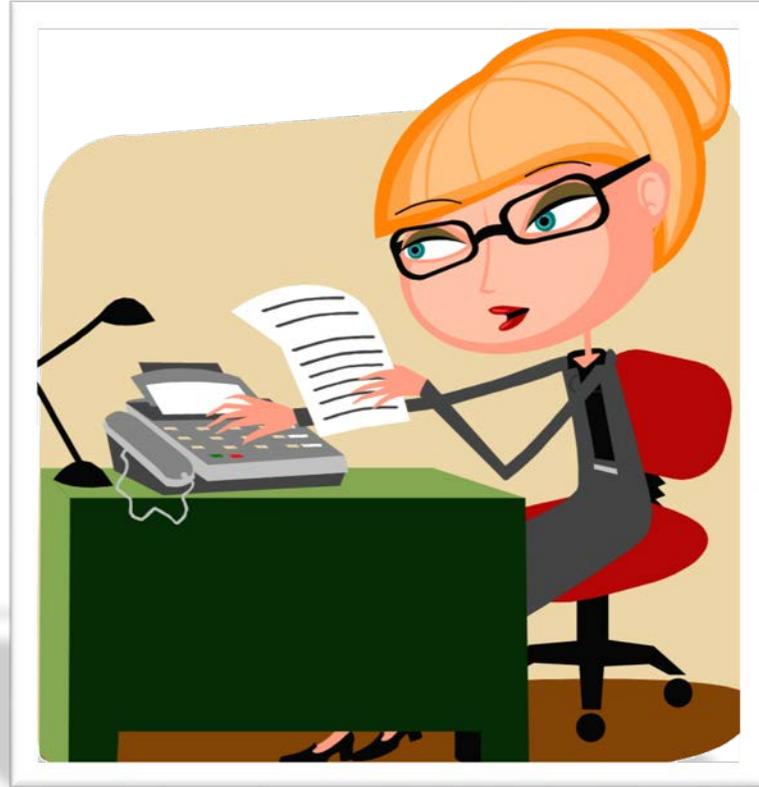


Reporting Events to the State Agency



Joan Green | Health Facilities Surveyor, HFL&C

Better Together | Alaska Nursing Homes Together (ANHT) Conference

January 9-10, 2017

What about reporting?



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Why? Regulations re: Abuse, neglect...

42 CFR §483.12

F 223

The resident has the right to be free from abuse, *neglect, misappropriation of resident property and exploitation...*

F 224 483.12(a)

The facility must not use verbal, mental, sexual, or physical abuse, corporal punishment, or involuntary seclusion.

F 226 483.12(b) Develop and implement written policies and procedures that:

- 1) *Prohibit and prevent abuse, neglect...*
- 2) *Establish P&P's to investigate allegations...*
- 3) *Include required training as required in 483.95*
- 4) *Coordinate with QAPI program (Phase 3)*

5) **483.95(c) Abuse, neglect and exploitation**

In addition to requirements in 483.12 facility must provide training to staff on:

- **Activities that constitute:** *Abuse, neglect and exploitation...*
- **Procedures for reporting incidents of:** *Abuse, neglect and exploitation...*
- **Dementia management and resident abuse prevention.**

Why? (con't)

The purpose is to assure that the facility is doing all that is within its control to prevent occurrences.

Policies and Procedures are to include seven components:

- Screening
- Training
- Prevention
- Identification
- Investigation
- Protection
- **Reporting / Response**

The SOM (State Operation Manual) gives examples of how the facility could operationalize each component.



Why? (con't)

CHANGE IN REPORTING TIME...

F 225 483.12(a)

(3) Speaks to not employing certain individuals with criminal history, or entered on State nurse aide registry or *having disciplinary action in effect against license due to abuse, neglect...*

(4) The facility must report to the State nurse aide registry or licensing board any knowledge of actions against employee by court of law...

483.12(b) (5)(i)-(iii) to be implement 11/28/17 (Phase 2) regarding P&P's-

483.12(c)

- (1) Ensure all alleged violations... are reported immediately, **but...**
- Not later than **2 hours** after the allegation is made if the events that cause the allegation involve abuse or result in serious bodily injury...
 - Or not later than **24 hours** if the causation does not involve abuse and does not result in bodily injury.

The report is to be made to the Administrator of the facility and to other officials, including the *State Survey Agency and adult protective services where jurisdiction is provided for in law.*

- (2) *Evidence of investigation*
- (3) *Prevent further potential abuse while investigation in progress*
- (4) **Report** the results of all investigations to administrator...and to other officials in accordance with State Law, including the State Survey Agency within 5 working days of the incident...

Who reports?



- **Director of Nursing**
- **Resident Care Manager**
- **Charge Nurse**
- **Social Services**
- **Administrator**
- **Any facility designee**

**The facility should have delegated the responsibility to an individual or team and should have a policy in place that outlines the facilities reporting process.*



What to report?

