## Special Incident Report (SIR) New Vendor Training



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## Directions on How to Access the Special Incident Report Forms on Alta California Regional Center's Website

- Website address is www.altaregional .org
- Select Service Providers

SERVICE PROVIDERS

Accounting/E-Billing for Current Service Providers

HCBS Waiver Information

Current Service Providers -Additional Information Become a Service Provider

Service Provider Training

Request for Proposals

Service Provider Forms

Service Provider Search

Provider Advisory Committee

Vendor Forums

(RFP)

Alta California	CONTACT US   TRANSLATE SEARCH ,
<b>Regional Center</b>	Who We Serve Service Providers About Us Resources News & Events

From Drop Menu- Select Service Provider Forms

Alta California		CONTACT US	TRANSLATE	SEARCH	ç
<u>Regional Center</u>	Who We Serve Service Providers	About Us	Resourc	es News &	Event

## **Service Provider Forms Forms/Documents**

The sections below offer forms frequently used by Alta California Regional Center (ACRC) service providers.

## Post-Emergency Restraint Report Form

It is necessary for <u>ACRC</u> to evaluate the appropriate use of emergency intervention procedures including restraint. Service providers shall submit the Post Restraint Reporting form along with the SIR they submit for a restraint. Questions regarding this can be directed to Julie Rachfal, SIR Coordinator jrachfal@altaregional.org or (916) 978-6337.

Post-Emergency Restraint Report Form-SIR

## Special Incident Reporting (SIR) Forms/Documents

Service providers have the responsibility to report incidents that impact a client's health and/or safety while the client is receiving services or supports, or if the client is a victim of a crime, or dies, regardless of when or where the incident occurred. Please refer to Title 17, Section 54327 for reporting requirements. Below are forms service providers can use to meet the mandate.

- For the Post- Emergency Restraint Report Form- click on the form and it will come up.
- For all other Special Incident Related Forms/Documents Select Read More under Special incident Reporting and the Documents will come up.

# Special Incident Reporting (SIR) Forms/Documents

Service providers have the responsibility to report incidents that impact a client's health and/or safety while the client is receiving services or supports, or if the client is a victim of a crime, or dies, regardless of when or where the incident occurred. Please refer to Title 17, Section 54327 for reporting requirements. Below are forms service providers can use to meet the mandate.

- 🝿 ACRC 552D Death Report
- ACRC 552X Special Incident Report
- M Instructions for Completing ACRC SIR Form
- ACRC Shared Information Report
- ACRC Shared Information Report Instructions
- Solution Disability Rights California Requirements
- Mandated Reporting Requirements Flow Chart -SIR

#### **RELATED LINKS**

- 🙀 Steps to Reporting a SIR to ACRC
- 📙 Under Vendored Care
- w Vendor Special Incident Report Requirements
  - On the very top are the ACRC Death Report and the ACRC Special Incident Report
  - Once the SIR or Death Report has been completed, either email or fax it the following:
    - Email: <u>sdesk@altaregional.org</u>
    - o Fax 916 978-6619
  - Please contact Julie Rachfal at 916 978-6337 if you need assistance.

### <u>Agenda</u>

## **Special Incident Reporting**



- How to Access ACRC Special Incident Reporting Documents
- What are the timelines for reporting a Special Incident?
- What type of Incidents are Reported to ACRC SIR Desk?
- When is an SIR reported to ACRC for COVID-19?
- What are the Mandated Reporting Requirements?
- What are the Disability Rights California Reporting Requirements?
- What is the "Shared Information" Process?
- How do you submit an SIR to ACRC?
- What information to provide in the SIR?

## **Under Vendored Care**

#### Under Vendored Care: Title 17, Section (b) (1) reads:

(b) All vendors and long-term health care facilities shall report to the regional center:

(1) The following special incidents if they occurred during the time the consumer was receiving Services and Supports from any vendor or long-term health care facility.

#### RAP Protocol for Title 17, Section 54327(b) (1): "Under vendored Care"

A consumer was receiving service and supports from a vendor or long-term health care facility at the time when an incident occurred, if any of the following conditions is satisfied, and not otherwise.

- 1. If the client lived in a :
  - a. Community Care Facility (CCF)
  - b. Intermediate Care Facility (ICF)
  - C. Skilled Nursing Facility (SNF)
  - d. Supported Living Services (SLS)

Note that these residence types have 24/7 responsibility for care: Individuals in these types are always under vendored care.

2. If support staff were scheduled to be present at the time.

Note that incidents that are reportable if support staff were scheduled to be present at the time of the incident, even if they:

- a. Arrived after the incident
- b. Were late
- C. Did not arrive at all.
- 3. The vendor or long-term care facility was in fact, providing services and supports to the consumer at the time of the incident.

#### Long-Term Care Facility:

For purposes of reporting, any of the following count as long-term care facilities:

- a. Adult Day Health Care Programs (ADHC)
- b. Congregate Living Facilities (CLHF)
- C. Skilled Nursing Facilities (SNF)
- d. Intermediate Care Facilities (ICF)
- e. Intermediate Care Facilities/Developmentally Disabled (ICF/DD)
- f. Intermediate Care Facilities/ Developmentally Disabled Habilitative (ICF/ DDH)
- g. Intermediate Care Facility/ Developmentally Disabled-Nursing (ICF/ DDN)

The information on this document was taken from The Reporting Alignment Project Reporting Protocols which were developed on February 12, 2007 and updated July 2013. The Reporting Alignment Project follows Title 17 Section 54327(b)(1).

#### Risk Management & Mitigation Special Incident Reporting

	Special Incident Reporting	
	Action	Documents
Who	Vendors and Long-term Care Facilities	
Why	To help ensure the safety of clients served by ACRC and we need to comply with Title 17	Title 17 Regulations Sections 54327 (confirm the sections)
When	<ul> <li>Special Incident Reporting         <ul> <li>Vendors and Long-Term Health Care Facilities need to report Special Incidents which occurred to an ACRC Client to the assigned ACRC Service Coordinator within 24 hours of an occurrence</li> <li>Vendors and Long-term Health care Facilities shall submit the Special Incident Report (SIR) or Death Report to ACRC's SIR Desk within 48 hours of occurrence of incident</li> <li>If the vendor or long-term Care Facility is a licensed facility then a report should also be filed with the licensing agency</li> <li>If there is a suspicion of abuse or neglect then a mandated report is required to be filed with the appropriate protective agency (CPS, APS, Long –term Care Ombudsman, and or the Local Law Enforcement Agency)</li> </ul> </li> </ul>	<ul> <li>ACRC Special Incident Report, Form 552X</li> <li>ACRC Death Report, Form 552D</li> <li>Mandated Reporting Requirements Flow Chart</li> </ul>
Where	All documents used are found on the ACRC Website:www.altaregional.org	Directions to Access     Forms on Website
What	<ul> <li>Regional centers are required to submit an initial report to DDS of any incidents as identified in Title 17 section 54327 when the client is being served by a vendor (under vendored care):</li> <li>1) Injuries Beyond First Aid <ul> <li>a) Burns requiring medical treatment</li> <li>b) Medication Reactions</li> <li>c) Bites Break Skin</li> <li>d) Internal Bleeding</li> <li>e) Puncture Wounds</li> </ul> </li> </ul>	<ul> <li>Vendor Supplement Information for Types of Incidents</li> <li>COVID-19 DDS Amended Directive 5/22/20</li> </ul>

2)	Serious Injury/ Accident	
	a) Fractures	
	b) Injury Accident –Dislocation	
	c) Lacerations requiring sutures/staples	
	d) Medication Error	
3)	Unauthorized absence	
	a) Missing Person- law notified	
4)	Hospitalizations	
	a) Involuntary Psych Admission	
	b) Nutrition Deficiency	
	c) Cardiac Care	
	d) Diabetes	
	e) Internal Infection	
	f) Seizures	
	g) Respiratory Illness	
	h) Wound/Skin Care	
5. C	Other Incidents:	
	a) Hospitalization-Other	
	b) Choking Incidents	
	c) Transportation Incidents	
	d) Disease Outbreaks	
	e) Physical Restraints	
-	gional centers are required to submit an initial report to DDS of any	
	dents as identified in Title 17 section 54327 regardless of where	
the	incident occurred:	
1)	Death	
2)	Victim of a Crime: (Law Enforcement required):	
	a) Aggravated Assault	
	b) Burglary	
	c) Personal Robbery	
	d) Larceny	
	e) Rape/Attempted Rape	

	3) Suspected Abuse/Exploitation:	
	a) Physical	
	<b>b)</b> Sexual	
	<b>c)</b> Fiduciary	
	d) Emotional / Mental	
	e) Physical and /or Chemical Restraint	
	4) Suspected Neglect: Failure to:	
	a) Provide medical care for physical and mental health needs	
	<b>b)</b> Prevent malnutrition or dehydration	
	c) Protect from health and safety hazards	
	d) Assist in personal hygiene	
	e) Provide food, clothing , shelter	
	f) Provide care- Elder/Adult	
	5) COVID-19	
	6) <u>Other Incidents</u>	
	a) Arrest	
	<ul> <li>b) Suicide Threat/Attempt</li> </ul>	
	c) Fire Setting	
	d) Other Sexual Incident-client is the aggressor	
	e) Media Attention	
How	<u>General SIR</u>	General SIR
	The Vendor or Long-term Care Health Facility completes the ACRC	ACRC 552X ACRC Special
	552X-SIR form for incidents that meet the requirement and submit to	Incident Report-SIR: This
	ACRC's SIR Desk by email: <u>sdesk@altaregional.org</u> or fax (916) 978-	is the form used to
	6619.	complete a Special
		Incident Report and
		submit by email to <b>SIR</b>
		Desk by email or fax
		Instructions for
		completing 552X Form
		by Vendor or Long-term

	Death of Client SIR When a client dies either the vendor or Long-term Care Heath Facility completes the 552D ACRC Death Report.	<ul> <li>Care Health Facility- Step-by-step instructions on how to complete the SIR form.</li> <li>Post Restraint Report (PRR)</li> </ul>
		Death SIR
		• 552D ACRC Death Report
	SIR Follow-Up Documentation	
	Action	Documents
Who	Vendor and Long-term Care Health Facility	
What	Information gathering to explain how the incident was resolved and how to prevent a repeat of the incident.	
When	After an Incident occurred involving an ACRC Client	
Where	Providing update to ACRC Service Coordinator via e-mail or telephone call.	
Why	To protect the health and safety of the clients.	
How	The vendors and Long-term Care Facilities should discuss the Special Incident with the ACRC Service Coordinator to discuss how the incident was resolved and what the plan is to prevent future incidents.	DDS Special Incident Follow-up Questions

## DEPARTMENT OF DEVELOPMENTAL SERVICES

1600 NINTH STREET, Room 240, MS 2-13 SACRAMENTO, CA 95814 TTY (916) 654-2054 (For the Hearing Impaired) (916) 654-1897



May 22, 2020

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

#### SUBJECT: DEPARTMENT DIRECTIVE 01-052220: AMENDED REQUIREMENTS FOR REPORTING SPECIAL INCIDENTS RELATED TO COVID-19 IN SANDIS

The purpose of this Directive is to amend the requirements in the Department of Developmental Services' (Department) <u>March 25, 2020, Directive</u>, regarding reporting of special incidents related to COVID-19.

Effective immediately, providers and regional centers must complete a special incident report for any of the following events, even if the incident does not otherwise meet California Code of Regulations, Title 17 reporting criteria:

- An individual tests positive for COVID-19;
- An individual receives medical attention at a hospital, emergency room, or urgent care clinic due to COVID-19 symptoms; or
- An individual's death is related to COVID-19, either by confirmed COVID-19 positive testing or by medical diagnosis unconfirmed by testing.

Providers and regional centers should only report COVID-19 related incidents that meet these requirements and clearly indicate in the incident description the reporting criteria met.

Please share this Directive with all providers and your staff. If you have any questions regarding this Directive, please contact Leslie Morrison at (916) 214-3706 or <a href="mailto:leslie.morrison@dds.ca.gov">leslie.morrison@dds.ca.gov</a>.

