

Department of Human Services
Office of Legal and Regulatory Liaison

TO: Administrative Order Distribution List

THROUGH: Barbara G. Allen ^{PLA} Director
Office of Legal and Regulatory Liaison

FROM: Elena R. Flynn, Legal Compliance Officer ^{ERF}
Office of Legal and Regulatory Liaison

DATE: November 18, 2005

SUBJ: **Addendum to Administrative Order 2:05:
Unusual Incident Reporting Management System (UIRMS)**

Attached please find a copy of the Addendum to Administrative Order 2:05, Community Reporting: Unusual Incident Reporting and Management System (UIRMS). The Addendum was signed by Commissioner James M. Davy on September 14, 2005. This Order should be included in Administrative Order Files by those of you responsible for maintaining them and distributed to staff as appropriate. Please be advised that each recipient of this Addendum is responsible for being familiar with its content and ensuring that all affected Department personnel adhere to the provisions contained therein.

The Addendum was initiated by the Office of Program Integrity and Accountability, and extends the requirements of A.O. 2:05 to the reporting of incidents occurring in resource family homes, community programs/services licensed and/or contracted by DDD, DMHS, DYFS, DAS, DDHH, DDS, OOE, CBVI, CBH, and investigations by IAIU, SRU and other select incidents occurring in the community setting.

If you have any questions about this information, please do not hesitate to contact me, (609) 292-3557.

DEPARTMENT OF HUMAN SERVICES

DATE ORIGINALLY ISSUED: September 14, 2005

EFFECTIVE DATE: October 1, 2005

SUBJECT: **Community Reporting: Unusual Incident Reporting and Management System (UIRMS)**

I. PREAMBLE

Administrative Order 2:05 and this Addendum establish policy for the reporting of unusual incidents affecting the health, safety and welfare of Department of Human Services (DHS) service recipients. Standard expectations and procedures for the reporting of unusual incidents are established by this policy in order to promote and improve confidence, reliability, and program integrity throughout the Department's various service entities and programs. This policy is designed to:

1. Standardize the identification of reportable incidents.
2. Ensure the immediate and appropriate response to reported incidents.
3. Provide accurate and timely alert to Executive Management Staff.
4. Ensure timely and appropriate investigative activities.
5. Facilitate the analysis of trends and the identification of factors associated with the occurrence of unusual incidents.
6. Enable the integration of intradepartmental service delivery.
7. Promote the collaboration of effective and efficient management of services.

II. PURPOSE

The purpose of this Addendum is to establish policy and procedure specific to the reporting of incidents in community programs.

III. AUTHORITY

In addition to statutory authority cited in Administrative Order 2:05 the following statutory and Administrative Code provisions are referenced:

N.J.S.A. 30:11B-1 et seq.
N.J.A.C. 10:37-6-108
N.J.A.C. 10:37-9.9(B3)
N.J.A.C. 10:44A

N.J.A.C. 10:44B

N.J.A.C. 10:44C

IV. SCOPE

This Addendum applies to the reporting of unusual incidents by each community-based program or service contracted, regulated, licensed or subject to investigation by the DHS or its Divisions, Bureaus, Offices or Commissions.

This Addendum addresses the reporting of incidents occurring in resource family homes, community programs/services licensed and/or contracted by the Department of Human Services (DHS), Division of Developmental Disabilities (DDD), Division of Mental Health Services (DMHS), Division of Youth and Family Services (DYFS), Division of Addiction Services (DAS), Division of Deaf and Hard of Hearing (DDHH), Division of Disability Services (DDS), Office of Education (OOE), the Commission for the Blind and Visually Impaired (CBVI), Child Behavioral Health (CBH), and investigations by the Institutional Abuse Investigation Unit (IAIU), Special Response Unit (SRU) and other select incidents occurring in the community setting. This policy requires compliance with existing federal laws and regulations and state statutes mandating the reporting of unusual incidents to other units or agencies, (i.e., Human Services Police, Division of Youth and Family Services, New Jersey Protection and Advocacy, Department of Environmental Protection, Department of Health and Senior Services, Adult Protective Services, Office of the Ombudsman for the Institutionalized Elderly, and the U.S. Department of Health & Human Services.)