All alleged violations involving abuse, neglect, **exploitation**, mistreatment, including injuries of unknown source and misappropriation of resident property are reported...

- *Both substantiated and unsubstantiated*
- *Include witnessed events that have resulted in serious injury*

Where can you find allegations and potential violations?

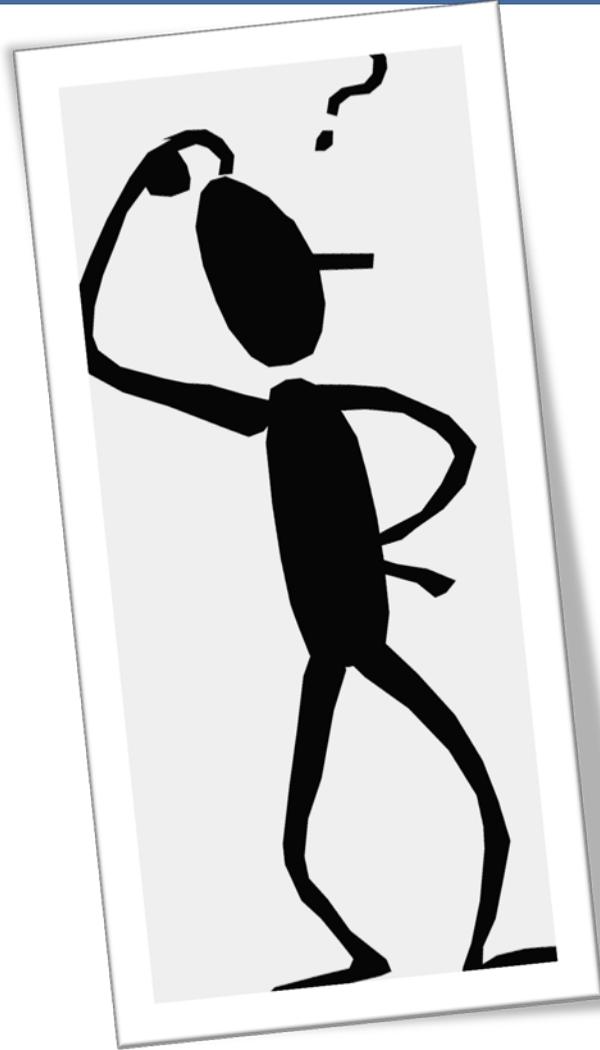
Policies/Procedures – Identification (procedures in place to identify events)

- *Audits, team meetings, assessments, observations*

People – Family, friends, visitors, volunteers, staff members, residents

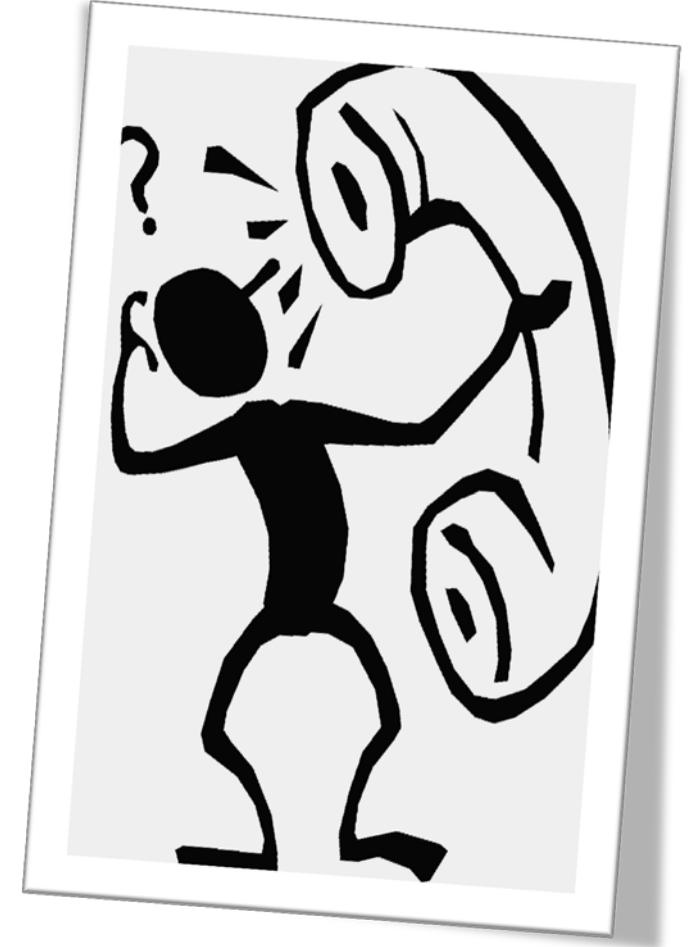
- *Concern/complaint, comments, observations*

What to report?



