



Putting People First

Memorandum

To: Provider Associations
Voluntary Provider Agency Executive Directors
DDSO Directors
IBR Director
Commissioner's Advisory Council
OPWDD Required Regulations Mailing List

From: Barbara Brundage *BB*
Director, Regulatory Affairs Unit
Chair, OPWDD Statewide Committee on Incident Review

Date: September 15, 2011

Re: Closure of Reportable Incidents, Serious Reportable Incidents, and Allegations of Abuse

Suggested distribution:

Incident coordinators
Quality assurance staff
Members of standing committees
Investigators

Background:

14 NYCRR Part 624 regulations and corresponding guidelines in the Part 624 Handbook specify when allegations of abuse are considered to be closed. The regulations also describe the responsibilities of the provider's standing committee, which include an obligation to review and monitor incidents and allegations of abuse to ensure that they were reported, managed, investigated and documented in accordance with regulations.

Purpose:

The purpose of this memorandum is to remind agencies of existing regulations and guidance pertaining to the closure of allegations of abuse. See paragraph 624.8(d)(2) and commentary under paragraph 624.5(e)(2) in the [Part 624 Handbook](#).

It is the role of the provider's standing committee to determine if an investigation of an allegation of abuse is thorough and complete. Further, OPWDD (for state-operated services) or the voluntary provider must reach a conclusion as to whether an allegation is substantiated, disconfirmed or inconclusive. Once

the standing committee has ascertained that no further investigation is necessary and a determination has been made by the provider, the case should be considered closed. Similarly, reportable and serious reportable incidents should be considered closed when the standing committee determines that the investigation is thorough and complete.

While a case is officially closed when the standing committee determines that the investigation is thorough and complete, the standing committee may need to make recommendations and/or monitor the case to ensure that appropriate action is taken in response to recommendations made. In these circumstances, agencies should select the “closed with follow-up issues” option in OPWDD’s Incident Report and Management Application (IRMA). Once all follow-up issues have been completed and/or resolved, the status should be changed to “closed” in IRMA.

Please note that circumstances might arise that warrant the reopening of a closed case. These circumstances include but are not limited to a request for further investigation by OPWDD or the provider becoming aware of additional information.

If you have any questions about the information contained in this memorandum, please contact OPWDD’s Incident Management Unit at incident.management@opwdd.ny.gov.

Thank you.

cc: SCIR Membership

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