V. DEFINITIONS

The definitions for the reporting of unusual incidents in community programs will be consistent with those which are stated in Administrative Order 2:05 [See *Administrative Order 2:05, Attachment B, Definitions*] with the following contingencies:

Designated Screening Center: A public or private ambulatory care service designated by the Commissioner, which provides mental health services including assessment, screening, emergency and referral services to mentally ill persons in a specified geographic area. A designated screening center is the facility in the public mental health care treatment system wherein a person believed to be in need of commitment to a short-term care, psychiatric facility or special psychiatric hospital undergoes an assessment to determine what mental health services are appropriate for the person and where those services may be most appropriately provided.

Program/Institution/Agency Staff (non-DHS): Those employees who are identified in community incidents who are not employees of the Department or any of its Divisions, Bureaus, Offices or Commissions.

Service Recipient (Community): An individual who receives services from a program operated, licensed, contracted, regulated or subject to investigation by the Department of Human Services or its Divisions, Bureaus, Offices or Commissions.

VI. POLICY

The policy for the reporting of unusual incidents in community programs will be consistent with that which is stated in Administrative Order 2:05, Section VI with the following contingencies:

A. All entities covered under the scope of this Addendum shall adhere to the following directives:

1. Report those incident types listed in Appendix A, Community Incident Category List within the time limits delineated in A.O. 2:05 Section VII B. 1 & 2. Report at three reporting levels: A+, A, and B, as reflected in Appendix A.
2. DDD Community Care Residences licensed under N.J.A.C. 10:44B will report unusual incidents by phone to the assigned caseworker or supervisor at the appropriate regional/district office. All allegations of abuse or neglect against children under the age of 18, from whatever source, shall be reported by phone to the Statewide Central Registry (SCR).
3. Report incidents in a manner and format prescribed by DHS. This may include electronic filing, facsimile or other methods as required.
4. Be responsible for the notification of law enforcement authorities when an incident of a potentially criminal nature occurs. This notification can occur before, during or after the investigation of the incident as warranted. Incident types for which law enforcement notification may be required include, but are not limited to:
 - a. Unexpected, sudden or unusual deaths
 - b. Sexual abuse or assault
 - c. Physical abuse or assault
 - d. Neglect
 - e. Exploitation
 - f. Unexplained loss of money or property
 - g. Suspicious unexplained injury
 - h. Illegal contraband

This policy requires compliance with existing federal laws and regulations and state statutes mandating the reporting of unusual incidents to other units or agencies, (i.e., Human Services Police, Division of Youth and Family Services, New Jersey Protection and Advocacy, Department of Environmental Protection, Department of Health and Senior Services, Adult Protective Services, Office of

the Ombudsman for the Institutionalized Elderly, and the U.S Department of Health & Human Services.)

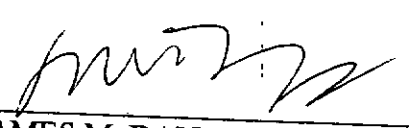
5. Shall comply with any DHS or Division required to track and submit aggregate reports on incidents or occurrences not listed in Appendix A but considered to be relevant to the preservation of the health, safety and welfare of DHS service recipients.

VII. PROCEDURE

The procedure for the reporting of unusual incidents in community settings will be consistent with that which is stated in Administrative Order 2:05, Section VII with the exception of those contingencies indicated previously in policy and in consideration of the following:

- A. Unusual incidents in community programs are organized into three reporting levels: A+, A, and B.
- B. Immediate telephone notification of community unusual incidents will be required for an A+ incident only.
- C. A finding is required prior to closure of an incident. Recommendations and/or corrective action plans will be the responsibility of reporting entities, other than investigative units, or their respective service providers.
- D. The Department shall monitor compliance with this Addendum through regular audits and on-site visits.

Date: September 14, 2005



JAMES M. DAVY
COMMISSIONER