If you are
unsure?

**Call the State Agency,
let's talk about it...**



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Where / How to report?

Health Facilities Licensing & Certification (State Agency)

Preferred method:

Secure Fax: (907) 334-2682

Phone

- 24 hr. Hot Line: (888) 387-9387
- Complaint Coordinator direct line: (907) 334-2698

Email

- complaintcoordinator@alaska.gov



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Where to report ?

*Other entities as required or is warranted by the situation:

✓ *APS (Adult Protective Services)*

**Financial abuse, individuals outside facility*

✓ *Long Term Care Ombudsman*

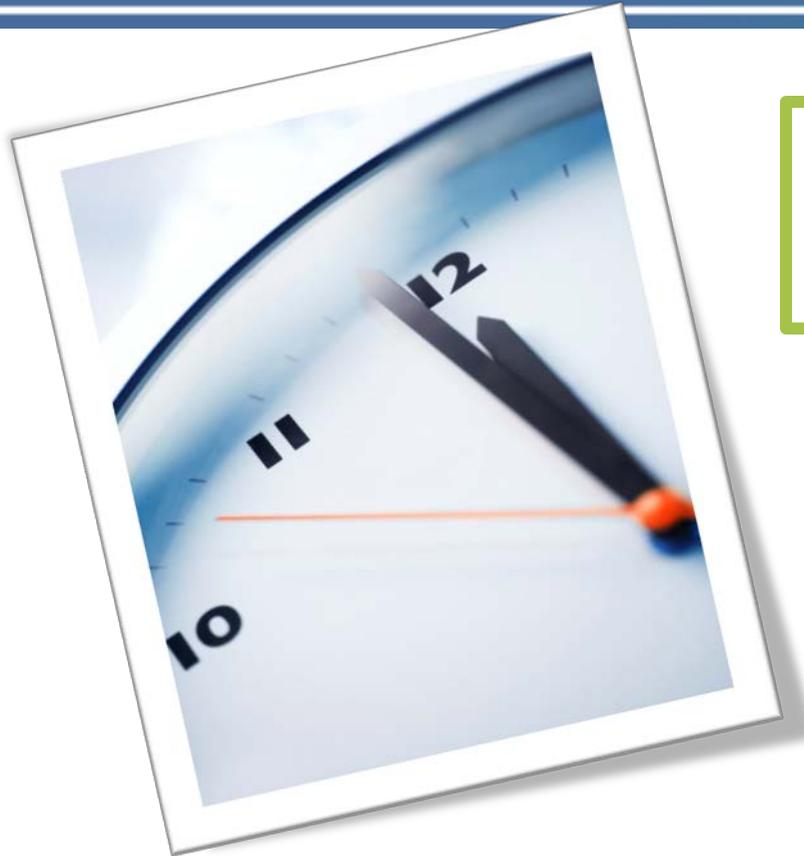
**Resources, *involuntary discharges, transfers (new requirement)*

✓ *Local law enforcement*

**Assault*



When to report (initial)?



The facility must ensure that all alleged violations...are reported **immediately**...

"Immediately" means as soon as possible, but ought not exceed 24 hours after discovery of the incident, in the absence of a shorter state timeframe requirement.

483.12(c) within 2 hours if causation involves abuse or serious bodily injury ****

Initial Report – is notification that an incident has occurred and an investigation is underway.

Do not rush your investigation, take the time allowed to ensure you have looked at all pertinent areas of concern

Initial Report

Items to include:

- ✓ Date & Time of Event
- ✓ Resident(s) & Location
- ✓ Type of incident
- ✓ **Brief** description of event
- ✓ Resident information
- ✓ Immediate Action(s)-
-Resident(s) protected??
- ✓ Follow-up Action(s)
- ✓ Notifications made

Other items you can include:

- Date & Time of reports
- Date & Time first reported to Supervisor
- Report by:
- Notification List

When to report (final)?

The results of all investigations must be reported... **within 5 working days** of the incident...

Final Report – *summary of the facilities thorough investigation of the incident, findings and actions taken.*

Paint the picture...



****Do not rush, take the time allowed to ensure you have completed a thorough investigation and looked at all pertinent areas of concern****

Final Report

The final report should expand on the initial report:

- ✓ More about the resident(s)
- ✓ Current status of resident(s)
- ✓ Incident Summary
- ✓ Investigation: *(interviews, observations, records reviewed)*
- ✓ Actions Taken: *(changes to care plan, medications, further notifications, training...)*



Summary

- ✓ Policies & Procedures
- ✓ Designated person(s) for reports
- ✓ Timeliness of reporting
- ✓ Thorough investigations

Each resident has the right to be free from abuse, neglect, exploitation and misappropriation of property.



QUESTIONS?

Please feel free to call me directly or send me an email.

Joan.green@alaska.gov

907-334-2698

Thank You

