

POLICY AND PROCEDURE ON ADMISSION

I. PURPOSE

The purpose of this policy is to establish procedures that ensure continuity of care during admission or service initiation including the company's admission criteria and processes.

II. POLICY

Services may be provided by the company as registered and licensed according to MN Statutes, chapter 245D and MN Statutes, chapter 245A. All services will be consistent with the person's service-related and protection-related rights identified in MN Statutes, section 245D.04. The company may provide services to persons with disabilities, including, but not limited to, developmental or intellectual disabilities, brain injury, mental illness, age-related impairments, or physical and medical conditions when the company is able to meet the person's needs.

Documentation from the admission/service initiation, assessments, and service planning processes related to the company's service provision for each person served and as stated within this policy will be maintained in the person's service recipient record.

III. PROCEDURE

Admission criteria

- A. Certain criteria will be used by this company to determine whether the company is able to develop services to meet the needs of the person as specified in their *Coordinated Service and Support Plan*. In addition to registration and licensed ability, the criteria includes:
1. Professional assessment of medical and psychological needs beyond scope of company expertise
 2. Professional assessment of medical, psychological and/or psycho social needs place current individuals served at risk.
- B. The company, when defined as a health care facility according to MN Statutes, chapter 245A, will notify all residents when a registered predatory offender is admitted into the program or to a potential admission when the facility is already serving a registered predatory offender. This notification will be done according to the requirements in MN Statutes, section 243.166.
- C. When a person and/or legal representative requests services from the company, a refusal to admit the person must be based upon an evaluation of the person's assessed needs and the company's lack of capacity to meet the needs of the person.
1. The company must not refuse to admit a person based solely on the type of residential services the person is receiving or solely on the person's:
 2. Severity of Disability.
 3. Orthopedic or neurological handicaps.
 4. Sight or hearing impairments.
 5. Lack of communication skills.
 6. Physical disabilities.
 7. Toilet habits.
 8. Behavioral disorders.
 9. Past failures to make progress.
- E. Documentation regarding the basis for the refusal will be completed using the *Admission Refusal Notice* and must be provided to the person and/or legal representative and case manager upon request. This documentation will be completed and maintained by the Designated Coordinator and/or Designated Manager or designee.

Admission process and requirements

- A. In the event of an emergency service initiation, the company must ensure that staff training on individual service recipient needs occurs within 72 hours of the direct support staff first having unsupervised contact with the person served. The company must document the reason for the unplanned or emergency service initiation and maintain the documentation in the person's service recipient record.
- B. Prior to or upon the initiation of services, the Designated Coordinator and/or Designated Manager will develop, document, and implement the *Individual Abuse Prevention Plan* according to MN Statutes, section 245A.65, subdivision 2.
- C. The Designated Coordinator and/or Designated Manager will ensure that during the admission process the following will occur:
1. Each person to be served and/or legal representative is provided with the written list of the *Rights of Persons Served* that identifies the service recipient's rights according to MN Statutes, section 245D.04, subdivisions 2 and 3.
 - a. An explanation will be provided on the day of service initiation or within five (5) working days of service initiation and annually thereafter.
 - b. Reasonable accommodations will be made, when necessary, to provide this information in other formats or languages to facilitate understanding of the rights by the person and/or legal representative.
 2. Orientation to the company's *Program Abuse Prevention Plan* will occur within 24 hours of service admission, or for those persons who would benefit more from a later orientation, the orientation may take place within 72 hours.
 3. An explanation and provision of copies (may be provided within five [5] working days of service initiation) of the following policies and procedures to the person and/or legal representative:
 1. *Policy and Procedure on Grievances*
 2. *Policy and Procedure on Temporary Service Suspension and Termination*
 3. *Policy and Procedure on Data Privacy*
 4. *Policy and Procedure on Emergency Use of Manual Restraint*
 5. *Policy and Procedure on Reporting and Reviewing of Maltreatment of Vulnerable Adults*
 6. *Policy and Procedure on Reporting and Reviewing of Maltreatment of Minors*
 4. Written authorization is obtained (and annually thereafter) by the person and/or legal representative for the following:
 - a. *Authorization for Medication and Treatment Administration*
 - b. *Agreement and Authorization for Injectable Medications*
 - c. *Authorization to Act in an Emergency*
 - d. *Standard Release of Information*
 - e. *Specific Release of Information*
 - f. *Financial Authorization*
 - i. This authorization may be obtained within five (5) working days of the service initiation meeting and annual thereafter.
 - g. The *Admission Form and Data Sheet* is signed by the person and/or legal representative and includes the date of admission or readmission, identifying information, and contact information for members of the support team or expanded support team and others as identified by the person or case manager.
- D. Also during the admission meeting, the support team or expanded support team will discuss:
1. The company's responsibilities regarding health service needs and the procedures related to meeting those needs as assigned in the *Coordinated Service and Support Plan* and/or *Coordinated Service and Support Plan Addendum*.
 2. The desired frequency of progress reports and progress review meetings, at a minimum of annually.
 3. The initial financial authorization and the Designated Coordinator and/or Designated Manager will survey, document, and implement the preferences of the person served and/or legal representative and case manager for the frequency of receiving statements that itemizes receipt and disbursements of funds or

