

MUI Responsibility's

Incident Occurs Provider Role



Immediate action to protect health and safety is completed by the provider

Notifies legal guardian within 4 hours for protocol and 24 hours for review cases. Parents who are not the legal guardian may only be notified with approval by the son or daughter or the legal guardian

Report is filed by provider to the Ross County Board of DD by 2 pm of the next working day

County Board Role



Notifies police if possible crime *and/or* Children's Services Board if suspected abuse or neglect and the person is under 21

Notifies the licensed or certified residential provider if the incident happened in the county board program

Ensures the legal guardian is notified within the time frames listed above

Submits a report on State Department's incident tracking system by 3 pm the next working day following notification

Sends a summary letter to legal guardian and residential provider within 5 days of closing of MUI on State System

Sends copy of Primary Person Involved (PPI) within 5 days of closing of MUI on State System

Ohio Department of DD Role



Reviews all initial reports to ensure immediate actions have occurred and notifications were made

Conducts investigations where it is a conflict for county boards to do so

Notifies Ohio Legal Rights and Ohio Department of Job and Family Services via on-line incident reporting system

Definitions of Major Unusual Incidents

- ◆ *Alleged Abuse-Physical* - the use of physical force that can reasonably be expected to result in physical harm.
- ◆ *Alleged Abuse-Sexual* -unlawful sexual contact/conduct
- ◆ *Alleged Abuse Verbal*- using words or gestures to threaten, coerce, intimidate, harass or humiliate an individual
- ◆ *Misappropriation* is when an individual is deprived, defrauded or incurs a loss of real personal property.
- ◆ *Exploitation* - Unlawful or improper act using individual or individual's resources for personal benefit, profit or gain
- ◆ *Alleged Neglect* is when there is a duty to do so, failing to provide an individual with any treatment, care, goods, and/or supervision or services necessary to maintain health and safety.
- ◆ *Death* due to any cause.
- ◆ *Attempted Suicide* - Physical attempt that: 1) Results in ER or physician's treatment 2) Inpatient observation or 3) Hospital admission. They only need to have one of the above for this to be an MUI. Threats are not filed under this category they are UI's.
- ◆ *Missing Individual* is an individual who cannot be located for more than eight hours unless that person's ISP states differently. Prior arrangements were made, the individual is in immediate danger, or law enforcement has been contacted.
- ◆ *Medical Emergency* is the sudden onset of a medical condition that requires emergency medical intervention.
- ◆ *Unscheduled Hospital Admission*—Hospital admission that is not scheduled unless it was due to condition specified in ISP or nursing care plan.
- ◆ *Known Injury* Know cause for the injury and it is not subject to abuse or neglect and requires one or more of the following: 1) Immobilization or casting, broken bones even if listed in the plan needs to be reported, 2) Five or more sutures or equivalent, 3) 2nd or 3rd degree burns, 4) Dental injuries but not chipping in every day use, 5) Injury that prohibits participation in daily routine tasks for more than 2 consecutive days.
- ◆ *Unknown Injury*—Unknown cause for the injury and it is not subject to abuse or neglect and requires treatment that only a physician, physician assistant or nurse practitioner can provide.
- ◆ *Unapproved Behavior Support* is any method, including restraining or giving time-out that is implemented in a manner prohibited by rules.
- ◆ *Right Violation* resulting in an adverse affect of the health and safety of an individual.
- ◆ *Failure to Report -Registry* is when a required reporter unreasonably fails to report a situation when there is a substantial risk of harm to the individual.
- ◆ *Failure to Report -Criminal* -Person has reason to believe that the individual suffered or faces a substantial risk of suffering and wound, injury, disability or condition to reasonably indicate Abuse or Neglect including Misappropriation and did not immediately report to law enforcement or a county board.
- ◆ *Law enforcement MUI* is reported to the county board when an individual is arrested, charged or incarcerated.
- ◆ *Prohibited Sexual Relations* occurs when an individual with MR/DD is having consensual sexual relations with the staff who is hired to care for them.
- ◆ *Peer-to-Peer Acts*-This category includes: Peer-to-Peer Physical Abuse, Sexual Abuse, Verbal Abuse, Exploitation and Misappropriation with items of value over \$10.00.



