

ADMINISTRATIVE DIRECTIVE

Transmittal:	17-ADM-02R UPDATE
To:	Executive Directors of Voluntary Provider Agencies Provider Associations Developmental Disabilities Regional Office Directors Developmental Disabilities State Operations Office Directors Executive Directors of Care Coordination Organizations IBR Director
Issuing OPWDD Office:	Division of Quality Improvement
Date:	September 29, 2017
Subject:	14 NYCRR Part 624 Handbook
Suggested Distribution:	Incident Coordinators Quality Assurance/Improvement Staff Members of Incident Review Committees (IRC) Administrators and Managers responsible for Oversight of Incidents Medicaid Service Coordinators (MSCs) and Supervisors Registered Providers Out of State Schools Providing Services to Individuals Funded by OPWDD
Contact:	Leslie Fuld, Deputy Commissioner, Division of Quality Improvement
Attachments:	Part 624 Handbook

Related ADMs/INFs	Releases Cancelled	Regulatory Authority	MHL & Other Statutory Authority	Records Retention
None	None	14 NYCRR Part 624 and 625	MHL 13.01, 13.09(b), 13.21(b), 16.01, 16.19, 29.29, 33.03, 33.23, 33.25, Art 11 of Social Services Law, Art 20 of Executive law	Minimum requirement of 7 years from date the incident or occurrence was closed. Records must also be retained during litigation or audit.

Purpose:

This ADM is being revised to reflect the changes to the Part 624 Handbook pertaining to the addition of “adult sibling” to the definition of “qualified person”. The updated sections of the Handbook are found on pages 88-89, 120-121,126, 192-195 and are highlighted for your ease of reference. Nothing else within this ADM or the Handbook have been changed other than the aforementioned updated pages. The purpose of this handbook is to establish procedures to implement and to address standards in the current Regulation. This Manual replaces the prior Part 624 Handbook. The guidance in this Handbook supersedes any contradictory guidance issued in previous OPWDD guidance documents.

Background:

OPWDD requires that all service providers in the OPWDD system adhere to Title 14 of New York Codes, Rules and Regulations Parts 624 and 625 (14 NYCRR Part 624 and 625), a regulation designed to protect people receiving OPWDD services.

Part 624 was originally implemented on February 17, 1986. revised as of June 14, 1995, and in 2007-2008. With the implementation of the Protection of People with Special Needs Act (PPSNA) in June 2012, Part 624 was revised to reflect the new statutory requirements for incidents. These changes were first implemented June 30, 2013, and revised on an emergency basis until final adoption on December 2, 2015. Part 625 first became effective on June 30, 2013 and was adopted on December 2, 2015.

Discussion:

Part 624 sets forth the minimum requirements for the management of incidents. Part 625 sets forth the minimum requirements for the management of events and situations. This Manual has been developed to assist providers in understanding the intent and direction of the Regulations.

The organization and contents of the Handbook have been developed to reflect OPWDD's interpretation of definitions, as well as providing clarifying guidance on reporting, conducting investigations, and other sections of Part 624. Additional guidance will be added going forward.

It is the expectation of OPWDD that this Handbook will enable people to interpret various situations in relation to the expectation of Part 624 and Part 625 and apply the information to specific situations they encounter. It is impossible to anticipate every variable, question, or situation that causes confusion, but the Handbook is meant to provide enough direction as to the intent of the Regulation to enable people to make sound and conscientious decisions. Further, the Handbook contains information and guidance which agencies are to use when developing their own policies or procedures, training materials, etc. Each standard is on a separate page, with commentary material following addressing those standards. As noted previously, many standards are without commentary at this time. However, commentary is currently included for Reportable Incidents and Notable Occurrences. In addition, the following documents (and others) are included as Appendices to the Handbook;

- OPWDD Guidelines for Frequent False Reporting of Abuse, Neglect, or Mistreatment
- OPWDD Guidelines for the Completion for the Assessment used to determine the effect of Psychological Abuse
- OPWDD Guidelines for Responding to Conduct Between Persons Receiving Services that would Constitute Abuse if Committed by a Custodian

Further guidance for other sections of Part 624, is currently being developed and will be added at a later date. Additional guidance for Part 625 is in development and will also be added to this handbook.

Billing Standards/ Restrictions on Billable Service Time: (if necessary)

Not applicable

Service Documentation: (if necessary)

Not applicable

Other Documentation Requirements:

All other documentation requirements for incident management are discussed throughout the Handbook.

Records Retention: (at a minimum)

Records pertaining to an incident or occurrence must be kept for a minimum of 7 years, or until a pending investigation or audit has been completed, whichever is later.