Sincerely,

Original Signed by:

NANCY BARGMANN Director

cc: Regional Center Board Presidents Regional Center Administrators Regional Center Directors of Consumer Services Regional Center Community Services Directors Association of Regional Center Agencies

## "Building Partnerships, Supporting Choices"

## SUPPLEMENTAL INFORMATION FOR TYPE OF SPECIAL INCIDENTS

**Injuries beyond First Aid:** for an injury to be considered Treatment beyond First Aid means that the client was seen by a medical professional for the injury in question. *For Example,* if a vendor took a client to a physician for a burn, the incident is reportable to the regional center even if the physician decided not to treat the injury any further.

#### Types of Injuries beyond First Aid

- Puncture Wounds
- Bites that Break the Skin
- Internal Bleeding: Bruises are a type of internal bleeding. If a client receives attention from any medical professional for the purpose of treating the bruise, an SIR is reported to the regional center.
- Medication Reactions: For medication reactions, including but not limited to allergic reactions to adverse effects of medications interacting with one another.
- Burns Requiring Medical Treatment

#### **Serious Injuries /Accidents**

- Lacerations requiring sutures/ staples or glue
- Fractures
- Injury Accident-Dislocations

#### **Medication Errors**

Any medication error that occurred while a client was under vendored care regardless of the consequences.

- Receiving a prescription medication that was not prescribed
- Receiving the wrong dose of any medication; this includes missed dose of prescription medications and wrong doses of over-the-counter medications.
- Not receiving prescribed medication within one hour of the prescribed time of day
- Not receiving prescribed medication by the proper route.
- Refusals by clients over the age of 14 are not reportable to DDS.

Missing Person-Law Enforcement Notified:

• The client is missing and a vendor or long-term health care facility has filed a formal missing person report or the vendor of long-term health care facility has described the client as missing in any way-not necessarily in a formal way to law enforcement.

#### Hospitalizations:

Any time a client is admitted to the hospital while under vendor care it must be reported to the regional center. (Hospitalizations are now referenced by diagnosis rather than what is not planned.

How the SIR will be coded by the SIR Desk will depend on the treatment they received and their discharge diagnosis).

#### **Hospitalization Categories:**

- Respiratory Illness, including but not limited to asthma, tuberculosis; and chronic obstructive pulmonary disease;
- Seizure-related;
- Cardiac-related, including but not limited to congestive heart failure; hypertension and angina;
- Internal infections, including but not limited to ear, nose and throat, gastrointestinal, kidney, dental, pelvic or urinary tract infection;
- Diabetes, including diabetes related complications;
- Wound/skin care, including but not limited to cellulitis and decubitus;
- Nutritional deficiencies, including but not limited to anemia and dehydration; or
- Involuntary psychiatric admission.
- Hospitalization-Other: If a client is admitted to the hospital for any other reason.

#### Choking

• An SIR is required when a client has experienced a chocking incident.

#### **Transportation Incidents**

• An SIR is required when a client is in an accident while transported by a vendor or an SIR is required when the bus or taxi breaks down while the vendor is providing services to the client.

#### **Disease Breakout**

- An SIR is required when a disease outbreak occurs at a facility or program involving any ACRC consumers.
- These are confirmed cases and an SIR should be submitted for each client where there is confirmation of the outbreak.
- If a client has been exposed to a contagious disease but there is no confirmation that the client has contacted the disease, then contact then contact ACRC Community Services Department and work directly with them. If there is confirmation of disease then submit SIR.

#### **Physical Restraints**

• An SIR is required whenever a client is restrained. Please see protocol below:

A Note on using restraints.....

- Due to risk for physical injury and /or emotional trauma, the use of restraints are considered procedures that may cause pain or trauma
- All procedures that may cause pain or trauma must be reviewed an approved <u>prior</u> to implementation as outlined in Title 17: §§50800-50835.

#### Steps for Review and Approval Include:

- 1. Planning team discusses need for restrictive procedure and notifies all appropriate parties of the review process.
- 2. Planning team develops an "interim safety plan" while review process occurs.
- 3. Qualified professional (i.e., BCBA or Behavior Management Consultant) develops intervention plan.
- 4. Planning team reviews the proposed intervention plan and written informed consent received.
- 5. Client's primary care physician reviews proposed intervention plan
- 6. Client's Service Coordinator reviews proposed intervention plan with ACRC's Behavior Modification Review Committee for Approval
- Vendor completes and submits Post –Emergency Restraint Report (PERR) to assigned Service Coordinator

#### Death of a Client

 Please complete the ACRC Death report when an ACRC client passes away regardless of the circumstances.

#### Victim of a Crime

- <u>Robbery:</u> a victim; including theft using a firearm, knife or cutting instrument or other dangerous weapons or methods which force or threaten
- <u>Aggravated Assault:</u> including physical attack on a victim using hands, fist, feet or a firearm, knife or cutting instrument or other dangerous weapon;
- <u>Larceny:</u> including the unlawful taking, carrying, leading or riding away of property, except motor vehicles, from the possession or constructive possession of another person;
- <u>Burglary:</u> including forcible entry; unlawful non-forcible entry; and attempted forcible entry of a structure to commit a felony or theft therein;
- <u>**Rape:**</u> including rape or attempted rape

#### Suspected Abuse/Exploitation

#### Protocol for Title 17 Section 54327(b)(1)(B)- Reasonably Suspected Abuse/exploitation including:

- Physical
- Sexual
- Fiduciary
- Emotional/mental or
- Physical and/or chemical restraint

Please refer to the *Mandated Reporting Flow Chart* on filing a report of suspected abuse.

#### **Suspected Neglect**

#### Protocol for Title 17 Section 54327(b)(1)(B):

#### **Reasonably Suspected Neglect including failure to:**

- Provide medical care
- Prevent malnutrition or dehydration
- Protect from health and safety hazards
- Assist in personal hygiene or the provision of food, clothing or shelter
- Exercise the degree of care that a reasonable person would exercise in the position of having the care and custody of an elder or a dependent adult

Please refer to *Mandated Reporting Flow Chart* on filing a report of suspected neglect.

#### Arrests

 An SIR is required when a client is arrested or looks like the client may be arrested (i.e. has an upcoming court date due to a new law enforcement incident).

#### Suicide Threat/Suicide Attempt

 An SIR is required whenever a client makes either a suicide threat or suicide attempt regardless of the circumstances.

#### **Fire Setting**

• An SIR is required whenever a client starts a fire.

#### Other Sexual Incident-consumer is the aggressor

• An SIR is required whenever the client is the aggressor of a sexual incident.

#### **Media Attentions**

An SIR is required whenever there is any media attention regarding an ACRC Client. DDS tracks this
information and we are required to report it to DDS.

#### **Multiple Incidents Reporting Requirements**

- If a client experiences an incident in the morning and in the morning and in the afternoon of the same day a similar incident occurred you can describe both occurrences on one SIR and submit to the regional center.
- If a consumer has two different incidents on the same day but the incidents are unrelated then two separated SIRs need to be submitted to the regional center.
- If an incident occurs today and then the same incident occurs tomorrow then two separate SIRs need to be
  reported to the regional center because they occurred on separate days.

Disability Rights California Reporting Requirements for Vendors of Crisis or Residential Services, Supported Living Services, Long-term Health Care Facilities and Acute Psychiatric Hospitals

	Disability Rights California Special Incident Reporting						
	Action	Documents					
Who	Regional Center Vendors that provide crisis or residential services, supported living services, long-term health care facilities, and acute psychiatric hospitals	Report to Disability Rights California – local office located at 1831 K Street, Sacramento,					
What	Vendors of these services must report to the agency designated pursuant to Section 4900(i) (Disability Rights California, all of the following:	CA 95811. There office number is (916) 504-5800.					
	<ul> <li>Each death or serious injury of a person occurring during, or related to the use of seclusion, physical restraint, or chemical restraint, or any combination thereof.</li> <li>Any unexpected or suspicious death, regardless of whether the cause is immediately known.</li> <li>Any allegation of sexual assault, as defined in Section 15610.63 in which the alleged perpetrator is a staff member, service provider, of facility employee or contractor.</li> <li>Any report made to the local law enforcement agency in the jurisdiction in which the facility is located that involves physical abuse as defined in Section 15610.63, in which a staff member, service provider or facility employee or contractor is implicated.</li> </ul>	Copy of report sent to ACRC at sdesk@altaregional.org or fax (916) 978-6619					
When	Reports shall be made no later than the close of the business day following the death or serious injury and must include encrypted identifier of the person involved, and the name, street address, and telephone number of the facility.						
Where	Send Report to Disability Rights California and ACRC.						
Why	TBL Section 9: 4659.2(b) was amended, expanding reporting requirements for regional center vendors.						
How	File report with Disability California Rights by submitting the form online or by downloading the form and faxing the report at 1-888- 768-7057, Send copy of report to ACRC at <u>sdesk@altaregional.org</u> or fax 916 978-6619.	<u>http://ww.disability.org/pod/dr</u> <u>c-regionalcenter-vendor-</u> <u>reporting</u>					

	Disability Rights California Monthly Summary Reports							
	Action	Documents						
Who	Requires Regional Center Vendors that provide crisis or residential services, supported living services, long-term health care facilities, and acute psychiatric hospitals.							
Why	TBL Section 9: 4659.2(b) was amended, expanding reporting requirements for regional center vendors.							
When	Monthly-The monthly reports should include the name, street address, and telephone number of each facility.							
Where	The link to file the monthly report to Disability Rights California is: https://docs.google.com/forms/d/1KaObwXW- Q6rk7G8RftZtQ70VRimJqIofwt0NhFy4Na8/viewform?edit_requeste d=true#	Copy of report sent to ACRC at sirsummary@altaregional.org						
What	<ul> <li>On a monthly basis, these vendors shall report to the agency designated pursuant to Section 4900(i) (Disability Rights California), all of the following:</li> <li>The number of incidents of seclusion and the duration of time spent per incident in seclusion.</li> <li>The number of incidents of the use of behavioral restraints and the duration of time spent per incident spent per incident of restraint.</li> <li>The number of times an involuntary emergency medication is used to control behavior.</li> </ul>							
How	The monthly reports should include the name, street and telephone number of each facility. Online to Disability Rights California at the following link: <u>https://docs.google.com/forms/d/1KaObwXW-</u> <u>Q6rk7G8RftZtQ70VRimJqIofwt0NhFy4Na8/viewform?edit_requeste</u> <u>d=true#</u> or download report and fax at 1-888-768-7057	Disability Rights California website: <u>www.disbilityrightsca.org</u> Alta California Regional Center Website:						
	A copy of report sent to ACRC at sirsummary@altaregional.org	www.altaregional.org						

	Shared Information Reporting						
	Action	Documents					
Who	ACRC Vendors and Long-term Health Care Facilities who serve ACRC Clients	<ul> <li>ACRC Shared Information Report</li> </ul>					
What	Shared Information report – Shared Information is a report of an occurrence provided by vendor and long-term health care facilities regarding a client that is neither DDS Reportable nor ACRC Best Practice Reportable.	<ul> <li>*ACRC Vendor</li> <li>Special Incident</li> <li>Reporting</li> <li>Requirements</li> </ul>					
	<ol> <li>Shared Information Categories:</li> <li>Routine seizures not requiring medical attention</li> <li>Clients missing program for 3 consecutive days (unexcused</li> </ol>	<ul> <li>***Under Vendored Care</li> </ul>					
	absences) 3. Client falls-no injury or received basic first aid						
	<ul> <li>4. Condition requiring medical intervention at one of the following locations: Emergency Rooms; Out-patient Care or Urgent Care Clinic *<i>if the treatment they received is not listed on *" ACRC Vendor Special Incident Reporting Requirements" *** Under Vendored Care</i></li> </ul>						
	5. Pregnancy						
	6. Medication refusals-if client is age 14 or older						
	7. Minor injury-basic first aid						
	8. Injury-accident						
	9. Injury – from a behavior episode						
	10. Injury from another client						
	11. Injury –unknown (if not suspecting physical abuse)						
	12. **Aggressive act to another client						
	13. **Aggressive act to family						
	14. **Aggressive act to self						
	15. **Aggressive act to staff						
	16. Severe verbal threats						

-	-
	17. Drug /Alcohol Abuse
	18. Community safety: (i.e. jumping out of a moving vehicle; j- walking; riding bike without helmet etc.)
	19. Property damage
	20. Theft by a client
	21. Law Enforcement Involvement (Arrests should be reported as an SIR)
	22.Bed bugs (If not suspecting neglect)
	23. Report incidents on left column of *"ACRC Vendor Special Incident Reporting Requirements" that *** <u>did not occur</u> under
	**If no injuries were received by victim or client (alleged perpetrator) has not been arrested.
	vendored care.
When	Shared Information should be reported by the vendor or long-term health care facility to the Service Coordinator either verbally or using the Shared Information form (whichever is determined most appropriate) within 48 hours.
	Exceptions are occurrences that take place on a regular basis such as behaviors or routine seizures. For these type of occurrences the Planning Team will determine the appropriate interval at which the Shared Information should be reported to the ACRC Service Coordinator.
Where	Documentation is entered into the vendors and/or Long-term care facilities On-going Notes
Why	Shared Information allows for Vendors to communicate with ACRC and collaboratively plan for the health and safety of the client.
How	Vendors or Long-Term Health Care Facilities will call, email or submit incident details using the Shared Information form.
	Upon receipt, the SC reviews it to ensure it is not a DDS Reportable or Best Practice Reportable incident as well as contains adequate detail. SC may request additional information to be provided.

