



DIVISION OF DEVELOPMENTAL DISABILITIES
Olympia, Washington

TITLE: INCIDENT MANAGEMENT POLICY 12.01

Authority: 42 CFR 483.420
RCW 26.44, 43.20A, 70.124, 74.34
Chapters 212-32-145 and 246-100-076 WAC
DSHS Manual G: Chapters 26.33 and 44.60
DSHS Administrative Polices 2.08, 6.01, 6.02, 8.02, 9.01 and 9.03
DSHS Personnel Policies 545 and 546
DSHS Safety Program Manual
DDD Policy 5.13

PURPOSE

This policy provides guidelines for timely reporting of serious and emergent incidents and defines the responsibilities for investigation, resolution, correction, and prevention.

SCOPE

This policy applies to all serious and emergent incidents involving persons served by the Division of Developmental Disabilities (DDD).

POLICY

Each regional field services office, residential habilitation center (RHC), and State Operated Living Alternative (SOLA) program must have comprehensive procedures for reporting and investigating serious and emergent incidents or situations. Each facility/program shall report these incidents to make sure that the program management/administration has the necessary information to investigate, analyze, provide support, correct, and take preventive measures. These procedures shall include:

- A. Prompt and accurate reporting within the chain of command;
- B. Instructions on how to conduct thorough, confidential, and speedy investigations;
- C. Training of staff, especially supervisors, in reporting and investigation procedures;

- D. Assurance that plans of corrective action and prevention are in place, and that the investigation reaches closure in a timely manner;
- E. Tracking and regular analysis of incidents and trends to prevent reoccurrence; and
- F. Ensuring that pertinent investigative findings are incorporated into all administrative areas as necessary for quality assurance purposes.

PROCEDURES

- A. The regional administrator shall ensure the immediate reporting of serious and emergent incidents to DDD central office by telephone within one hour of notification, or as specified in Section D below, accompanied by a telefaxed summary of the incident recorded on DSHS Form 20-192 (*Administrative Report of Incidents*) within 24 hours or the next working day. For reporting on weekends, holidays, and after hours, the division director will make available to regional administrators a current home telephone list of appropriate DDD central office staff.

If known, the following information shall be included in the initial report:

1. Nature of the incident, including as complete an account of events as possible;
2. Name of person(s) involved in the incident;
3. Name of person making initial report;
4. Date and time of occurrence; if unknown, the approximate date and time of occurrence;
5. Location of occurrence;
6. Nature and extent of any injuries or property damage;
7. Client's ability to participate in the investigation;
8. Description of actions taken, including actions taken to minimize danger, loss, damage, or destruction of evidence, and any actions taken to prevent further incident or recurrence;

9. Witnesses present; and
 10. Names of other persons or agencies which have been or will be contacted (e.g., local law enforcement, advocate, medical examiner, parents, guardians).
- B. Follow-up written reports are to be made at minimum intervals of 24 hours, five days and 30 days appropriate to the nature of the incident and resultant investigation. A final written report is to be forwarded to DDD central office upon closure of the investigation.
- C. Specific notifications that must be taken related to identified incidents are as follows:
1. **Death:**

Report all deaths immediately, within one (1) hour of notification, to DDD central office. Ensure that death is reported immediately to parent and/or guardian and to county or city coroner's office and local law enforcement, as necessary. Review of all deaths per DSHS Administrative Policy 9.03, *Administrative Review-Death of Residential Clients* must also be conducted.
 2. **Missing Clients:**

Report to DDD central office if missing person is not located within two (2) hours of notification, as a maximum, taking into account the history of the individual (e.g., one (1) hour may be too long in some cases). Ensure that parent and/or guardian and local law enforcement are notified within the same time frame.
 3. **Suspected Abuse, Neglect or Mistreatment:**

Report immediately upon notification to DDD central office and parent and/or guardian as appropriate. Ensure notification of local law enforcement as deemed necessary by state law. If criminal abuse or neglect by a DSHS employee is suspected, the division director or his or her designee shall notify the Assistant Secretary and the Washington State Patrol. Also, notify, as appropriate:

 - a. Child Protective Services (CPS) if under 18 years of age;
 - b. Adult Protective Services (APS) if over 18 years of age;

- c. Residential Care Services (RCS), Aging and Adult Services Administration (AASA);
- d. Division of Licensing Resources (DLR), Children's Administration; and
- e. Office of Facility and Services Licensing, Department of Health (DOH).

See DDD Policy 5.13, *Protection From Abuse*, for additional guidance.

4. **Suspected Criminal Activities:**

Report within one (1) working day to DDD central office, local law enforcement, and parent and/or guardian, if pertinent.

5. **Communicable Diseases:**

Report serious communicable diseases as required by WAC to local health department and DDD central office within the timelines specified in Chapter 246-100-076 WAC (see attachment).

D. If employee misconduct is suspected, a Personnel Conduct Report may be initiated per DSHS Personnel Policies 545 and 546. All personnel actions shall be handled in accordance with DSHS Personnel Policies, Merit System Rules, and labor-management agreements.

- 1. Investigation of incidents shall be conducted in a professional manner. All investigations are considered confidential and shall be conducted with rights of representation.
- 2. Investigative reports, including interviews or statements of all witnesses, shall be confidentially maintained by the facility/program for an indefinite time.
- 3. Access to investigative reports will be limited to those persons designated by the Regional Administrator.

E. Summaries of investigations shall include a plan to prevent further occurrences and/or diminish the risk of reoccurrence.

- F. The regional administrator shall establish and maintain a system of tracking and analyzing incidents and incident trends on a quarterly basis. Regional DDD offices shall submit to DDD central office quarterly incident analysis reports. All reported incidents and investigations shall be logged and monitored by the division director's designee to ensure timely processing and closure.

DEFINITION

"Serious and emergent incidents" means any situations, events, or actions having occurred or occurring unexpectedly, resulting in serious physical or emotional harm, or potential harm, to clients, staff, visitors, or other persons; or resulting in major property damage; or violating local, state, and federal law or regulations.

Examples of serious and emergent incidents include, but are not limited to:

- A. Deaths;
- B. Alleged or suspected abuse, neglect or mistreatment of a client or others;
- C. Alleged or suspected sexual assault of a client or others;
- D. Physical assault requiring emergency medical care, hospitalization, and/or a report to law enforcement agencies;
- E. Injuries requiring emergency medical treatment or hospitalization associated with suspected abuse, neglect or significant injuries of unknown origin;
- F. Alleged or suspected criminal activity by clients, staff, or others;
- G. Conditions which present a substantial threat to the operations of DDD facilities, contracted agencies, or to the safety of clients. These conditions include, but are not limited to, fires, floods, bomb threats, and/or environmental hazards;
- H. Serious communicable diseases, defined in Chapter 246-100-076 WAC as category A and B diseases (see attachment);
- I. Clients missing for two (2) hours, or less, at the discretion of the facility/program administrator; and

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- J. Any other unusual, unexpected, suspicious, or atypical event or situation of special concern to DDD or other administrative areas within DSHS. This is most applicable if it may elicit a request for information or explanation from families, guardians, advocates, legislators or other state federal or local officials, other state agencies, the news media, or interested citizens.

SUPERSESSSION

DDD Policy Directive 12.01
Issued December, 1993

DDD Policy Directive 104
Issued September, 1991

DDD Policy Directive 310.5
Issued February, 1990

DDD Policy Directive 310.2
Issued November, 1986

Approved: /s/ Timothy R. Brown
Director, Division of Developmental Disabilities

Date: 6/27/97