes
A pattern of false reporting, as defined above, has been demonstrated.

Administrator considers whether a Protocol for False Reporting is appropriate.

Administrator determines a Protocol for False Reporting is **not** appropriate.

Administrator determines a Protocol for False Reporting **could be** appropriate to address the behavior.

A clinical staff member is informed. An assigned clinician meets with the individual to discuss the individual's pattern of making false reports. This will be **therapeutic counseling** offered to attempt to resolve the behavior with the outcome of the counseling documented.

The individual is **responsive to counseling** and the behavior can be addressed without implementing a protocol for false reporting.

The individual is **not responsive to counseling** or continues to make false reports despite counseling.

The designated administrator calls a **meeting of the program planning/ support team.** The team discusses factors contributing to the behavior of false reporting and decides whether a protocol for false reporting is appropriate.

The program planning/ support team **determines that a protocol for false reporting is not appropriate.**

The program planning/ support team determines a **protocol for false reporting is appropriate**.

Complete a Functional Behavior Assessment (FBA). Data from the FBA guides the development of interventions incorporated into the BSP.

Develop a Behavior Support Plan (BSP) that contains a Protocol for False Reporting

- ✓ Individual/guardian provides consent for the initial plan and renews consent annually.
- ✓ HRC and IRC approve the plan initially and annually thereafter.
- ✓ Program planning/ support team reviews the plan every three (3) months.
- ✓ IRC reviews the plan every three (3) months.
- ✓ The Protocol for False Reporting is discontinued if no false reports are made within six (6) consecutive months.

Required consent is not obtained or renewed.

Required consent is obtained or renewed.

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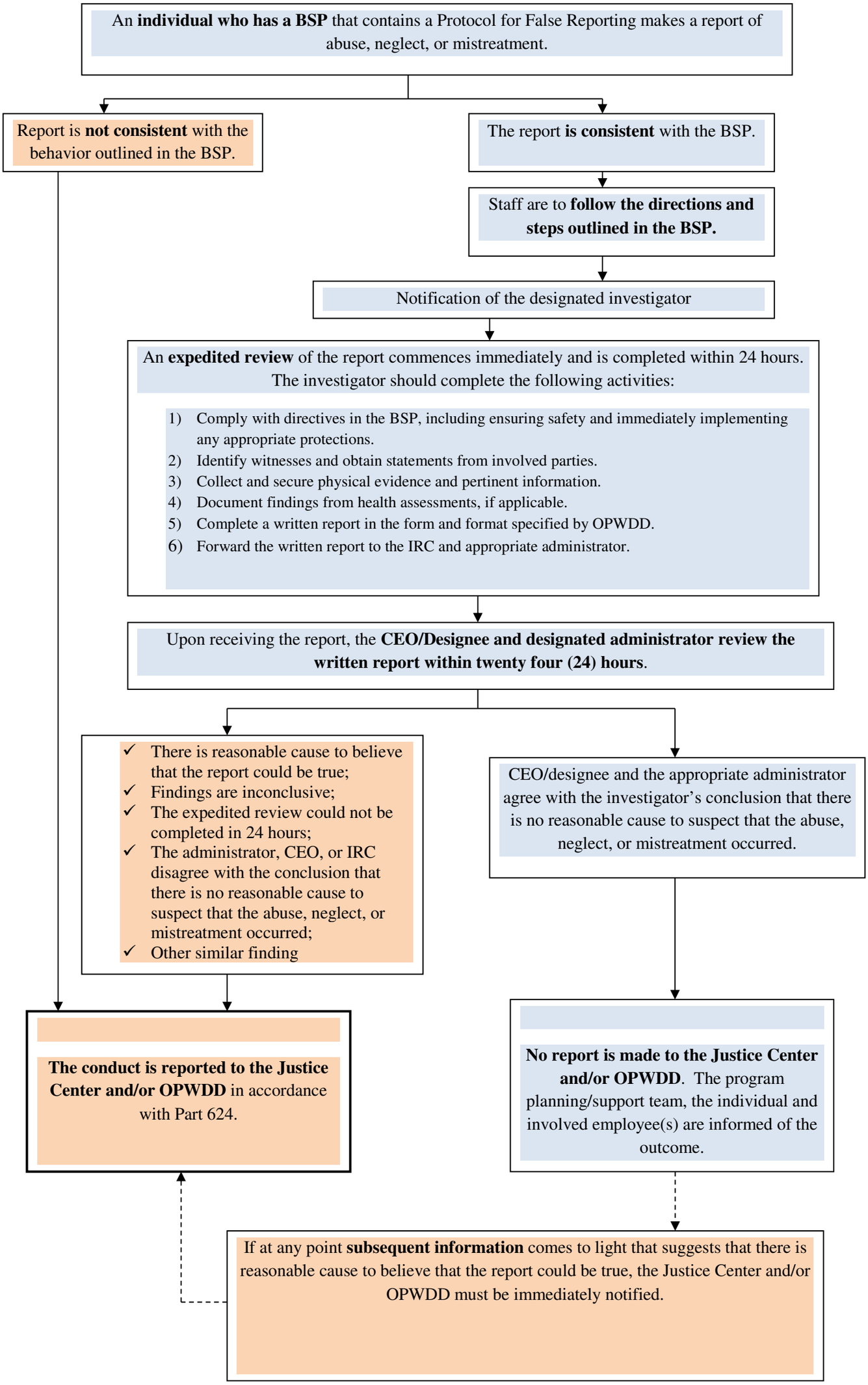
Reports of abuse, neglect, or mistreatment are reported immediately to the Justice Center and/or OPWDD as specified in Part 624.


An **individual who has a BSP** that contains a Protocol for False Reporting makes a report of abuse, neglect, or mistreatment.
Report is **not consistent** with the behavior outlined in the BSP.
The report **is consistent** with the BSP.
Staff are to **follow the directions and steps outlined in the BSP.**
Notification of the designated investigator
An **expedited review** of the report commences immediately and is completed within 24 hours. The investigator should complete the following activities:
1) Comply with directives in the BSP, including ensuring safety and immediately implementing any appropriate protections.
2) Identify witnesses and obtain statements from involved parties.
3) Collect and secure physical evidence and pertinent information.
4) Document findings from health assessments, if applicable.
5) Complete a written report in the form and format specified by OPWDD.
6) Forward the written report to the IRC and appropriate administrator.
Upon receiving the report, the **CEO/Designee and designated administrator review the written report within twenty four (24) hours**.
✓ There is reasonable cause to believe that the report could be true;
✓ Findings are inconclusive;
✓ The expedited review could not be completed in 24 hours;
✓ The administrator, CEO, or IRC disagree with the conclusion that there is no reasonable cause to suspect that the abuse, neglect, or mistreatment occurred;
✓ Other similar finding
CEO/designee and the appropriate administrator agree with the investigator's conclusion that there is no reasonable cause to suspect that the abuse, neglect, or mistreatment occurred.
The conduct is reported to the Justice Center and/or OPWDD in accordance with Part 624.
No report is made to the Justice Center and/or OPWDD. The program planning/support team, the individual and involved employee(s) are informed of the outcome.
If at any point **subsequent information** comes to light that suggests that there is reasonable cause to believe that the report could be true, the Justice Center and/or OPWDD must be immediately notified.