#### **Mandated Reporting Requirements**

Penal Code 11164-11174.3: Suspected Abuse or Neglect for Children:

The Child Abuse and Neglect Reporting Act is created with the intent and purpose to protect children from abuse and neglect, all persons participating in the investigation of the case shall consider the needs of the child victim and shall do whatever is necessary to prevent psychological harm to the child victim.

Any individual working with or behalf of a child or is providing services to a minor is considered a mandated reporter. This includes but is not limited to licensee/ administrator/staff of a licensed community care facility, licensing worker, employee of a child institution, teachers, teacher's aides, social workers, marriage/family therapists, and law enforcement.

W&I Code 15630-15632: Suspected Abuse or Neglect for Dependent Adults/Elder: Any person who has assumed full or intermittent responsibility for care or custody of an elder or dependent adult, whether or not that person receives compensation, including administrators, supervisors, and any licensed staff of a public or private facility that provides care or services for elder or dependent adults, or any elder or dependent adult care custodian, health practitioner, clergy member, or employee of a county adult protective services agency or local law enforcement agency, is a mandated reporter.

#### When do I report?

- When you have observed or have knowledge of an incident that reasonably appears to be physical abuse, abandonment, abduction, isolation, financial abuse, or neglect.
- When you have been told by a minor, dependent adult or elderly person that he or she has experienced behavior, including an act or omission, constituting physical abuse, or neglect.

#### <u>"Reasonable suspicion" is defined as in California Welfare and Institutions Code and California Penal</u> <u>Code.</u>

- The Child Abuse and Neglect Reporting Act is created with the intent and purpose to protect children from abuse and neglect, all persons participating in the investigation of the case shall consider the needs of the child victim and shall do whatever is necessary to prevent psychological harm to the child victim.
- Any individual working with or behalf of a child or is providing services to a minor is considered a mandated reporter. This includes but is not limited to licensee/ administrator/staff of a licensed community care facility, licensing worker, employee of a child institution, teachers, teacher's aides, social workers, marriage/family therapists, and law enforcement.

#### What happens if I do not report abuse?

- Failure to report physical abuse, abandonment, abduction, isolation, financial abuse, or neglect of an elder or dependent adult, is a misdemeanor, punishable by not more than six months in the county jail, by fine of not more than \$1,000.00, or by both that fine and imprisonment.
- Any Mandated reporter who willfully fails to report any of the above, where that abuse results in death of great bodily injury, shall be punished by not more than one year in county jail, by a fine of not more than \$5,000, or by both that fine and imprisonment.

#### What is your role in situations that involve suspicion of abuse / neglect?

- Ensure the appropriate Protective agencies have been notified and are investigating.
- Do not interview consumers, witnesses or alleged perpetrator.
- Do not notify the alleged perpetrator of the allegation against them.

#### What is considered physical abuse?

#### 15610.63 "Physical Abuse" means any of the following:

- Assault, as defined in Section 240 of the Penal Code.
- Battery, as defined In Section 242 of the Penal Code
- Assault with a deadly weapon or force likely to produce great bodily injury, as defined in Section 245 of the Penal Code.
- Unreasonable physical constraint, or prolonged or continual deprivation of food or water.
- Sexual assault, that means that any of the following:
  - Sexual battery, as defined in Section 243.4 of the Penal Code
  - Rape as defined in Section 261 of the Penal Code
  - Rape in concert, as described in Section 264.1 of the Penal Code
  - $\circ$  Spousal rape, as defined in Section 262 of the Penal Code
  - Incest, as defined in Section 285 of the Penal Code.
  - $\circ$   $\;$  Sodomy, as defined in Section 286 of the Penal Code.
  - $\circ$   $\,$  Oral copulation, as defined in Section 288a of the Penal Code.
  - Sexual penetration, as defined in Section 289 of the Penal Code.
  - Lewd or lascivious acts as defined in paragraph (2) of subdivision (b), of Section 288 of the Penal Code.
- Use of physical or chemical restraint of psychotropic medication under any of the following conditions:
  - For punishment
  - For a period beyond that for which the medication was ordered pursuant to the instructions of a physician and surgeon licensed in the State of California, who is providing medical care to the elder or dependent adult at the instructions are given.
  - For any purpose not authorized by the physician and surgeon.

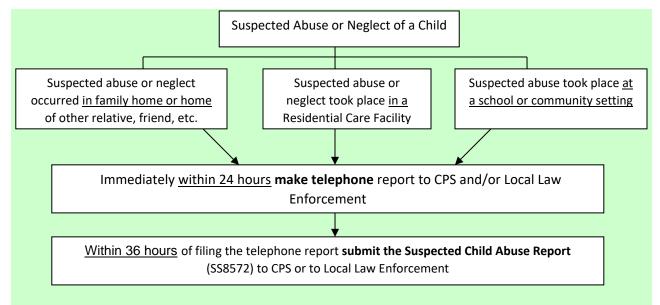
#### Welfare and Institution Code Sections 15630 and 15658 (a) (1):

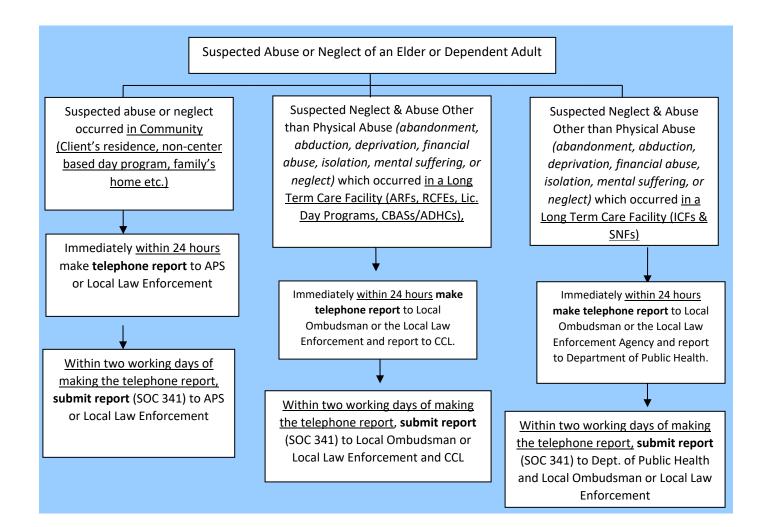
• Neglect means the negligent failure of an elder or dependent adult or any person having the care custody of an elder or a dependent adult to exercise that degree of self-care that a reasonably person in a like position would exercise.

#### Who reports the suspected abuse or neglect?

- Service Coordinators, Vendors, and Long- Term Health Care Providers are all Mandated Reporters and need to follow the laws for mandated reporting whenever there is a suspicion of abuse or neglect of a child, dependent adult or elder.
- The agency which either witnesses, obtained knowledge, or suspects the abuse or neglect of the child, dependent adult or elder should be the person responsible for making the mandated report.
- When making the report it should be reported to the local agency of where the suspected abuse or neglect occurred.

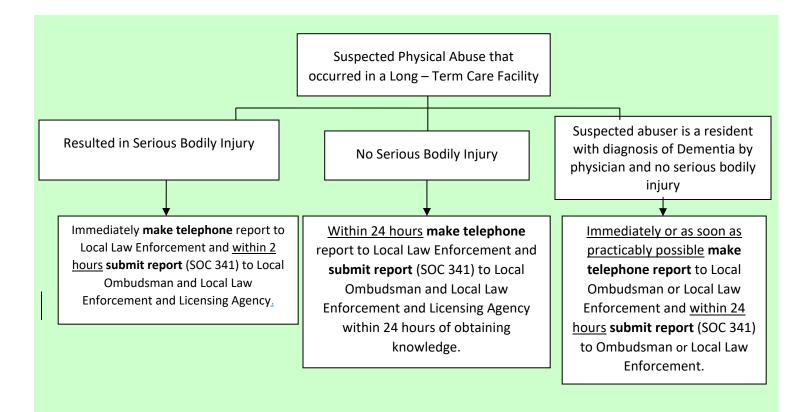
• Because there are different jurisdictions for the protective agencies depending on the age of the victim and the location of the incident please follow the guidelines below:





## Important Definitions related to AB 40-Yamada

- Welfare & Institution Code Section 15610.67 definition of "Serious bodily injury": an injury involving extreme physical pain, substantial risk of death, or protracted loss of impairment of function of a bodily member, organ of mental faculty, or requiring medical intervention, including , but not limited to, hospitalization, surgery, or physical rehabilitation. Physical abuse that does not meet this definition is considered to be abuse with "no serious bodily injury".
- 2. Physical abuse that must be reported to law enforcement includes: assault, battery, sexual assault, and unreasonable physical constraint, improper use of a physical or chemical restraint or psychotropic drugs. (Welfare Institution Code Section 15610.63)
- 3. If other than physical abuse no change in law. Report by telephone and written report to either Ombudsman or Local Law Enforcement Agency immediately or as soon as practicably possible. Report in writing within two working days.
- 4. Long-Term Health Care Facility" means both facilities licensed by Community Care Licensing (i.e. Adult Residential Facilities (ARF), Adult Residential Facilities for Persons with Special Needs (ARFPSHN); Adult Day Programs (including Licensed Activity Centers, Adult Development Centers, and Behavior Management Programs), Residential Care Facilities for the Elderly, (RCFE) and Community Based Adult Services (CBAS) (previously known as Adult Day Health Centers (ADHC) and by the Department of Public Health (i.e. Intermediate Care Facilities (ICF) and Skilled Nursing Facilities (SNF).
- 5. Who is not considered a long-term care facility? Any licensed children's programs; Community based or non- center-based programs (even if these serve dependent adults). Reports of abuse for these programs would go to local law enforcement and/ or Adult Protective Services (APS) /Child Protective Services (CPS), and not the Long-term Care Ombudsman



