

# Challenge Industries, Inc. Incident Reporting Policies

## Part 1: Definition of Consumer and Staff

### *Policy Background and Summary*

This policy provides guidelines for determining the status of consumers and staff for the purposes of determining the correct procedures to follow for reportable and non-reportable incidents (OMRDD Regulation Part 624). This policy is needed because Challenge is an organization that both provides services and employs individuals with and without disabilities, with a current workforce that includes service participants who are and are not associated with OMRDD. The following definitions are to be used to determine the proper reporting procedures.

**Consumer:** All individuals who receive services through the Employment Services Department, including but not limited to pre-vocational services, supported employment services, OPIS pilot services, competitive placement, workforce investment youth services, department of social services job club, and other DOL and VESID-funded assessment and training programs. An individual is considered a consumer if he/she is employed by Challenge, as long as he/she continues to receive employment services. Consumers include individuals who participate in work center services, are employed in one of Challenge's business operations, work in a position within Challenge's administrative or employment services departments, and individuals who receive assessment, training, job placement, or follow-along and long-term supports.

**Staff:** All individuals employed by Challenge, directly or contracted, who do not receive employment services. This includes employees with and without disabilities. It also includes employees who at one time received employment services through Challenge, but are no longer involved in services (at the time of the reportable or non-reportable incident).

### **Application of Definitions to Allegations of Abuse**

The definitions of *Consumer* and *Staff* are to be used in determining whether an allegation of abuse is filed. An allegation of abuse is filed in the following situations:

- The alleged perpetrator is a staff
- All situations of sexual abuse where the consumer involved is not able to consent to sexual activity, whether the other person is a consumer or staff

## Part 2: Reporting and Investigation Responsibilities by Employment Service Categories

The following are guidelines to be followed to determine what type of reporting, investigation and notification process needs to occur in the event of a reportable or non-reportable incident (as defined by OMRDD 624 regulations). While these guidelines cover the vast majority of situations, there are unique situations which are not covered by these guidelines. Also, the severity of a situation will also be an influencing factor as to how an incident is reported and what process is followed. In either of these situations, Challenge staff are expected to report the situation to the Director of Services and/or the 624 Coordinator, who in discussion with Challenge's President, will determine the proper procedures to follow.

## **OMRDD Consumers**

### ***1. Pre-Vocational and OPTS Consumers***

Challenge is responsible for following all 624 regulations regarding reporting incidents, and is responsible for the investigation of the incident. Challenge's Special Review Committee reviews the final investigative report. Challenge is responsible for making all notifications, including notification to the local and regional DDSO's and MHLS and CQC (abuse allegations).

### ***2. Supported Employment Consumers***

Challenge is responsible for following all 624 regulations regarding reporting incidents. When the incident occurs in one of Challenge's business operations during work time, and involves other Challenge staff and consumers, Challenge will conduct the investigation.

If the incident occurs during work time in a non-Challenge business or during non-work time, Challenge will report the incident through completing a 147, and submitting the 147 to either the consumer's service coordinator or residential service provider. Challenge will also fax a copy of the 147 to the local and regional DDSO's, notifying them of the ensuing investigation. In the above instances, Challenge retains responsibility for working with the service coordinator and/or residential provider to ensure the health, safety and comfort of the consumer, and cooperating with the investigation. Challenge will keep a copy of the 147 on file, and request a summary of the investigation from the service coordinator or residential agency at the completion of the investigation. If the consumer does not have a service coordinator or does not reside in an OMRDD funded residential program, Challenge will be responsible for all notifications and the investigation process.

### ***Internal Reportable Incidents***

Behavioral incidents between consumers that involve one or more OMRDD consumers, or self-abusive behaviors by an OMRDD consumer (that are not covered by 624 incident reporting regulations) will be reported utilizing the Internal Incident Reporting Procedure, with corresponding notification requirements. This internal reporting mechanism is only used for consumers receiving pre-vocational or OPTS services, and supported employment consumers employed in one of Challenge's business operations. These incidents are reviewed by Challenge's Special Review Committee. Non-reportable incidents involving OMRDD supported employment consumers who work in a non-Challenge business should be documented in the consumer's file, with notification made to an Employment Services Manager or Director of Services within 24 hours.

## **Non-OMRDD Consumers**

### ***1. Work Center Services Consumers***

All reportable and non-reportable incidents involving non-OMRDD consumers in the work center are reported utilizing the Internal Incident Reporting Procedure, with corresponding notification requirements. These incidents are reviewed by Challenge's Special Review Committee.

Allegations of Abuse by Challenge staff involving non-OMRDD work center consumers are reported utilizing the 147/147A form, a full investigation is completed (following 624 regulations), and the investigation is reviewed by Challenge's Special Review Committee. Challenge is responsible for notifying family, other agencies and law enforcement officials where appropriate.

## ***2. Supported Employment Consumers***

All reportable and significant non-reportable incidents involving non-OMRDD supported employment consumers (for those employed in both Challenge and non-Challenge businesses) are documented with a summary note in the consumers file, with notification made within 24 hours to the Employment Services Manager or Director of Services. Challenge is responsible for notifying family, other agencies and law enforcement officials where appropriate.

Allegations of Abuse by Challenge staff involving non-OMRDD supported employment consumers are reported utilizing the 147/147A form, a full investigation is completed (following 624 regulations), and the investigation is reviewed by Challenge's Special Review Committee. Challenge is responsible for notifying family, other agencies and law enforcement officials where appropriate.

## ***3. Competitive Placement, DSS and WIA Consumers (and consumers of other short-term training and placement services)***

Reportable and significant non-reportable incidents involving these consumers (for those employed in both Challenge and non-Challenge businesses) are documented with a summary note in the consumers file, with notification made within 24 hours to the Employment Services Manager or Director of Services. Challenge is responsible for notifying family, other agencies and law enforcement officials where appropriate.

Allegations of Abuse by Challenge staff involving these consumers are reported utilizing the Internal Incident Reporting Procedure. The 624 Coordinator or Director of Services should be notified immediately about the allegation and the completed form should be turned in within a 24 hour period. The investigation will be conducted by Human Resources, in consultation with Senior Management Staff. Employment Services staff will ensure all actions are taken to ensure the health, safety and comfort of the consumer(s) involved, along with all other consumers. A summary of the incident and actions taken are documented with a summary note in the consumers file. Challenge is responsible for notifying family, other agencies and law enforcement officials where appropriate.