Welcome to the Office of Aging and Disability Services
Reportable Events Training
Presented by:

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Why an Adult Protective Services & Reportable Event System?

- Adult Protective Services and the Reportable Event System monitor and support the health and welfare of persons with intellectual disabilities or autism.
You are a Mandated Reporter

- Individuals working with persons with intellectual disabilities or autism are **mandated by law to report** suspected or known abuse, neglect or exploitation. See 22 M.R.S.A. §3477
  - Includes any person who has assumed full, intermittent or occasional responsibility for the care or custody of the incapacitated or dependent adult, regardless of whether the person receives compensation; [2011, c. 291, §2 (AMD).]
  - Also, when a person is required to report as staff of a medical, public or private institution, agency or facility, “the staff person **immediately** shall make a report to the Department”. 22 M.R.S.A. §3477(1)(B).
Mandated Reporter, cont.

- While many mandated reporters will make the report to the Department of Health and Human Services directly, agencies may establish written protocols for transmitting these reports as reportable events. This protocol may include review by supervisors in order to alert supervisors of problems. This review cannot delay or be a “filter” to alter or minimize the reportable event, and the reportable event must be promptly forwarded to the Department.

- For more information about mandated reporting and rules about reportable events please go to the website below, which is, [http://www.maine.gov/sos/cec/rules/10/chaps10.htm](http://www.maine.gov/sos/cec/rules/10/chaps10.htm)
Definition of Reportable Events

“Reportable Events” are events that have, or may have, an adverse impact upon the safety, welfare, rights or dignity of adults with an Intellectual Disability or Autism.

- Filing a report is NOT a substitute for calling Emergency Services (911) or the DS Crisis Team (1-888-568-1112) when appropriate and
- Is NOT a means of communicating commonplace occurrences to the Case Manager or other staff and
- Is NOT to replace other communications that need to occur among members of the person’s team.
How to Report

- Reporting can occur to the nearest District Office during normal business hours or, in the event of an “immediate” report during non-business hours, through the Office of Aging and Disability Services Crisis Team using the statewide access number. 1-888-568-1112

- Use the Reportable Events form, either the electronic or the paper version, to report. Do not use any other format. This form can be obtained from the Department of Health and Human Services website at: http://www.maine.gov/dhhs/oads/provider/developmental-services/forms-protocols.html

- If you need to report an Adult Protective Event and you do not have access to EIS, please call the APS Intake Unit at 1-800-624-8404.

- An agency may have an internal procedure for filing reports electronically via the Enterprise Information System (EIS) with trained Agency Data Entry staff.
In some cases, the Developmental Services district crisis team may handle any immediate action that is required.

Call the District Office (list of offices will be handed out to you.) This is best if immediate action is needed.

Emergency situations without access to EIS or after hours, weekends or holidays, you may call Developmental Services Crisis at 1-888-568-1112 (be sure to ask for a Developmental Services Crisis Worker) or Adult & Children’s Emergency Services at 1-800-624-8404.

**NOTE:** Calling DS Crisis or ACES does not mean that you are released from your responsibility to file a reportable event.
What to Report: IMMEDIATELY

The following health and safety events must be reported IMMEDIATELY (same day):

- Allegations of Abuse, Neglect or Exploitation, or immediate risk of
- Death or Serious Injury
- Lost or Missing Person
- Dangerous Situations that pose an imminent risk of harm
- Suicide attempt or serious threats
- Assaults that require medical attention
- Physical Plant Disasters

Don’t forget to call DS Crisis Services after DHHS business hours
The following must be reported within ONE business day:

- Assaults which do not require medical attention
- Medication errors/refusals
- Rights violations
- Failure to obtain consent to changes or new medical orders for persons under public guardianship when no emergency exists
- Non-emergency dangerous situations
- Restraints that are not part of an approved plan
- Mechanical devices that are not part of an approved plan
- Self-injurious behavior not addressed and tracked in the person’s plan
- Non-serious self-injurious behavior that is not addressed in an approved plan.
Dangerous Situation

Now we are going to discuss the categories of reportable events and the definitions. The first category we are going to look at is Dangerous Situation.

- Any act or situation that endangers an adult with intellectual disability or autism, including dangers that have been ignored or uncorrected. Actual harm or injury need not occur.
  - Examples include malfunctions of equipment such as Hoyer lifts or wheelchairs that continue to be used even though they are dangerous, people darting into a busy street, or grabbing the steering wheel in a moving car.
Death

Every death of an adult with intellectual disability or autism must be immediately reported, regardless of cause.
Emergency Services

- Any use of law enforcement, fire, rescue, or crisis service (other than Office of Aging and Disability Services Crisis Team) impacting an adult with intellectual disability or autism must be reported.
Serious or Significant Illness or Injury

- Serious or significant injuries or illnesses of an adult with intellectual disability or autism must be reported. These include any change in medical conditions caused by accident or illness that requires hospitalization, including initial emergency room visits, non-routine treatment not identified in the person’s plan; significant adverse reactions to medication; sexually transmitted diseases; etc.
Lost or Missing Person

- An adult with intellectual disability or autism is lost or missing when s/he cannot be located after a reasonable time and after reasonable inquiry and no information exists as to the individual’s whereabouts. When a person is determined to be lost or missing, the Developmental Services Crisis Program must be notified immediately, along with local law enforcement.
“Medication error” includes wrong person, wrong dose, wrong medication, wrong time (which means over one hour variance from the prescribed time(s)), wrong route, wrong method of administration or omission.