## **Contact Information for Mandated Reporters**

Adult Protective Services				Child Protective Services					
County	Telephone		Fax	County	Tel	ephone		Fax	
Alpine 888 755-8099		530 694-2252	Alpine	888	88 755-8099		530 694-2252		
Colusa	530 458-0280		530 458-2664	Colusa	530	30 458-0280		530 458-0492	
El Dorado 530 642-4800		530 622-1543	El Dorado	Pla 530	30 642-7100 lacerville 30 573-3201 South ake Tahoe				
Nevada	888 339-7248		530 274-3264	Nevada	530	) 273-429:	1	530 273-6941	
Sacramento	916 874-9377		916 854-9341	Sacramento	916	875-543	7	916 8	74-4002
Placer	888 886-5401		530 265-9376	Placer	916	6 872-6549	Ð	916 7	87-8915
Sierra	530 289-3720		530 993-6767	Sierra	530	) 289-372(	)	530 9	93-6767
Sutter	530 822-7227		530 822-7384	Sutter	530	0 822-7227		530 822-7384	
Yolo	530 661-2955		530 661-2761	Yolo	530	30 669-2345		530 666-8468	
Yuba	Yuba 530 749-6471		530 749-6244	Yuba	530	30 749-6288		530 749-6801	
l	Long Term Ombuds	smar	1	Licensing Contact Information					
County	Telephone	Fax	:	County Telep			Telepho	ne	Fax
Colusa- will identify as Passages	530 898-5923	530	) 898-4870	Community Care Licensing		916 263- 4700		916 263- 4744	
El Dorado	530 642-4860	530	) 626-9060	Department of I	Publi	c Health	916 263- 5800		916 263- 5840
Nevada, Placer, Sacramento, Sierra, Sutter, Yolo, and Yuba	916 376-8910	916	5 376-8914	Foster Care Licensing		3	916 875 5543	-	916 263- 4744
			Other Importa	nt Contact Numb	pers:				
Office of Clier	Office of Client's Rights Advocacy 916 5				5 504-5944 Fax 916 504-5821			821	
Medical Bo	oard of California			533-2322 263-2382			Fax 916	263-2	435
Sheriff Departments:									

County	Telephone	Address	County		Telephone		Address
Alpine	530 694-2231	14777 State Route 89	Placer	53	0 886-5375	292	9 Richardson Dr.
		P.O. Box 278				Aub	urn, CA 95603
		Markleeville 96120					
Colusa	530 458-0200	929 Bridge St.	Sierra	53	0 289-3700	100	Courthouse Square
	colusasheriff.c	Colusa 95932				First	t Floor
	om					P.O.	. Box 66
						Dow	vnieville 95936
El Dorado	530 621-5655	300 Fair Lane	Sutter	53	0 822-7307	107	7 Civic Center Blvd.
	(main office)	Placerville 95667 or		53	0 822-7813	Yub	a City, 95993
	530 573-3000 (South Lake	1360 Johnson Blvd					
	Tahoe Office)	S. Lake Tahoe 96150;					
		4354 Town Center Dr.					
		Suite 112, El Dorado Hills,CA					
Nevada	530 265-1263	950 Maidu Avenue	Yolo	53	0 666-8282	140	Tony Diaz Dr
	530 582-7842	Nevada City 95959				Woo	odland, CA 95776
	(Truckee)	10879 Donner Pass Road					
		Truckee, CA96160					
Sacramento	916 874-5070	711 G Street	Yuba	53	0 749-7777	215	5 <sup>th</sup> Street
		Sacramento CA 95814					ysville ; 5829 Feather River
							l. Marysville;
							96 Willow Glen Rd wnsville; and 1765 River
						Oak	s Plumas, CA
		ſ	epartment	ts			
City	Telephone	Address	City		Telephone		Address
Auburn	Non-emergency dispatch	1215 Lincoln Way	Roseville		916 774-5000		1051 Junction Blvd.
	530 823-4237	Auburn, CA 95603					Roseville, 95678
	Fax 530 823-						
	4202		Sacrame	nt	Records Department		Records Department
Citrus	Non-Emergency	6315 Fountain Square	0		916 808-0620		5770 Freeport Blvd.
Heights	916 727-5500	Dr.					

		Citrus Heights, 95621			Sacramento, 95822
Davis	Non-Emergency 530 747-5400 Fax 530 747- 7102	2600 5 <sup>th</sup> Street Davis, CA 95618		Head quarters 916 808-0800	Head Quarters- Public Safety Center 5770 Freeport Blvd.
Elk Grove	Non-Emergency 916 714-5115	8380 Laguna Palms Way Elk Grove, CA		North Command 916 566-6401	Sacramento,95822 North Command- William J. Kinney Police
Folsom	916 355-7230 Fax 916 985- 7643	46 Natoma St. Folsom, CA 95632			Facility 3550 Marysville Blvd. Sacramento, 95838
Galt	Non-Emergency 209 366-7000 Investigations 209 366-7010 Fax 209 366- 7093	455 Industrial Drive Galt, CA 95632		Central Command 916 808-4500	Central Command- Richards Police Facility 300 Richards Blvd. Sacramento, 95811
				South Command 916 277-6001	South Command- Joseph E. Rooney Police Facility 5303 Franklin Blvd. Sacramento, 95820
Lincoln	Non-Emergency 916 645-4040 FAX 916 645-8940	770 7 <sup>th</sup> Street Lincoln, CA 95648	South Lake Tahoe	530 542-6100 Fax 530 541-7524	1352 Johnson Blvd. South Lake Tahoe, 96150
Marysville	Non-Emergency 530 749-3900 Investigations 530 749-3949 Fax 530 749- 3990	316 6 <sup>th</sup> Street Marysville 95901	Sutter Creek	209 267-5646	18 Main Street Sutter Creek, 95685
Nevada City	530 265-4700	317 Broad Street	Truckee	530 550-2328	10183 Airport Rd.

	Fax 530 265- 9259	Nevada City 95959			Truckee 96161
Placerville	Non-Emergency 530 642-5298 Fax 530 642- 5258	730 Main Street Placerville 95667	West Sac	Non- Emergency 916 372-3375	550 Jefferson Blvd. Broderick 95605
Rancho Cordova	Non-Emergency 916 362-5115	2897 Kilgore Road. Rancho Cordova,95670	Winters	Non- Emergency 530 795-4561 Fax 530 795-3921	702 Main Street Winters 95694
Rocklin	Non-Emergency 916 625-5400	4080 Rocklin Road Rocklin 95677	Woodland	530 661-2411 FAX 530 662-5377	1000 Lincoln Ave. Woodland, 95695
			Yuba City	530 822-4661 Investigations5308 22-4675 Fax 530-822-3222	1545 Poole Blvd. Yuba City, 95993

REMEMBER: Vendors and Long-term Health Care Facilities should submit written report (SIR) to the regional center (SIR DESK) within 48 hours after the occurrence of the special incident.

# Please review the instructions below to make sure the SIR you submit to the SIR Desk has included all of the necessary information and is complete

Incomplete SIRs cause a delay in processing and if received, the reporter of the incident will be contacted and required to submit a whole new "complete" SIR.

#### Submit complete SIR's to: SIR DESK

E-mail: <a href="mailto:sdesk@altaregional.org">sdesk@altaregional.org</a> (preferred method)

Fax: (916) 978-6619 (use only if email is not available)

#### REPORTS SHOULD BE TYPED WHENEVER POSSIBLE

#### **Report Submitted by-Information:**

- 1. Check the appropriate box indicating the person who is submitting the SIR. (For example, Service Coordinator, Vendor or Long- Term Health Care Facility)
- 2. Report submitted By: The name of person submitting the SIR
- 3. Title: What is the position of person submitting the SIR (For Example, Service Coordinator, Program Director, Administrator, etc.?)
- 4. Phone # (For Service Coordinators add your extension) (For vendors or Long –term Health Care Facilities add the best number for the SIR Desk to contact you for questions).
- 5. Date Notified: This is the date that agency learned of the incident (ACRC, Care Home, Supported Living, Independent Living Agency, Day Program, etc.)
- 6. Date Submitted: Date writer is completing the SIR.

#### **Client Information:**

- 7. <u>**Client's Name:**</u> Provide client's first and last name (no nicknames). Complete name how it is written in all of client's documentation (i.e. referral packet).
- 8. <u>Sex</u>: Check if male or female.
- 9. **UCI #**: Provide client's unique client individual number (UCI).
- 10. **Date of Birth:** Provide client's date of birth.
- 11. **<u>Date of incident</u>**: Provide the date when incident occurred.
- 12. <u>**Time of Incident:**</u> Provide what time the incident occurred. If the time is approximate, write approx. after the time. If you do not know the time, write "unknown"

#### 13. Medical Information:

Check whether the client received medical treatment. If they received medical treatment provide the following information:

- Location of the medical facility that the client was treated at.
- What was the name of the medical professional who treated client? (For example, Jonathon Jones, M.D. at Kaiser on Morse Ave.
- What is the follow up treatment? (For example: were they advised to schedule an appointment with their Primary Care Physician?)
- 14. <u>Alleged Perpetrator:</u> If reporting suspected abuse, suspected neglect, or victim of a crime, indicate the relationship between the alleged perpetrator and the client. (For example, vendor, family, another client, etc.)
- 15. **Location of Incident:** Check the appropriate box for the location where incident occurred. (For example, Day Program, Community Setting, Client's Residence, Community Care Facility, etc.) Include the physical address of the location.
- 16. **Vendor Information:** Name of Vendor at the time of incident, or the vendor who was responsible at the time incident occurred.
  - The name of staff person who is in charge at the time the incident occurred.
  - Vendor's telephone number
  - Vendor's address (for care homes –address of facility; for day programs or other type of agencies the address of the vendored program)
  - ACRC vendor #: the number assigned to your agency or facility for your vendorization.
  - Type of Facility: If the facility is a licensed facility indicate who the licensing agency and the facility #
- 17. <u>Agencies Contacted:</u> Check the box for all individuals that were notified of the incident and provide the following information
  - Name of person contacted, telephone number, date of contact

#### 18. **Law Enforcement Information:** If incident was reported to law enforcement then provide the following information:

- Which law enforcement agency was contacted? (For example, Elk Grove Police Department, and Sacramento County Sheriff Department etc.).
- Officer's name
- Badge number
- Officer's telephone number
- Date of contact
- Comments

#### 19. <u>Residence Type</u>:

- Check the appropriate box to client's living situation. (For example, if client lives with family or independently, at residential facility, or supported living.
- <u>Facility / Provider Responsible</u>: If the client lives in a licensed facility, or receives supported living then indicate the name of facility or agency providing services. If the client lives with family then list names of the family/relatives residing with. If the client lives independently then can leave blank.
- Name: List name of staff person who was responsible for client at the time of incident.
- Address: The address of facility, supported living agency, or family/ relative
- The telephone number for facility, supported living agency, or family/relative

#### 20. Incident Information:

Check the boxes that apply for type of incident reporting on. For <u>injuries beyond first aid</u> the client should have been seen by a medical professional (For example, physician, nurse, paramedic, etc.) If the treatment of the injury did not require assessment / treatment by a medical for the categories listed then no SIR is necessary and should be reported through the Shared Information Process to the assigned Service Coordinator directly. For <u>serious injury/accident</u> if the incident occurred under vendored care then submit an SIR.

21. **Description of Incident:** Document an incident in terms that are specific, observable and easily understood. Accurate documentation is written in simple language and is free of opinions, technical terms, jargon and obscure abbreviations.

A complete report is based on the points contained in a good newspaper story: Who, Where, When, What, How and Why? It should read clearly and make sense to someone who was not at the incident and/or is not familiar with the client.

When describing the incident makes sure it includes the following information:

- Who was involved with the incident?
  - o If other clients were involved please refer to them by using their initials or client #1, client #2 etc., or UCI #'s.
  - Provide first and last names of staff and their positions.
  - Provide first and last names of representatives of other agencies and their title.
- Where did the incident occur? Describe the location of the incident, be specific.
- When did the incident occur?
  - Provide the date and time of when the incident occurred.
  - o Provide the date and time of when you were notified of the incident and how you learned of the incident.
- **How** did the incident occur?
  - Please provide what led up to the incident.
  - Provide the detailed information of what took place.

For hospitalizations\*:, it is important to include the following:

- When describing the incident on the Special Incident Report it is important that it is clear whether the client is treated in the Emergency Room and then returned to their living environment or if the client is actually admitted the hospital.
- The details of the treatment they received while in the hospital at the time of reporting the incident.
- For Psychiatric Hospitalizations whether a client was held on a 5150 and admitted or it they were assessed and then released.

