

Executive Office

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To: Provider Associations
Voluntary Provider Agency Executive Directors
Regional and State Operations Directors
IBR Director

From: Leslie Fuld
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Co-Chair, OPWDD Statewide Committee on Incident Review

Date: July 23, 2012

Re: Incident Management Unit Oversight of Voluntary Agency Incidents

Suggested distribution:

Incident coordinators
Quality assurance/Quality improvement staff
Members of standing committees
Administrators responsible for oversight of incidents

Purpose:

Effective July 2, 2012, OPWDD changed its organizational structure to provide better quality of care and oversight of services to people we serve. OPWDD local administration is now comprised of five Regional Offices which provide voluntary agency coordination and oversight, and six State Operations Offices, which directly provide services for individuals with developmental disabilities.

In concert with OPWDD's reorganization, OPWDD has centralized its system for oversight of incidents. OPWDD has designated the Incident Management Unit (IMU), which is a part of OPWDD Central Office, to provide oversight of allegations of abuse, serious reportable incidents and deaths occurring at voluntary agencies, and to perform all other functions related to incidents occurring at voluntary agencies that are required and were formerly performed by the DDSOs. The IMU, which is part of OPWDD's Division of Quality Improvement (DQI), staff are located throughout New York State and is a part of the OPWDD Division of Quality Improvement (DQI).

Oversight and monitoring of incidents will continue to be an element of routine surveys conducted by DQI.

Background:

OPWDD regulations concerning incident management in 14 NYCRR Part 624 refer to DDSOs in several areas.

- Paragraph 624.5(b)(3) requires immediate reporting of allegations of abuse and serious reportable incidents to the DDSO by telephone or other appropriate methods.
- Subparagraphs 624.5(b)(3)(i)-(ii) require the submission of written incident reports to DDSOs.
- Subdivision 624.5(e) requires the submission of reporting updates to the DDSO.
- Paragraph 624.7(c)(11) requires the submission of annual reports (concerning trends, etc.) to the DDSO.
- Paragraph 624.5(d)(2) establishes that the DDSO is available to help resolve concerns by a discovering agency that a responsible agency may not be taking appropriate actions.

An OPWDD directive (Memorandum - *Required Use of the Incident Report and Management Application (IRMA)*, June 3, 2011) requires that all allegations of abuse, serious reportable incidents and deaths be reported using the Incident Report and Management Application (IRMA) within 24 hours of occurrence or discovery or the close of the next business day, whichever is later. The directive further requires that agencies that do not complete the data entry of all known information within 24 hours must submit an OPWDD 147 to the DDSO within 24 hours IN ADDITION to completing the data entry of basic information into IRMA by the close of the next business day. The directive further states that agencies that complete the IRMA data entry within 24 hours do not need to submit an OPWDD 147. The directive also reiterates the requirement to notify the DDSO by telephone or other appropriate methods in accordance with procedures established by the DDSO.

OPWDD is planning to issue emergency/proposed regulations to update requirements for incident management during the summer of 2012 which will incorporate changes made in incident reporting, such as the mandate to use IRMA.

Changes in reporting requirements:

IRMA

The requirement that agencies report allegations of abuse, serious reportable incidents and all deaths in IRMA within 24 hours or by the close of the next business day (whichever is later) is unchanged.

The requirements for reporting in IRMA delineated in the recent OPWDD memorandum on *Reporting Suspected Theft of Personal Property and/or Financial Exploitation (6/13/12)* related to reportable incidents and occurrences (a.k.a. agency reportable incidents, notable events, etc.) are also unchanged.

OPWDD 147

Agencies are NO LONGER REQUIRED to submit an OPWDD 147 to OPWDD when the incident or allegation of abuse is reported in IRMA. This is a change in OPWDD requirements which supersedes any requirement for the submission of completed OPWDD 147 forms in prior directives, such as the June 3, 2011 memo, *Required Use of the Incident Report and Management Application*.

Telephone reporting

Allegations of abuse and serious reportable incidents must be reported to OPWDD by telephone immediately.

During working hours (8AM to 4:30 PM), agencies must telephone the IMU. Contact information for the Incident Management Unit is on the OPWDD website at:

http://www.opwdd.ny.gov/opwdd_resources/incident_management/home.

Off hours protocols for contacting the local Administrator On Duty (AOD) or Administrator On Call (AOC) systems which were in place at the DDSOs will remain unchanged as a result of the reorganization and should continue to be used until notified otherwise.

Oversight by the IMU:

The IMU monitors new incidents that are entered in IRMA and updated information on existing incidents. IMU will notify agencies if it has questions or concerns related to a particular incident or incident management practices. IMU also queries information in IRMA to monitor trends and issues of particular concern. IMU reports information about incidents to OPWDD leadership and the OPWDD Statewide Committee on Incident Review on a regular basis.

Procedures for receiving feedback from OPWDD:

The IMU will use the IRMA *Review Page* to communicate with providers. Agencies must develop protocols to ensure that appropriate agency staff regularly access the *Review Page* for these communications.

Reporting updates:

Reporting updates must be submitted in IRMA. Do not submit separate reports to OPWDD.

Submission of annual reports:

OPWDD regulations at Paragraph 624.6(c)(11) requires, "A standing committee shall: (11) in accordance with agency policy, report periodically, but at least annually, to the chief executive officer, chief agency executives, the governing body, **and the DDSO** concerning the committee's general monitoring functions; general identified trends in reportable incidents, serious reportable incidents, and allegations of abuse; and corrective, preventive and/ or disciplinary action pertaining to identified trends."

These annual reports must be sent to Incident.Management@OPWDD.ny.gov .

Resolving conflicts between agencies:

DDSOs historically have mediated between agencies to resolve issues related to incident management. For example, a discovering agency may have concerns about the response of the agency where the incident occurred. Agencies providing services to the same individual may be unsure of which agency is responsible for investigating and taking action. Service coordinators advocating on behalf of an individual may have concerns about accessing information or the quality of incident management at a provider where an incident occurred.

The IMU will be available to perform this function. Contact the IMU by email at Incident.Management@OPWDD.ny.gov or phone using the list for business hours on the incident management page.

Providing technical assistance:

The IMU is available to provide technical assistance regarding any aspect of incident management. Contact the IMU by email at Incident.Management@OPWDD.ny.gov or phone using the list for business hours.

Some small agencies that have very low numbers of incidents annually have an agreement with the DDSO for the DDSO to enter data on these incidents. The IMU will now enter data for these agencies. However, all agencies must meet requirements for notifications of incidents to OPWDD.

If you have any questions about these new procedures, contact the IMU at Incident.Management@OPWDD.ny.gov.