



Putting People First

Memorandum

To: Provider Associations
Voluntary Provider Agency Executive Directors
DDSO Directors
IBR Director

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

Leslie Fuld
Director, Incident Management Unit

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Director, Office of Investigations and Internal Affairs

Date: February 17, 2012

Re: Required Format for Investigative Reports

Suggested distribution:

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

Background:

Longstanding OPWDD regulations in 14 NYCRR Part 624 require thorough investigations of reportable and serious reportable incidents and allegations of abuse.

Purpose:

The purpose of this memorandum is to advise state-operated and voluntary-operated service providers that the use of a standardized format, or similar format, for investigative reports, will be required for investigations of reportable and serious reportable incidents and allegations of abuse effective March 15, 2012. The new requirement applies to investigations of incidents that occur or are discovered on or after March 15, 2012.

Use of the required format, or a similar format, is expected to improve the quality and consistency of investigations by prompting investigators to gather specific types of evidence, identify causal factors, and develop appropriate recommendations to prevent similar future incidents. Implementing the new

requirement system-wide is also expected to yield consistent information that will help OPWDD and provider agencies to identify trends in incidents and implement better-informed systemic improvements to protect individuals receiving services, and improve the quality of services provided throughout the OPWDD system.

OPWDD discussed use of a required investigative format with providers during the Incident Management Community of Practice meeting on October 18, 2011, and reviewed elements that constitute a thorough and well-documented investigation in a power point presentation at the meeting. The power point material has been posted on the incident management page of the OPWDD website.

OPWDD developed the standardized *Form OPWDD 149: Investigative Report Format* as a template for all investigation reports. A similar format developed by a state-operated or voluntary-operated service provider, or the Central Office of OPWDD, is acceptable if it comprises all of the elements identified in the Form OPWDD 149.

OPWDD considers that use of the required format, or a similar format, is necessary to demonstrate the provider's compliance with the Part 624 requirement for a thorough investigation. Completion of the investigation report using the standardized or similar format presents investigative activities, findings, and recommendations in a structured manner to show that the investigation has addressed the basic elements that are essential to a thorough investigation.

In the near future, OPWDD is planning to promulgate regulations that include an explicit requirement that providers use the Form OPWDD 149 or similar format for investigations of all reportable and serious reportable incidents and allegations of abuse.

To obtain the standardized investigation format:

A copy of the Form OPWDD 149 and step by step completion instructions are posted on the OPWDD website at: http://www.opwdd.ny.gov/wt/manuals/part624/incident_management.jsp.

Note: Beginning on March 29, 2012, the OPWDD website will change and this direct link may no longer work. To easily access this document after that date visit <http://www.opwdd.ny.gov/> and search (insert title of document).

OPWDD will also present provider training on the use of the required investigation report format at various locations throughout the state in the near future.

If you have any questions, please contact OPWDD's Incident Management Unit by e-mail at incident.management@opwdd.ny.gov.

Thank you.

cc: SCIR Membership