

Licking County Board of Developmental Disabilities

Administrative Policy Manual

Policy: Incidents Adversely Affecting
Health and Safety

Board Approved: 4/96
Revised: 2/02, 2/07, 5/14, 3/19
Reviewed: 06/10, 5/17, 5/22, 6/25
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Section: 3.2

Ohio Revised Code (ORC) Citations:

1.14, 149.43, 167, 2151.03, 2151.031, 2151.421, 2903.16, 2907, 2907.01, 2911, 2913, 313.12, 5123.19, 5123.51, 5123.61, 5123.613, 5123.62, 5124.01, 5126, 5126.044, 5126.058, 5126.221, 5126.25, 5126.31, 5126.33, and 5126.61

Ohio Administrative Code (OAC) Citations:

5123:2-2-01, 5123:2-2-06, 5123:2-5-07, 5123:2-9-32, 5123:2-17-01; 5123:2-17-03, and 5123-17-02

Code of Federal Regulations (CFR) Citations:

42 CFR 483.420, 42 CFR 483.430, and 42 CFR 483.440

POLICY

Purpose:

The purpose of this policy is to establish requirements for addressing major unusual incidents and unusual incidents, and to implement a continuous quality improvement process in order to prevent or reduce the risk of harm to individuals.

Application:

This policy shall apply to county boards, councils of government, developmental centers, and all providers that contract with county boards to provide specialized services and that are subject to regulation by the Ohio Department of Developmental Disabilities regardless of payment source. Information contained in this policy does not relieve any person of the responsibility to comply with section 5123.61 of the Ohio Revised Code, which requires the reporting of abuse, neglect, or other major unusual incidents.

Policy:

- A. The county board shall enter into a participatory agreement with the MEORC-MUI for the provision of investigation services, reporting systems coordination services, and review of incidents to be completed in accordance with ORC 5126.221 and other applicable federal and state statutes, rules, and regulations, and MEORC-MUI and County Board policy.
 1. MEORC-MUI will employ investigative agents to perform investigative agent duties, and the investigative agents will be assigned no other responsibilities for any function of the County Board or an entity under contract with the Board, including

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administrative or direct provision of services and supports, and shall be totally separate from service and support administration personnel and reporting systems coordination personnel.

- a. Investigative agents shall be certified by the Ohio Department of Developmental Disabilities in accordance with ORC 5126.25 and other applicable federal and state statutes, rules, and regulations, including MEORC – MUI and County Board policy.
2. MEORC-MUI shall employ personnel to provide reporting systems coordination services to the County Board.
 - a. The County Board shall designate personnel to work in conjunction with MEORC – MUI personnel to complete the required reporting, oversight, review and analysis functions of OAC 5123-17-02 and other applicable federal and state statutes, rules, and regulations, and MEORC-MUI and County Board policy.
- B. Information relating to major unusual incident reports and unusual incident reports is considered to be confidential, and is not a matter of public record.
 1. Any information contained within the reports or related to the reports shall not be shared or discussed with any unauthorized personnel or entity.
- C. The county board authorizes the superintendent to develop and implement written procedures consistent with this policy, and applicable rules, regulations, and/or statutes, and shall include all aspects, processes, appendices, and associated mandates in accordance with OAC 5123-17-02.
 1. On an annual basis, this policy and associated procedures shall be reviewed by the county board and revised as necessary to assure that systems and processes are in place to ensure the health and welfare of individuals.