# \*When a client is admitted to the hospital it is important that medical records are requested; if you are with the client at the hospital please have them sign a release of information.

For Injuries: please include the following information:

- o Describe the type of injury the client sustained
- Describe the type of treatment the client received and where it was provided (i.e. Emergency Room or Urgent Care) and whether it was treated by a medical professional.
- 22. <u>Action Taken/ Planned</u>: Include person responsible, and how incident was resolved.
- 23. What steps will be taken to prevent this incident from occurring again? What is the planning team's plan to prevent this type of incident to occur in the future?

# **DDS Special Incident Report (SIR) Questions**

Q#	<b>Question.</b> For each request/question, please explain your response (provide relevant dates, details, etc.).
	Incident Category All SIRs
1	Confirm the incident date; vendor and regional center transmission dates for accuracy.
2	Was SIR reported in a timely manner by the vendor and the regional center?
3	If SIR was not reported timely, why and what action was taken to address reporting timeliness?
4	Track and confirm any action to be taken, i.e., staff training, QA investigations, follow-up appointments, discharge plans, change in medications; also was there an existing behavior plan and was the plan revised?
5	Provide an update (outcomes) regarding the regional center's interaction with the vendor.
6	Did the regional center and/or vendor focus on staff training, and/or procedures to mitigate a reoccurrence of the incident?
7	Were there actions taken against staff involved in the incident?
8	Are staff training needs identified?
9	Is the regional center satisfied with the action/outcomes taken by the vendor?
10	What action(s) were taken to reduce the risk of this incident type occurring again?
11	[CCL ONLY] Was CCL contacted about the incident? Why or why not?
12	Are any other investigative agencies involved (e.g., APS, law enforcement, ombudsman, etc.)?

<ul> <li>whether there were any specific recommendations for treatment/ discharge plans upon release.</li> <li>What steps will the vendor take to ensure that the consumer's medications are (re)filled timely?</li> <li>What other actions will the provider take to reduce medication errors?</li> <li>Were there any funding/insurance issues?</li> <li>What was the reason insurance did not cover the consumer's medication(s)?</li> <li>When was the provider notified of insurance funding issue?</li> <li>What action(s) did the provider take knowing that insurance would not cover the medication?</li> </ul>		Medication Error
15       Were the prescribing doctor(s) notified of the medication issue? If so, what were the recommendations/orders?         16       What date were the consumer's medication(s) (re)filled?         17       Were the medications (re)filled in a timely manner?         18       On what date did the consumer continue medications as prescribed?         19       Was there a follow-up appointment/meeting? What was the date? What was the result (new services, change in medication)?         20       What are the current medications and why are they prescribed?         21       Did the consumer need to go to the physician? If so, when? Any follow-up scheduled?         22       Did consumer go to the ER?         23       Was consumer admitted to the hospital?         24       SIR should reflect when the consumer is/was released (from the ER, hospital or psych facility) at whether there were any specific recommendations for treatment/ discharge plans upon release.         25       What steps will the vendor take to ensure that the consumer's medications are (re)filled timely?         26       What other actions will the provider take to reduce medication errors?         27       Were there any funding/insurance issues?         28       What was the reason insurance did not cover the consumer's medication(s)?         29       When was the provider notified of insurance funding issue?         30       What action(s) did the provider take knowing that insurance would no	13	What were the medication(s) and time(s) missed?
<ul> <li>recommendations/orders?</li> <li>What date were the consumer's medication(s) (re)filled?</li> <li>Were the medications (re)filled in a timely manner?</li> <li>On what date did the consumer continue medications as prescribed?</li> <li>Was there a follow-up appointment/meeting? What was the date? What was the result (new services, change in medication)?</li> <li>What are the current medications and why are they prescribed?</li> <li>Did the consumer need to go to the physician? If so, when? Any follow-up scheduled?</li> <li>Did consumer go to the ER?</li> <li>Was consumer admitted to the hospital?</li> <li>SIR should reflect when the consumer is/was released (from the ER, hospital or psych facility) at whether there were any specific recommendations for treatment/ discharge plans upon release.</li> <li>What steps will the vendor take to ensure that the consumer's medications are (re)filled timely?</li> <li>What was the reason insurance issues?</li> <li>What was the reason insurance did not cover the consumer's medication(s)?</li> <li>When was the provider notified of insurance funding issue?</li> <li>What action(s) did the provider take knowing that insurance would not cover the medication?</li> </ul>	14	How long did consumer go without the prescribed medication(s)?
<ul> <li>17 Were the medications (re)filled in a timely manner?</li> <li>18 On what date did the consumer continue medications as prescribed?</li> <li>19 Was there a follow-up appointment/meeting? What was the date? What was the result (new services, change in medication)?</li> <li>20 What are the current medications and why are they prescribed?</li> <li>21 Did the consumer need to go to the physician? If so, when? Any follow-up scheduled?</li> <li>22 Did consumer go to the ER?</li> <li>23 Was consumer admitted to the hospital?</li> <li>24 SIR should reflect when the consumer is/was released (from the ER, hospital or psych facility) at whether there were any specific recommendations for treatment/ discharge plans upon release.</li> <li>25 What steps will the vendor take to ensure that the consumer's medications are (re)filled timely?</li> <li>26 What other actions will the provider take to reduce medication errors?</li> <li>27 Were there any funding/insurance issues?</li> <li>28 What was the reason insurance did not cover the consumer's medication(s)?</li> <li>29 When was the provider notified of insurance funding issue?</li> <li>30 What action(s) did the provider take knowing that insurance would not cover the medication?</li> </ul>	15	
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<ul> <li>19 services, change in medication)?</li> <li>20 What are the current medications and why are they prescribed?</li> <li>21 Did the consumer need to go to the physician? If so, when? Any follow-up scheduled?</li> <li>22 Did consumer go to the ER?</li> <li>23 Was consumer admitted to the hospital?</li> <li>24 SIR should reflect when the consumer is/was released (from the ER, hospital or psych facility) at whether there were any specific recommendations for treatment/ discharge plans upon release.</li> <li>25 What steps will the vendor take to ensure that the consumer's medications are (re)filled timely?</li> <li>26 What other actions will the provider take to reduce medication errors?</li> <li>27 Were there any funding/insurance issues?</li> <li>28 What was the reason insurance did not cover the consumer's medication(s)?</li> <li>29 When was the provider notified of insurance funding issue?</li> <li>30 What action(s) did the provider take knowing that insurance would not cover the medication?</li> </ul>	18	On what date did the consumer continue medications as prescribed?
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30 What action(s) did the provider take knowing that insurance would not cover the medication?	28	What was the reason insurance did not cover the consumer's medication(s)?
	29	When was the provider notified of insurance funding issue?
	30	What action(s) did the provider take knowing that insurance would not cover the medication?
31 When was the regional center notified about the insurance issue?	31	When was the regional center notified about the insurance issue?

	Injury			
32	Was treatment received at the hospital?			
33	Was the consumer admitted into a hospital because of the incident?			
34	What was the discharge date?			

35	What were the discharge orders?
36	What are the date(s) of any follow-up appointments for this incident?
37	With whom were the follow-up appointments?
38	What are the outcomes of follow-up appointments?
39	What is the health status as of <date>?</date>
40	Did the consumer require any new or modified services/supports because of the incident? If so, what were they?

	Suspected Abuse
41	Was APS notified of the incident?
42	Any recommendations by APS?
43	What was the result of the APS/police investigation (substantiated, unfounded, inconclusive), if shared with you?
44	Any recommendations or services offered by law enforcement?
45	Will the consumer continue to reside in the same residence?
46	If moving, when and where?
47	Other than relocation, will the consumer require any new or modified services/supports because of the incident?
48	If so, what are the new or modified services/supports?
49	What actions, if any, were taken against the alleged perpetrator?
50	Any recommendations, CAP, letters, technical assistance, etc., by the regional center?
51	What will the regional center to do to assist the vendor? When?
52	Is the regional center investigating the incident? Outcomes?

Psych. Hospitaliza	ation
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53	Admission and discharge dates?
54	What was the diagnosis received at the hospital?
55	What was the treatment received at the hospital?
56	Any changes to the consumer's medication regimen?
57	If so, what specific changes to the consumer's medication regimen?
58	What are the discharge orders?
59	What are the date(s) of any mental health or psychiatric follow-up appointments for this incident?
60	With whom were the follow-up appointments?
61	Outcomes of follow-up appointments?
62	What is the mental health and/or behavioral status update as of <date>?</date>
63	Did the consumer require any new or modified services/supports because of this incident?
64	If so, what are the new or modified services/supports?
65	What will the regional center to do to assist the provider? Dates?
66	Are planning team meetings scheduled regarding this incident? Dates? Outcomes?
67	Will the regional center and provider be reviewing the consumer's current behavior plan? Why or
	why not? Dates? Outcomes? Recommendations?

Medical Hospitalization				
68	What was the treatment received at the hospital?			
69	How was the consumer transported to the hospital?			
70	Was the consumer admitted into a hospital because of this incident?			
71	What was the discharge date?			
72	What are the discharge orders?			
73	What are the date(s) of any medical follow-up and with who?			
74	Outcomes of follow-up medical appointments?			
75	What is the health status as of <date>?</date>			
76	Did the consumer receive a diagnosis at the hospital because of this incident?			

77	Were there any changes to the consumer's medication regimen?
78	Were there any changes to the consumer's health care plan? Why or why not?
79	What is the consumer's usual frequency of seizures? Have seizures increased?
80	Was the consumer's physician notified of the seizure?
81	Were any specific tests ordered (e.g. anticonvulsant blood levels, EEG, head CT scan, etc.)?
82	Was there any obvious precipitating cause for the incident, such as forgetting to take medications, observed fevers, etc.?

Victim of Crime		
83	Was police contacted? When?	
84	What was the result of the police investigation?	
85	Was the suspect identified?	
86	What actions were taken against the alleged perpetrator?	
87	Has the consumer been referred to victim-witness assistance by law enforcement?	
88	Did the consumer receive any new or modified services/supports because of this incident?	

Rights Violation		
89	RESTRAINT - Was the restraint used in this incident approved in the consumer's behavior plan? If not, please explain what the regional center and provider will do to address this incident.	
90	Is staff training planned because of this incident? If so, please provide a date and outcomes of the training.	

## Post Restraint Report (Emergency Intervention Process)

#### File with SIR Tracking #

Client Name: UCI#: D.O.B.:

Vendor Name: Vendor #:

Date of Restraint:

Date Post Restraint Report (PRR) Completed:

Date Restraint was reported to Disability Rights:

In the event a restraint procedure was used to stop a client from harming themselves or others, or other continuous and dangerous behavior, a verbal Special Incident Report (SIR) is to be made within 24 hours of incident. A written SIR and this POST RESTRAINT REPORT (PRR) must be completed by the **Direct Care Staff and Administrator** involved in the incident and returned to the SIR Desk (sdesk@altaregional.org) within 48 hours.

Incidences of restraint will be reviewed by the Behavior Modification Committee at Alta California Regional Center. Additional information regarding the restraint may need to be provided to complete that review.

## <u>To be completed by Direct Care Staff:</u> Description of the Restraint

Location where the incident took place that resulted in restraint (i.e. day program, care home etc.):

Did the client's behavior (that resulted in restraint) present an imminent danger of serious injury to self or others? Yes No
*Serious injury means any significant impairment of the physical condition as determined by qualified
medical personnel (SB 130, 1180.1 (g)) and requires immediate medical attention

What serious injury to self or others did the client do or attempt to do prior to the restraint? (Check all that apply)

🗌 Burn	Laceration	Bone fracture	Substantial hematoma	Injury to internal
organ(s)				
Other	(Explain)			

Does the client have any known physical or psychiatric conditions that would place the client at risk during a restraint (i.e. asthma, obesity, prior history of trauma [for example, sexual or physical abuse], cardiac problems, prior or current injury to limb being held, anxiety). Please explain:

Describe in detail the facts and circumstances leading to the use of the restraint (attach additio	nal
paper if necessary):	

Please describe what the behavior looked like:

What happened immediately after the restraint?