“Medication refusal” is any circumstance in which staff has knowledge of a client (including a self-medicating client) who does not take the medications as prescribed.
Missing Medication

- Missing medications of an adult with intellectual disability or autism that suggest the possibility of theft must be reported. This includes a pattern of missing medications, or a significant amount of missing medications, especially Schedule II drugs.

- For a full listing of Schedule II drugs please visit the website: [http://www.justice.gov/dea/druginfo/ds.shtml](http://www.justice.gov/dea/druginfo/ds.shtml)

Theft of medication is a crime.
Medical Orders Involving Persons Under Guardianship

- Maine law provides that a guardian must be notified and approve of new, changed, or additional medical orders including changes in medications and DNR (Do Not Resusitate) orders. Implementation of new orders may not occur until approved by a representative of the guardian. Failure to obtain consent to a change in a medical order for a person under guardianship must be reported.
Physical Plant Disasters

- Includes any unplanned situation that adversely impacts an adult with intellectual disability or autism and forces the closure of a home or program site for one or more days. This includes any fire, or other situation that requires the active involvement of fire personnel or personnel such as HAZMAT Team, Code Enforcement, or other health or safety officials.

This category does not apply to individuals who reside in the home of a family member.
Restraint

- Restraints are personal, physical, chemical (14-197 CMR, Chapter 5, Section 4, 3. B.) or other restraints used on an adult with intellectual disability or autism that are not part of an approved plan (14-197 CMR, Chapter 5, Section 5, 8).
- Restraints are defined as any intervention that deprives an adult with intellectual disability or autism of the use of all or any part of the individual's body, except for safety positioning.
- Improper or unauthorized use of restraint on an adult with intellectual disability or autism is considered abuse and is to be reported as such.
Mechanical Devices

- Mechanical devices and supports are devices that:
  1. restrict a person's movement or contact with their own body, to promote safety or to achieve proper body position and balance, and
  2. if not medically ordered, would be defined as a restraint.

  - Examples of such devices include mitts, Posey belts and bedrails.
  - Seat belts, when riding in a motor vehicle, are not considered restraints since they are required by state law for everyone riding or driving in a motor vehicle.
Mechanical Devices, cont.

- All mechanical devices and supports used on an adult with intellectual disability or autism must be applied under the supervision of a qualified professional and be an approved part of a treatment plan.

- Any use of a mechanical device or support that is not an approved part of a treatment plan or applied under the supervision of a qualified professional must be reported.
  - For example, a tray table attached to a chair or wheelchair is a restraint if imposed for the purpose of limiting the free movement of an adult with an intellectual disability or autism.
Suicide attempts and threats by an adult with intellectual disability or autism must be reported and self-injurious behaviors that are not addressed and tracked as part of a formal plan must be reported. Self-injurious behaviors need not result in obvious injuries or marks.

- Report pica (ingestion of inedibles) as self-injurious activity.
Rights Violations

- Adults with intellectual disability and/or autism have rights that are set forth at 34-B M.R.S.A. 5605. Any violations of these rights must be reported as set forth herein.

- Rights violations in the following areas MUST be reported:
  - Improper or unauthorized Behavior Modifications – Communications - Discipline - Humane Treatment - Medical Care - Nutrition - Personal Property - Physical Exercise - Religious Practice - Confidentiality - Social Activity – Sterilization - Voting - Work
What is NOT a Reportable Event?
(but may need to be reported to CM)

- Minor injuries - report only “serious or significant injury.”
- Seizures that do not require outside medical attention
- Assault to staff unless it results in the consumer having a reportable event, i.e. restraint
- Inappropriate language from the consumer
- Aggression towards staff (report to agency and to case manager)
- Restraints or other events that are part of an approved severely intrusive plan that is being monitored by the Three Person Committee.
- Guiding a person who is cooperative.
Who to call if you have questions?

- Each District office has an Incident Data Specialist (IDS) that will assist you with questions around Reportable Events.
- If agency staff need to be set up to enter Reportable Events into the EIS (Enterprise Information System), please contact the IDS in your closest District.
Incident Data Specialists by District

District 1 & 2 (York & Cumberland)
  Paul Henton
  (207) 822-2227
  Paul.Henton@maine.gov

District 3 (Western Maine, Franklin, Oxford, Androscoggin)
  Bruce Russo
  (207) 753-9152
  Bruce.Russo@maine.gov

District 4 (MidCoast, Waldo, Knox, Lincoln, Sagadahoc)
  Suzanne Freitas
  (207) 596-4256
  Suzanne.Freitas@maine.gov

District 5 (Central Maine, Kennebec, Somerset)
  Elizabeth Jacques
  (207) 287-7180
  Elizabeth.Jacques@maine.gov
Incident Data Specialists by District

District 6 & 7 (Piscataquis, Penobscot, Washington, Hancock)

Tonya Horton
(207) 561-4218
Tonya.Horton@maine.gov

District 8 (Aroostook)

Lorraine Curtis
(207) 493-4107
Lorraine.Curtis@maine.gov

Supervisor - Lisa Merrill
(207) 493-4121
Lisa.Merrill@maine.gov

This concludes our Reportable Events training. If you should have questions regarding reportable events please reach out to the IDS in your local district office.