

# MSC E-VISORY

Issue #25-12

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State of New York Office for People With Developmental Disabilities  
Courtney Burke, Commissioner  
Distributed by: Division of Person-Centered Supports  
Gerald Huber, Acting Deputy Commissioner

The MSC E-Visory is an electronic advisory which provides pertinent and timely information about programs and services available to individuals receiving MSC. Announcements about MSC training, conferences and meetings appear regularly. **MSC Supervisors: Please share this issue with all MSC Service Coordinators and others as appropriate.** In order to receive an email notification when a new MSC E-Visory is posted, please sign up for our mailing list (listserv). Listserv information and past issues can be accessed via the OPWDD website at [www.opwdd.ny.gov](http://www.opwdd.ny.gov) or via the following link: [http://www.opwdd.ny.gov/opwdd\\_services\\_supports/service\\_coordination/medicaid\\_service\\_coordination/msc\\_e-visories](http://www.opwdd.ny.gov/opwdd_services_supports/service_coordination/medicaid_service_coordination/msc_e-visories)

## In This Issue:

### Health & Safety Alert: Summer Safety

OPWDD has issued a Health & Safety Alert, dated July 2012. This alert, which is attached to this E-visory, discusses summer safety such as sun exposure dangers, insects, water safety, transportation safety, food poisoning, and heat related illnesses. MSCs are encouraged to share this information with individuals and families that they serve. Individuals with known health and safety requirements pertaining to summer related dangers should have this information listed in their safeguards and precautions should be taken.

### Communication When a Person Transfers Services

When a person moves any of their services from one agency to another or within agencies, such as moving from one residence to another, it is expected that all parties ensure effective, coordinated communication and a comprehensive information exchange. The MSCs role includes appropriate planning and coordination in order for the change to occur. This transfer of information includes assuring that information in the ISP as well as any safeguards necessary to keep the person healthy and safe are communicated. The new provider of services has the responsibility to assure that their staff are trained in understanding the person's individual safeguards. Any new safeguards and oversight that are assessed as a result of the move must be included in the person's ISP and associated plans.

### Incident Management Unit Oversight of Voluntary Agency Incidents

Attached to this E-visory is a memo dated July 23, 2012 from Barbara Brundage pertaining to OPWDD's Incident Management Unit (IMU). The IMU is part of OPWDD's Division of Quality Improvement (DQI). The IMU provides oversight of allegations of abuse, serious reportable incidents and deaths occurring at voluntary agencies, and performs all other functions related to incidents occurring at voluntary agencies that are required and were formerly performed by the DDSOs. Information regarding IMU's function and voluntary agencies requirements for reporting are included in this memo.

### National Library Service for the Blind and Physically Handicapped

The National Library Service for the Blind and Physically Handicapped (NLS), which is part of the Library of Congress, provides services through a network of 114 regional and sub-regional libraries across the country. They provide books and magazines in alternative formats (such as audio “talking books” and Braille) delivered free of charge through the mail to eligible individuals. Specifically designed equipment (such as record and tape players) can also be borrowed at no cost. Service Coordinators are encouraged to share this information with individuals they serve that may benefit from this service. For further information, go to:

<http://www.loc.gov/nls/index.html>

### Training Opportunities

The following training opportunities have been announced by OPWDD’s Revenue Support Field Operations Office. For registration information, go to:

<http://www3.opwdd.ny.gov/wp/index.jsp>

- Liability for Services – 09/28/12 9am-Noon
- Benefits and Entitlements – 10/15/12 9am-4pm (MSC Required Training)
- Personal Allowance – 10/22/12 9am-Noon

## SUMMER SAFETY

### July 2012

While we are all enjoying the sun and summer fun, below are a few reminders to help keep you safe and healthy:

- Guard Against TOO MUCH SUN.** Too much sun can be dangerous. Everyone reacts differently to the sun's ultraviolet rays and people can burn in as little as 15 minutes. The National Council on Skin Cancer Prevention warns that ultraviolet (UV) radiation from the sun can cause skin cancer. The best insurance against sunburn is to avoid direct exposure to the sun. Remain in the shade whenever possible. Even on hazy or cloudy days, the sun's rays can cause damaging sunburn.  
Follow these "safe sun" guidelines:
  - Wear UV protective sunglasses and a hat to protect your eyes, head, and ears from the sun
  - Use broad-spectrum sunscreen (UVA/UVB protection of 30 SPF or greater). Apply at least 30 minutes before sun exposure and reapply throughout the day. Remember to protect your lips with lip balm that has a minimum SPF of 15
  - Be familiar with the side effects of medications you or people for whom you are responsible are taking and take appropriate precautions. Some medications make a person very sensitive to the sun's rays
  - Try to stay out of the sun when it is strongest (between 10 am and 2 pm)
- Protect Against Summertime INSECTS.** Insects such as mosquitoes and ticks can carry diseases. If you will be out at night or hiking in tall grasses or wooded areas, use an insect repellent and check skin and clothing for the presence of ticks. If you are bitten by a tick, seek medical attention. If you are allergic to any insect bites, remember to carry your allergy kit.
- Practice WATER SAFETY.** Wherever there is water, there is a risk of drowning. Drowning can occur in seconds. The following factors can contribute to a drowning accident:
  - A medical condition such as a seizure disorder
  - A medical emergency while in the water, such as a heart attack, stroke or cramping
  - Use of alcohol or drugs, even prescribed medications
  - Water conditions, including temperature, clarity or hidden objects**Adequate supervision and simple precautions can save lives! Always take the following precautions:**
  - Swim in familiar waters where lifeguards are present

- Be responsive to and anticipate changing conditions. If a storm is approaching, get out of the water
  - Always wear a Coast Guard-approved personal flotation device (PFD) when boating. PFDs must be properly sized and maintained to be effective
  - Observe all rules of the swimming area
  - Call for help at the first sign of trouble
  - **Direct Support Professionals** must maintain visual contact at all times with the individuals for whom they are responsible. Please familiarize yourself with the [Important Information about Drowning](#) alert (issued February 2011), available on the OPWDD website
4. **Practice TRANSPORTATION SAFETY.** In the summer, vehicles, especially vans, allow for heat build-up and do not provide sufficient ventilation even while in motion. NEVER stay or leave people in vans or other vehicles in the summer heat. If you will be driving for a long period, bring water for all passengers to drink during the trip
5. **Guard Against FOOD POISONING.** The USDA warns that food-borne illness (food poisoning) increases in summer months. Because of heat and humidity, harmful bacteria can quickly multiply on food. When this happens, someone eating the food can get sick. Follow these simple steps to safer food in the summertime:
- **Wash hands and surfaces often.** Unwashed hands and surfaces are a prime cause of food-borne illness
  - **Separate and cook.** Keep raw meat juices away from ready-to-eat food. Cook meat thoroughly to kill bacteria
  - **CHILL.** Keep cold foods cold. Food left unrefrigerated for more than two hours may not be safe to eat. When the temperature is above 90 °F, food should not be left out for more than one hour. **If you have any doubts, throw it out**
6. **Guard Against HEAT RELATED ILLNESSES.** Too much heat can cause serious illness and even death.
- Be aware of the heat, and modify or reschedule outdoor activities accordingly
  - Stay in air conditioned areas whenever possible and stay in the shade when outdoors
  - Drink plenty of fluids, and limit caffeine. The human body needs water. Dehydration can easily occur in the summer heat even without strenuous exercise or apparent sweating, and can lead to heat related illness
  - For more information, see [Prevention of Heat Related Illnesses](#) (issued May 2012), available on the [OPWDD website](#)

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

**From:** Leslie Fuld  
Director, Incident Management Unit  
Co-Chair, OPWDD Statewide Committee on Incident Review

Barbara Brundage  
Director, Regulatory Affairs Unit  
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](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](mailto: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](mailto: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](mailto: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](mailto:Incident.Management@OPWDD.ny.gov).