Were other clients present at the time of the incident immediately preceding the restraint? Yes No If yes, how many other clients were present at the time of the incident?

What were the other clients directed to do at the time of incident, please describe:

Identify and describe the type of techniques used during the incident:

Standing Escort/Transport Techniques (i.e. Single Sunday Stroll, Double wrist triceps procedure, etc.)

Seated Wall or floor assisted/Immobilization Techniques (i.e. supine, prone, etc.) Other:

Start Time of Restraint: End Time (of restraint):

Describe the techniques utilized:

in an initioditzation teeningae was used, was a mat attized prior to implementing the procedure	lf ai	i immobilization technique was u	ised, was a mat utilized	prior to implementing	the procedure?
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N/A Yes No (if no, explain)

\*NOTE: If an immobilization technique was used, an ID Team meeting will be required.

What is the date of the meeting?

Please describe what area(s) on the body the client was touched during the restraint. (i.e. upper left and upper right arm)

What type of de-escalation actions, interventions and/or techniques were used by staff member prior

to the restraint?

Additional Precautions Taken (check all that apply and list staff member who did the following): Ensured client airway unobstructed (no items covering face, no pressure on client torso or back)

Continuous assessment and observation of client breathing and circulation

Client hands NOT placed behind back

#### Is there a behavior plan in place for this client?

Yes No Date of Behavior Plan:

Does the client have a behavior intervention plan that includes proactive and non-physical reactive strategies? Yes No

Does the behavior intervention plan include the use of restraints?

Were the following post-crisis strategies performed, and what were the results?

**Yes No Client** was checked for any injuries, including minor injuries, that may have occurred and appropriate medical care was obtained if needed (explain details):

**Yes No** The environment was inspected and potentially dangerous items were removed or cleaned up, including items that may have been used as a weapon (explain details):

Yes No Client was not able to return to appropriate activities after the emergency restraint (explain details):

#### Debriefing after the incident:

This should occur within 24 hours between staff and supervisor and should include the following:

- Assessment of the factors leading up to the assault crisis
- Examination of the choice of interventions
- The biological, psychological, social and behavioral impact of the intervention on the client
- Steps to reduce the potential for future assault crises

Explain any, and all, post-crisis de-briefing techniques used related to the restraints:

**Client Debriefing:** 

What does the client identify the antecedent to be? (Use client's own words if possible):

List alternatives to avoid escalation in future:

Staff Member(s) involved in restraint:

What does the involved staff member identify as the antecedent to the incident that led to the restraint:

List alternatives to avoid escalation in future:

This report was completed by:

Signature: Position or Title:

(Print Name) Date:

Direct Care Staff Signature:

Position or Title:

(Print Name) Date:

Direct Care Staff Signature:

Position or Title:

(Print Name) Date:

## To be completed by Administrator:

Date staff member(s) were interviewed

Do you assess that the client's behavior warranted the restraint?

Did the staff utilize the least restrictive behavioral supports as indicated in the client's Behavior Intervention Plan? Please explain:

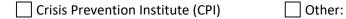
How many staff members were involved in the crisis intervention? Include their names also.

Are staff restraint certifications up to date (as outlined by program)? Yes 🗌 No 🗌

If yes, what was the date of the training for staff member(s) involved?

Which certification does the staff who did the restraint possess?

Professional Crisis Management (PCMA) Professional Assault Crisis Training (ProAct)



Who developed the behavior plan for this client? (Name and credentials of individual)

Will the behavior plan be changed as a result of the restraint used in this incident?

Yes No

What are the planned changes? If no changes to behavior plan, what other modifications and/or actions will be taken to prevent likelihood that restraint will be used for future occurrences (staff training, protective equipment, etc.)?

Did Staff member follow the protocol prior to incident? Yes No (If no, please explain)	
<b>Did Staff member follow the protocol after the incident?</b> Yes No ( <i>If no, please explain</i> )	

Describe interactions between staff member and client post-restraint.

A copy of the Special Incident Report and this PRR report was provided to your agency behavior analyst

or consultant. Yes No

Administrator Signature: Position or Title:

(Print Name) Date:

## Alta California Regional Center Special Incident Report

Please check the appropriate box below:

Report submitted by: Service Coordinator Vendor Long-Term Health Care Facility

Report Submitted by:	Title:	Phone #
Agency Name:	Date Notified:	Date Submitted:

ACRC Special Incident Reporting Requirements: Vendors or Long-Term Health Care Facilities are required to contact Service Coordinators verbally within 24-hours and submit written reports to the SIR Desk within 48-hours after the occurrence of the special incident. It is ACRC's preference that all SIRS are typed and submitted to the SIR Desk e-mail at sdesk@altaregional.org. If you do not have access to e-mail you may fax it to 916 978-6619.

<u>Mandated Reporting Requirements</u>: For suspected child abuse or neglect the mandated reporter is required to report the incident to the responsible agency immediately or as soon as practically possible by telephone and shall prepare written report within 36 hours of receiving the information concerning the incident (PC Section 11166(a)). For Suspected Abuse of Dependent Adults and Elderly the mandated reporter is required to report the incident to the responsible agency immediately or as soon as practically possible by telephone and shall submit written report within 2 working days of making the report to the responsible agency(WIC Section 15610).

<u>AB40 Assembly Bill</u>: In September 2012 the Governor of California passed the AB40 law into effect which amends Sections 15630 and 15631 and adds 15610.67 to the Welfare and Institutions Code related to elder and dependent adult abuse:

Section 2 Section 15630 of the Welfare and Institutions Code is amended to read: (A) If the suspected or alleged abuse is physical abuse, as defined in Section 15610.63 and the abuse occurred in a long-term care facility, except a state mental health hospital or a state development center, the following shall occur:

- (i) If the suspected abuse results in serious bodily injury, a telephone report shall be made to the local law enforcement agency immediately, and no later than within two hours of the mandated reporting observing, obtaining knowledge of, or suspecting the physical abuse, and a written report shall be made to the local ombudsman, the corresponding licensing agency, and the local law enforcement agency within two hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse.
- (ii) If the suspected abuse does not result in serious bodily injury, a telephone report shall be made to the local law enforcement agency within 24 hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse, and a written report shall be made to the local ombudsman, the corresponding licensing agency, and the local law enforcement within 24 hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse.
- When the suspected abuse is allegedly caused by a resident with a physician's diagnosis of dementia, and there is no serious bodily injury, as reasonably determined by the mandated reporter, drawing upon his or her training or experience, the reporter shall report to the local ombudsman or law enforcement agency by telephone immediately or as soon as practicably possible, and by written report, within 24 hours.

#### **Client Information:**

Client's Name:	Sex:	UCI Number:
	🗌 Male 🔄 Female	
Date of Birth:	Date of Incident:	Time of Incident:

#### **Medical Information:**

Medical Treatment Necessary: If yes, give nature of treatment:	
Administered by:	Location Administered:
Follow- up Treatment, if any:	

#### Alleged Perpetrator:

If reporting Suspected Abuse, Suspected Neglect and /or Victim of a Crime:				
Vendor, employee of vendor	Employee of non-vendor	Relative/family member		
Regional center client	Self	Unknown		
Other individual known to client	Not Applicable			

#### Location of Incident:

Location of Incident:
Community Care Facility 🗌 Long-Term Facility (ICF/SNF) 🗌 Day Program
🗌 Job Site 🔲 Community Setting 🔲 Consumer's Own Residence 🔲 School
Other:
Address:

#### Vendor Information:

Vendor at Time of Incident:	Staff Person in Charge at Time of Incident:		Vendor Telephone #:	
Vendor address:				
ACRC Vendor #:		Type of Facility: 🗌 CCL 🗌	] DPH 🔲 Foster Care	
		Facility #:		

#### Agencies Contacted:

Agencies/Individuals Notified:	Name of Person Contacted:	Telephone Number:	Date of Contact:
Service Coordinator:			
Community Care Licensing			
Department of Public Health Service			
Parent/Guardian/ Conservator			
Physician/ Hospital:			
Adult Protective Services			
Child Protective Services			
Long Term Ombudsman			
Disability Rights California			

Other:			
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#### Law Enforcement Information: (Please complete if Law Enforcement was contacted):

Agency Contacted:		Officer:		Badge #:	Telephone #:
Date of Contact:	Report #:	L	Comments:		

#### **Residence Type:**

Consumer Residence: Self/Spouse Parent/Family Residential (CCF/ICF/SNF) SLS Other:
Facility/Provider Responsible:
Name:
Address:
City/ZIP:
Phone Number:

#### **Incident Information:**

Type of incident: Check only boxes that apply:				
Suspected Abuse Exploitation	Disease Outbreak		Sexual Incident-Client Aggressor	
Suspected Neglect	Choking		Fire Setting	
Victim of a Crime	Medication Errors		Suicide Attempts/Threats	
Client is Arrested	Hospital Admission		Media Attention	
Missing Person-Law Enforcement notified	Physical Restraint		Transportation Incidents	
Death	HIPAA Violation		Other:	
Injuries Beyond First Aid: (Received treatment by a medical professional)			Serious Injury/Accident:	
Burns Requiring Medical Treatment		Fractures		
Medication Reaction		Injury Accident-Dislocation		
Bites Break the Skin			Lacerations req. Sutures/Staples/Glue	
Internal Bleeding- (which includes bruising	requiring medical treatment)			
Puncture Wounds				

#### **Description of Incident:**

Description of Incident (Please describe the incident, including specific information leading up to the event, location, harm to client/others, persons involved in incident, who was notified when and by whom, etc.):

Action Taken/Planned (Include person responsible, and how incident was resolved):

What steps will be taken to prevent this incident from occurring again?

## Alta California Regional Center Death Report

Please check the appropriate box below:

Report submitted by: Service Coordinator Vendor Long-Term Health Care Facility

Report Submitted by:	Title:	Phone #:
Agency Name:	Date Notified:	Date Submitted:

ACRC Special Incident Reporting Requirements: Vendors or Long-Term Health Care Facilities are required to contact Service Coordinators verbally within 24-hours and <u>submit written reports to the SIR Desk within 48-hours after the occurrence of the</u> <u>special incident.</u> It is ACRC's preference that all SIRS are typed and submitted to the SIR Desk e-mail at sdesk@altaregional.org. If you do not have access to e-mail you may fax it to 916 978-6619.

<u>Mandated Reporting Requirements</u>: For Suspected child abuse or neglect the mandated reporter is required to report the incident to the responsible agency immediately or as soon as practically possible by telephone and shall prepare written report within 36 hours of receiving the information concerning the incident (PC Section 11166(a)). For Suspected Abuse of Dependent Adults and Elderly the mandated reporter is required to report the incident to the responsible agency immediately or as soon as practically possible by telephone and shall submit written report within 2 working days of making the report to the responsible agency(WIC Section 15610).

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Section 2 Section 15630 of the Welfare and Institutions Code is amended to read: (A) If the suspected or alleged abuse is physical abuse, as defined in Section 15610.63 and the abuse occurred in a long-term care facility, except a state mental health hospital or a state development center, the following shall occur:

- (iv) If the suspected abuse results in serious bodily injury, a telephone report shall be made to the local law enforcement agency immediately, and no later than within two hours of the mandated reporting observing, obtaining knowledge of, or suspecting the physical abuse, and a written report shall be made to the local ombudsman, the corresponding licensing agency, and the local law enforcement agency within two hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse.
- (v) If the suspected abuse does not result in serious bodily injury, a telephone report shall be made to the local law enforcement agency within 24 hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse, and a written report shall be made to the local ombudsman, the corresponding licensing agency, and the local law enforcement within 24 hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse.
- (vi) When the suspected abuse is allegedly caused by a resident with a physician's diagnosis of dementia, and there is no serious bodily injury, as reasonably determined by the mandated reporter, drawing upon his or her training or experience, the reporter shall report to the local ombudsman or law enforcement agency by telephone immediately or as soon as practicably possible, and by written report, within 24 hours.