Understanding The MUI Reporting System



Pioneer Center / Adult Services
20 South Paint Street
Chillicothe, Ohio 45601
740-775-7044—Voice
740-775-7236—Fax

Introduction

This pamphlet is designed to assist families in Understanding the major unusual incident process and the various activities and responsibilities that occur when an incident is reported. The role of the family is not discussed in the MUI Rule, as families are not required in rule to report incidents. The County Board of DD, however, recognizes the valuable role families play and the importance for families to understand why the MUI system exists, how they might be involved from time to time and the role of providers, county boards and the Ohio Department of DD in protecting individuals with disabilities.

What is an MUI?

An MUI (major unusual incident) is an alleged, suspected or actual occurrence of an incident that can reasonably be expected to result in harm to the individual.

Why are MUIs Reported?

The MUI system is set up for the purpose of identifying the cause or factors leading up to the incident and developing prevention plans to reduce the likelihood of the incident occurring again. MUIs are always filed on the victim. The residential provider is also flagged for incidents involving individuals whom they serve. This assists the provider in looking at trends and working with the Ross County Board of DD to address them. All incidents are required to be reported whether they occur at home, at work, at school, or in the community.

Who Must Report?

- ⇒ All Providers who are contracted, certified or licensed to serve persons with DD are *required* to report MUIs to the Ross County Board of DD
- ⇒ All Ross County Board of DD staff are *required* to report MUIs.
- ⇒ Reports *must* be made on all individuals (children and adults) who are served or who are eligible to be served by the Ross County Board when a provider, or Ross County Board staff become aware of it.
- ⇒ A basic responsibility for anyone on a Medicaid waiver is to ensure their health and welfare so everyone paid to provide Medicaid waiver services *must* report MUIs.

To Whom are MUIs Reported?

An MUI needs to be reported to the person's SSA or to the SSA Director. The Ohio Department of DD also has a hotline (866) 313-6733, which may be used if there are concerns or difficulties in reporting to the Ross County Board of DD.

What is the Role of the Provider?

The Provider's role is to take immediate action to protect individuals from further harm when incidents occur in their setting, to report possible incidents to the Ross County Board of DD within time lines prescribed by the State and to implement prevention plans to reduce the likelihood of similar incidents occurring.

What is the Role of the Ross County Board of DD?

When the Ross County Board of DD provides services, they must also take immediate action to protect the person when an MUI occurs in a county board setting. The county board is required to report and investigate MUIs. The Administrative Rule #5123-2-17-02 requires that when the county board becomes aware of the incident, a report must be filed. This creates a dilemma at times, as the county board must contact the family to gather information about an incident. This can be awkward if families are unaware of these county board requirements or have not been informed of the reasons that the information is being requested. Generally, the types of incidents the county board would be calling the family about, are related to unplanned hospitalizations, medical emergencies or accidents that result in a serious injury such as a broken bone. While all MUIs require an investigation, the process for the types of incidents listed above is more of an information gathering process by the county board investigation agent. Investigations, or being asked questions, can feel intimidating. The process should be conducted as neutral fact-finding effort. The intent of the investigation is to gather information, not to affix blame.

What is the Role of the Ohio Department of DD?

The Ohio Department of DD provides oversight and technical assistance. All MUI reports are reviewed by the Ohio Department of DD, MUI/Registry Unit to ensure immediate action, timely reporting, good investigations and necessary implementation of prevention plans. The Department also conducts investigations when it would be a conflict of interest for the Ross County Board of DD to complete.

Why are Family Members Called for

Information?

The Ohio Department of DD's system was established to sustain protection for all individuals in the DD system. By looking at individual and compiled data, we can see trends that can be addressed leading to better protections for the individual served by the county board. These trends may include : lack of access to adequate health care, lack of diagnosis, and lack of assessment of symptoms, and lack of identification of new problems for people with certain syndromes. Reporting helps us to get a better picture of what is happening and enables us to make improvements in the system that benefit everyone.

How are MUI's Different From UI's (Unusual Incidents)?

Unusual Incidents are events involving a person with a developmental disability that are not consistent with daily operations, care or habilitation of that person. Unusual Incidents are minor injuries, medication errors without any serious outcomes, behaviors or types of situations that do not meet the definition of an MUI. These incidents are handled at the provider level and are reviewed quarterly by the Ross County Board of DD.

**To Report an MUI call Ross County Board of DD Service and Support Administration At
(740) 775-7044
20 South Paint Street
Chillicothe, Ohio 45601**

My Service & Support Administrator:

Or

**The Ohio Department of DD
Hotline at
(866) 313-6733**