#### **Client Information:**

Client's Name:	Sex:	UCI Number:	
	🗌 Male 🛛 Female		
Date of Birth:	Date of death:	Approximate time of death:	

#### Medical Information:

Medical Treatment Received: Yes No				
If yes, give nature of treatment:				
Administered by:	Location Administered:			

#### Alleged Perpetrator:

If reporting Suspected Abuse, Suspected Neglect and /or Victim of a Crime:						
Uendor, employee of vendor Employee of non-vendor Relative/family member						
A regional center client	Self	🗌 Unknown				
Other individual known to client	Not Applicable					

#### Location of Incident:

Location of Incident:
Community Care Facility 🗌 Long-Term Facility (ICF/SNF) 🗌 Day Program
🗌 Job Site 🗌 Community Setting 🔲 Client's Own Residence 🔲 School 🔲 Emergency Room
Acute Hospital Other:
Address:

#### Vendor Information:

Vendor at Time of Incident:	Staff Person in Charge at Time of Incident:		Vendor Telephone #:
Vendor address:			
ACRC Vendor #:		Type of Facility: 🗌 CCL	DPH Foster Care
		Facility License #:	

#### Categorization of Death:

Anticipated Unanticipated Intentional Accidental Predictable Unknown					
Additional Death Data:					
DNR Order POLST Hospice Care Comfort Care					

#### Agencies Contacted:

Agencies/Individuals Notified:	Name of Person Contacted:	Telephone Number:	Date of Contact:
Service Coordinator			
Community Care Licensing			
Department of Public Health Service			
Parent/Guardian/ Conservator			
Physician/ Hospital			
Adult Protective Services			
Child Protective Services			
Long Term Ombudsman			

Disability Rights California					
Other:					
Law Enforcement Information: (Please complete if Law Enforcement was contacted):					

Agency Contacted:		Officer:		Badge #:	Telephone #:
Date of Contact:	Repo	rt #:	Comment	s:	

#### Residence Type:

Client Residence:
Self/Spouse Parent/Family Residential (CCF/ICF/SNF) SLS Other:
Facility/Provider Responsible:
Name:
Address:
City/ZIP:
Phone Number:

#### Details of Death:

Please	provide a brief summary of the details that led to the client's death:					
Please	answer the following questions regarding the death of the client:					
1.	What was the preliminary cause of death?					
2.	What were the secondary causes of death if applicable?					
3.	Please describe client's regular routine: Was there anything different in the past 30 days?					
4.	Did client receive routine health care? Date of last medical appointment: Name of Physician:					
5.	Any possible concerns regarding health care?					
6.	Did the client experience any special incidents in preceding 12 months? If so please explain:					
7.	Were any of the following identified?					
	a. Restrictive procedure or use of restraints 🗌 Yes 🗌 No					
	b. Medical equipment malfunction					
	c. Safety equipment malfunction d. Physician/ Nursing orders not followed Yes No					
	e. Emergency care procedures not followed L Yes No f. Environmental factors Ves No					
	g. Criminal activity					
	h. Medication error or substance abuse  Yes No					
Comme	ents:					

#### What medications was client taking at the time of death?

Name or Medication	Dosage	Quantity	Reason	

#### SUSPECTED CHILD ABUSE REPORT To Be Completed by Mandated Child Abuse Reporters Pursuant to Penal Code Section 11166 PLEASE PRINT OR TYPE

				CASENAI CASE NU			
z	NAME OF MANDATED REPORTER	TITLE			MANDATED REPORTE	R CATEGO	RY
A. REPORTIN G	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS	Street	City	Zip	DID MANDATED REPO	RTER WITH	NESS THE INCIDENT?
REF	REPORTER'S TELEPHONE (DAYTIME) SIGNATU	RE			TODAY'S DATE		
	□ LAW ENFORCEMENT □ COUNTY PROBATION	AGENCY					
B. REPORT NOTIFICATIO	COUNTY WELFARE / CPS (Child Protective Services)     ADDRESS Street	City		Zip		DATE/TIN	ME OF PHONE CALL
B. R NOTII	OFFICIAL CONTACTED - TITLE				TELEPHONE		
	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE	OR APPROX. AGE	SEX	ETHNICITY
	ADDRESS Street	City		Zip	TELEPHONE		
	PRESENT LOCATION OF VICTIM		SCHOOL		CLASS		GRADE
C. VICTIM	PHYSICALLY DEVELOPMENTALLY DISABLED DISABLED? UYES DNO	OTHER DISABILITY (SP	PECIFY)		PRIMARY LANGUA SPOKEN IN HOME		
	IN FOSTER CARE? IF VICTIM WAS IN OUT-OF-HOM	E CARE AT TIME OF INCID	ENT, CHECK TYPE OF C	ARE:	TYPE OF ABUSE (	CHECK ON	E OR MORE)
			MILY HOME GRAMILY	FRIEND			XUAL INEGLECT
	O     GROUP HOME OR INSTITUTIO     RELATIONSHIP TO SUSPECT	ON DRELATIVE'S HOME	PHOTOS TAKEN?		DID THE INCIDEN		N THIS
			TYES NO		VICTIM'S DEATH?		O DUNK
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	ADDRESS Street City	Zip Ho	OME PHONE		BUSINESS PHONE	E	
ECT D.	SUSPECT'S NAME (LAST, FIRST, MIDDLE)			BIRTHDATE	OR APPROX. AGE	SEX	ETHNICITY
SUSPE	ADDRESS Street	City	Zip	1	TELEPHONE		
	OTHER RELEVANT INFORMATION						
Z	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTH	HER FORM(S) AND CH	ECK THIS BOX	IF MULT	IPLE VICTIMS, INDI	CATENUN	/BER:
IATIC	DATE / TIME OF INCIDENT PLACE OF	FINCIDENT					
E. INCIDENT INFORMATION	NARRATIVE DESCRIPTION (What victim(s) said/what the man	ndated reporter observed/wh	nat person accompanying th	ne victim(s) sai	d/similar or past inciden	ts involving t	he victim(s) or suspect)
— ш							

SS 8572 (Rev. 12/02)

ETHNICITY CODES 1 Alaskan Native 2 American Indian	Caribbean 11 Guamanian 16 Kor Central 12 Hawaiian 17 Lac American		n
3 Asian Indian	Chinese 13 Hispanic 18 Me	xican 24 South American 29 White-European	
4 Black	Ethiopian 14 Hmong 19 Oth	er Asian 25 Vietnamese 30 White-Middle Eastern	
5 Cambodian	Filipino 15 Japanese 21 Othe	er Pacific Islander 26 White 31 White-Romanian	

DEFINITIONS AND INSTRUCTIONS ON REVERSE DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded. WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY- District Attorney's Office; YELLOW COPY-Reporting Party

#### DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <u>http://www.leginfo.ca.gov/calaw.html</u> (specify *f*Penal Code $\approx$  and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some of the requested information is not known. (PC Section 11167(a).)

#### I. MANDATED CHILD ABUSE REPORTERS

• Mandated child abuse reporters include all those individuals and entities listed in PC Section 11165.7.

#### II. TO WHOM REPORTS ARE TO BE MADE (fDESIGNATED AGENCIES≈)

 Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff«s department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC Section 11165.9.)

#### **III. REPORTING RESPONSIBILITIES**

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

#### **IV. INSTRUCTIONS**

• SECTION A - REPORTING PARTY: Enter the mandated reporter«s name, title, category (from PC Section 11165.7), business/agency name and address, daytime telephone number, and today«s date. Check yes-no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

#### IV. INSTRUCTIONS (Continued)

- SECTION B REPORT NOTIFICATION: Complete the name and address of the designated agency notified, thedate/ time of the phone call, and the name, title, and telephone number of the official contacted.
- SECTION C VICTIM (One Report per Victim): Enter the victim«s name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and, where applicable, enter the school, class (indicate the teacher«s name or room number), and grade. List the primary language spoken in the victim«s home. Check the appropriate yes-no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes-no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim«s relationship to the suspect. Check the appropriate yes-no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim«s death.
- SECTION D INVOLVED PARTIES: Enter the requested information for: Victim«s Siblings, Victim«s Parents/ Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).
- SECTION E INCIDENT INFORMATION: If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

#### V. DISTRIBUTION

- **Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
- Designated Agency: Within 36 hours of receipt of Form SS 8572, send white copy to police or sheriff«s department, blue copy to county welfare or probation department, and green copy to district attorney«s office.

#### CONFIDENTIAL REPORT -NOT SUBJECT TO PUBLIC DISCLOSURE REPORT OF SUSPECTED DEPENDENT ADULT/ELDER ABUSE

DATE

TO BE COMPLETED BY REPORTING PARTY. PLEASE PRINT OR TYPE. SEE GENERAL INSTRUCTIONS.

A. VICTIM Check box if victim consents to disclosure of information (Ombudsman use only - WIC 15636(a))

N	GENDER	ETHNICITY		LANGUAGE (v' CH	ECK ONE)				
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NAME OF SUSPE	CTED ABUSER								
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F.	REPORTER'S OBSERVATIONS, BELIEFS, AND STATEMENTS BY VICTIM IF AVAILABLE. DOES ALLEGED PERPETRATOR STILL HAVE ACCESS TO THE
	VICTIM? DOES THE ALLEGATION INVOLVE A SERIOUS BODILY INJURY (see definition in section "Reporting Responsibilities and Time Frames"
	within the General Instructions)? PROVIDE ANY KNOWN TIME FRAME (2 days, 1 week, ongoing, etc.). LIST ANY POTENTIAL DANGER FOR
	INVESTIGATOR (animals, weapons, communicable diseases, etc.).

CHECK IF MEDICAL, FINANCIAL (ACCOUNT INFORMATION, ETC.), PHOTOGRAPHS, OR OTHER SUPPLEMENTAL INFORMATION IS ATTACHED.

G.	OTHER PERSON BELIEVED TO HAVE KNOWLEDGE OF ABUSE (family, significant others, neighbors, medical providers, agencies	
	involved, etc.)	

NAME			RELATIONSHIP
ADDRESS			TELEPHONE
			( )
H. FAMILY MEMBER OR OTHER PERSON RESPONSIBLE FOR VIC	TIM'S CARE (If unknown, list contact pe	erson)	
NAME	IF CONTACT PERSON ONLY CHECK		RELATIONSHIP
ADDRESS	CITY	ZIP CODE	TELEPHONE ( )

I. TELEPHONE REPORT MADE TO

APS Law Enforcement Local Ombudsman Calif. Dept. of Developmental Services

Calif. Dept. of StateHospitals

TELEPHONE

)

(

NAME OF OFFICIAL CONTACTED BY PHONE

DATE/TIME

J. WRITTEN REPORT Enter information about the agencies receiving this report. If the abuse occurred in a LTC facility and resulted in Serious Bodily Injury\*, please refer to "Reporting Responsibilities and Time Frames" in the General Instructions. Do not submit report to California Department of Social Services Adult Programs Division.

AG	ENCY NAME			ADDRE	ESS OR FAX				
							Date Ma	iled	Date Faxed
AG	ENCY NAME			ADDRE	ESS OR FAX				
							Date Ma	iled	Date Faxed
AG	ENCY NAME			ADDRE	ESS OR FAX				
							Date Ma	iled	Date Faxed
K.	RECEIVING A	GENCY U	SE ONLY	Telephone Rep	port Writte	en Report			
1.	Report Receive	ed by					Date/Time		
2.	Assigned	Imme	diate Response	Ten-Day	y Response	No In	itial Response (NIR)		
		Not A	PS Not (	Ombudsman	No Ten-Day	(NTD)			
	Approved by	7				Assigned	d to (optional)		
3.	Cross-Reporte	d to	CDPH-Licensing 8	& Cert.;	CDSS-CCL;	L	ocal Ombudsman;	Bureau of Medi-	Cal Fraud & Elder Abuse
			Calif. Dept. ofSta	te Hospitals;	Law Enforceme	ent;	Professional Licensing	g Board;	
			Calif. Dept. of Dev	velopmental Serv	vices; APS	; Other (S	Specify) Date	e of Cross-Report	
4.	APS/Ombudsn	nan/Law	Enforcement Case	File Number					

## REPORT OF SUSPECTED DEPENDENT ADULT/ELDER ABUSE GENERAL INSTRUCTIONS

## PURPOSE OF FORM

This form, as adopted by the California Department of Social Services (CDSS), is required under Welfare and Institutions Code (WIC) Sections 15630 and 15658(a)(1). This form documents the information given by the reporting party on the suspected incident of abuse or neglect of an elder or dependent adult. **Abuse** means any treatment with resulting physical harm, pain, or mental suffering or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. **Neglect** means the negligent failure of an elder or dependent adult or of any person having the care or custody of an elder or a dependent adult to exercise that degree of self-care or care that a reasonable person in a like position would exercise. **Elder** means any person residing in this state who is 65 years of age or older (WIC Section 15610.27). **Dependent Adult** means any person residing in this state, between the ages of 18 and 64, who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age (WIC Section 15610.23). Dependent adult includes any person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour health facility (defined in the Health and Safety Code Sections 1250, 1250.2, and 1250.3).

## **COMPLETION OF THE FORM**

- 1. This form may be used by the receiving agency to record information through a telephone report of suspected dependent adult/elder abuse.
- 2. If any item of information is unknown, enter "unknown."
- 3. Item A: Check box to indicate if the victim waives confidentiality.
- 4. Item C: Check box if the reporting party waives confidentiality. Please note that mandated reporters are required to disclose their names, however, non-mandated reporters may report anonymously.

# REPORTING RESPONSIBILITIES AND TIME FRAMES:

Any mandated reporter, who in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be abuse or neglect, or is told by an elder or dependent adult that he or she has experienced behavior constituting abuse or neglect, or reasonably suspects that abuse or neglect has occurred, shall complete this form for each report of known or suspected instance of abuse (physical abuse, sexual abuse, financial abuse, abduction, neglect (self-neglect), isolation, and abandonment) involving an elder or dependent adult.

\*Serious bodily injury means an injury involving extreme physical pain, substantial risk of death, or protracted loss or impairment of function of a bodily member, organ or of mental faculty, or requiring medical intervention, including, but not limited to, hospitalization, surgery, or physical rehabilitation (WIC Section 15610.67).

Reporting shall be completed as follows:

- If the abuse occurred in a Long-Term Care (LTC) facility (as defined in WIC Section 15610.47) and resulted in serious bodily injury, report by
  telephone to the local law enforcement agency immediately and no later than two (2) hours after observing, obtaining knowledge of, or
  suspecting physical abuse. Send the written report to the local law enforcement agency, the local Long-Term Care Ombudsman Program (LTCOP),
  and the appropriate licensing agency (for long-term health care facilities, the California Department of Public Health; for community care facilities,
  the California Department of Social Services) within two (2) hours of observing, obtaining knowledge of, or suspecting physical abuse.
- If the abuse occurred in a LTC facility, was physical abuse, but did not result in serious bodily injury, report by telephone to the local law enforcement agency within 24 hours of observing, obtaining knowledge of, or suspecting physical abuse. Send the written report to the local law enforcement agency, the local LTCOP, and the appropriate licensing agency (for long-term health care facilities, the California Department of Public Health; for community care facilities, the California Department of Social Services) within 24 hours of observing, obtaining knowledge of, or suspecting physical abuse.
- If the abuse occurred in a LTC facility, was physical abuse, did not result in serious bodily injury, and was perpetrated by a resident with a
  physician's diagnosis of dementia, report by telephone to the local law enforcement agency or the local LTCOP, immediately or as soon as
  practicably possible. Follow by sending the written report to the LTCOP or the local law enforcement agency within 24 hours of observing,
  obtaining knowledge of, or suspecting physical abuse.
- If the abuse occurred in a LTC facility, was abuse other than physical abuse, report by telephone to the LTCOP or the law enforcement agency immediately or as soon as practicably possible. Follow by sending the written report to the local law enforcement agency or the LTCOP within

- If the abuse occurred in a state mental hospital or a state developmental center, mandated reporters shall report by telephone or through a confidential Internet reporting tool (established in WIC Section 15658) immediately or as soon as practicably possible and submit the report within two (2) working days of making the telephone report to the responsible agency as identified below:
  - If the abuse occurred in a State Mental Hospital, report to the local law enforcement agency or the California Department of State Hospitals.
  - If the abuse occurred in a State Developmental Center, report to the local law enforcement agency or to the California Department of Developmental Services.
- For all other abuse, mandated reporters shall report by telephone or through a confidential Internet reporting tool to the adult protective services agency or the local law enforcement agency immediately or as soon as practicably possible. If reported by telephone, a written or an Internet report shall be sent to adult protective services or law enforcement within two working days.

## **REPORTING PARTY DEFINITIONS**

**Mandated Reporter** (WIC Section 15630 (a)) Any person who has assumed full or intermittent responsibility for care or custody of an elder or dependent adult, whether or not that person receives compensation, including administrators, supervisors, and any licensed staff of a public or private facility that provides care or services for elder or dependent adults, or any elder or dependent adult care custodian, health practitioner, clergy member, or employee of a county adult protective services agency or a local law enforcement agency, is a mandated reporter.

- Care Custodian (WIC Section 15610.17) means an administrator or an employee of any of the following public or private facilities or agencies, or persons providing are or services for elders or dependent adults, including members of the support staff and maintenance staff: (a) Twenty-four hour health facilities, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code; (b) Clinics; (c) Home health agencies; (d) Agencies providing publicly funded in-home supportive services, nutrition services, or other home and community-based support services; (e) Adult day health care centers and adult day care; (f) Secondary schools that serve 18- to 22- year-old dependent adults and postsecondary educational institutions that serve dependent adults or elders; (g) Independent living centers;
- (h) Camps; (i) Alzheimer's Disease Day Care Resource Centers; (j) Community care facilities, as defined in Section 1502 of the Health and Safety Code, and residential care facilities for the elderly, as defined in Section 1569.2 of the Health and Safety Code; (k) Respite care facilities; (l) Foster homes; (m) Vocational rehabilitation facilities and work activity centers; (n) Designated area agencies on aging;
- (0) Regional centers for persons with developmental disabilities; (p) State Department of Social Services and State Department of Health Services licensing divisions; (q) County welfare departments; (r) Offices of patients' rights advocates and clients' rights advocates, including attorneys; (s) The Office of the State Long-Term Care Ombudsman; (t) Offices of public conservators, public guardians, and court investigators; (u) Any protection or advocacy agency or entity that is designated by the Governor to fulfill the requirements and assurances of the following: (1) The federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, contained in Chapter 144 (commencing with Section 15001) of Title 42 of the United States Code, for protection and advocacy of the rights of persons with developmental disabilities; or (2) The Protection and Advocacy for the Mentally III Individuals Act of 1986, as amended, contained in Chapter 114 (commencing with Section 10801) of Title 42 of the United States Code, for the protection and advocacy of persons with mental illness; (v) Humane societies and animal control agencies; (w) Fire departments; (x) Offices of environmental health and building code enforcement; or (y) Any other protective, public, sectarian, mental health, or private assistance or advocacy agency or person providing health services or social services to elders or dependent adults.
- **Health Practitioner** (WIC Section 15610.37) means a physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, licensed clinical social worker or associate clinical social worker, marriage, family, and child counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, or person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code, a psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family, and child counselor trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code, or an unlicensed marriage, family, and child counselor intern registered under Section 4980.44 of the Business and Professions Code, state or county public health or social service employee who treats an elder or a dependent adult for any condition, or a coroner.

Any officer and/or employee of a financial institution is a mandated reporter of suspected financial abuse and shall report suspected financial abuse of an elder or dependent adult on form SOC 342, "Report of Suspected Dependent Adult/Elder Financial Abuse".

## **MULTIPLE REPORTERS**

When two or more mandated reporters are jointly knowledgeable of a suspected instance of abuse of a dependent adult or elder, and when there is agreement among them, the telephone report may be made by one member of the group. Also, a single written report may be completed by that member of the group. Any person of that group, who believes the report was not submitted, shall submit \_\_\_\_\_\_\_ the report.

SOC 341 (3/15) GENERAL INSTRUCTIONS

## **IDENTITY OF THE REPORTER**

The identity of all persons who report under WIC Chapter 11 shall be confidential and disclosed only among APS agencies, local law enforcement agencies, LTCOPs, California State Attorney General Bureau of Medi-Cal Fraud and Elder Abuse, licensing agencies or their counsel, Department of Consumer Affairs Investigators (who investigate elder and dependent adult abuse), the county District Attorney, the Probate Court, and the Public Guardian. Confidentiality may be waived by the reporter or by court order.

## FAILURE TO REPORT

Failure to report by mandated reporters (as defined under "Reporting Party Definitions") any suspected incidents of physical abuse (including sexual abuse), abandonment, isolation, financial abuse, abduction, or neglect (including self-neglect) of an elder or a dependent adult is a misdemeanor, punishable by not more than six months in the county jail, or by a fine of not more than \$1,000, or by both imprisonment and fine. Any mandated reporter who willfully fails to report abuse of an elder or a dependent adult, where the abuse results in death or great bodily injury, may be punished by up to one year in the county jail, or by a fine of up to \$5,000, or by both imprisonment and fine (WIC Section 15630(h)).

Officers or employees of financial institutions are mandated reporters of financial abuse (effective January 1, 2007). These mandated re- porters who fail to report financial abuse of an elder or dependent adult are subject to a civil penalty not exceeding \$1,000. Individuals who willfully fail to report financial abuse of an elder or dependent adult are subject to a civil penalty not exceeding \$5,000. These civil penalties shall be paid by the financial institution, which is the employer of the mandated reporter, to the party bringing the action.

## **EXCEPTIONS TO REPORTING**

Per WIC Section 15630(b)(3)(A), a mandated reporter who is a physician and surgeon, a registered nurse, or a psychotherapist, as defined in Section 1010 of the Evidence Code, shall not be required to report a suspected incident of abuse where all of the following conditions exist:

- (1) The mandated reporter has been told by an elder or a dependent adult that he or she has experienced behavior constituting physical abuse (including sexual abuse), abandonment, isolation, financial abuse, abduction, or neglect (including self-neglect).
- (2) The mandated reporter is not aware of any independent evidence that corroborates the statement that the abuse has occurred.
- (3) The elder or the dependent adult has been diagnosed with a mental illness or dementia, or is the subject of a courtordered conservatorship because of a mental illness or dementia.
- (4) In the exercise of clinical judgment, the physician and surgeon, the registered nurse, or the psychotherapist, as defined in Section 1010 of the Evidence Code, reasonably believes that the abuse did not occur.

## **DISTRIBUTION OF SOC 341 COPIES**

Mandated reporter: After making the telephone report to the appropriate agency or agencies, the reporter shall send the written report to the designated agencies (as defined under "Reporting Responsibilities and Time Frames"); and keep one copy for the reporter's file.

Receiving agency: Place the original copy in the case file. Send a copy to a cross-reporting agency, if applicable. DO NOT SEND A COPY TO THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES ADULT PROGRAMS DIVISION.

#### ACRC Shared Information Report

#### **Client Information:**

Client's Name:	Sex:	UCI Number:
	🗆 Male 🛛 Female	
Date of Birth:	Date of occurrence:	Time of occurrence:

#### Location of the Occurrence:

□ Community Care Facility	□ Long-Term Health Care Facility (ICF/SNF)	Day Program	□ Job Site □ Community
Setting			

 $\Box$  Client's Own Residence  $\Box$  Public School  $\Box$  Other:

Address:

### **Description of Occurrence:**

Please describe the occurrence, including specific information leading up to the event, location, harm to client/others, persons involved, who was notified when and by whom, etc.:

#### Report submitted by:

Report Submitted by:	Title:	Telephone #:
Agency Name:	Report submitted to:	Date Submitted:

**Important Note:** This Report should be submitted directly to the assigned ACRC Service Coordinator and not to the SIR Desk. This form should be used to report a type of occurrence which is listed on the Shared Information Sheet only.