other property. Changes will be documented and implemented when requested.

- E. If a person's licensed health care professional or mental health professional has determined that a manual restraint would be medically or psychologically contraindicated, the company will not use a manual restraint to eliminate the immediate risk of harm and effectively achieve safety. This statement of whether or not a manual restraint would be medically or psychologically contraindicated will be completed as part of service initiation planning.

Admission process follow up and timelines

- A. The Designated Coordinator and/or Designated Manager or designee will ensure that the person's other providers, medical and mental health care professionals, and vendors are notified of the change in address and phone number.
- B. The Designated Coordinator and/or Designated Manager or designee will ensure that the person's service recipient record is assembled according to company standards.
- C. Within 15 calendar days of service initiation, the Designated Coordinator and/or Designated Manager will complete a preliminary *Coordinated Service and Support Plan Addendum* that is based upon *Coordinated Service and Support Plan*. At this time, the person's name and date of admission will be added to the *Admission and Discharge Register* maintained by the Designated Coordinator and/or Designated Manager.
- D. When a person served requires a *Positive Support Transition Plan* for the emergency use or planned use of restrictive interventions prohibited under MN Statutes, chapter 245D, and is admitted after January 1, 2014:
 - 1. The *Positive Support Transition Plan* must be developed and implemented within 30 calendar days of service initiation.
 - 2. No later than 11 months after the implementation date, the plan must be phased out.
- E. Before the 45-day meeting, the Designated Coordinator and/or Designated Manager will complete the *Self-Management Assessment* regarding the person's ability to self-manage in health and medical needs, personal safety, and symptoms or behavior. This assessment will be based on the person's status within the last 12 months at the time of service initiation.
- F. Within 45 calendar days of service initiation, the support team or expanded support team must meet to assess and determine the following based on information obtained from the assessment, *Coordinated Service and Support Plan*, and person centered planning:
 - 1. The scope of services to be provided to support the person's daily needs and activities.
 - 2. Outcomes and necessary supports to accomplish the outcomes.
 - 3. The person's preference for how services and supports are provided.
 - 4. Whether the current service setting is the most integrated setting available and appropriate for the person.
 - 5. How services for this person will be coordinated across 245D licensed providers and members of the support team or expanded support team to ensure continuity of care and coordination of services for the person.
- G. Within 10 working days of the 45-day meeting, the Designated Coordinator and/or Designated Manager will develop a service plan that documents outcomes and supports for the person based upon the assessments completed at the 45-day meeting.
- H. Within 20 working days of 45-day meeting, the Designated Coordinator and/or Designated Manager will submit to and obtain dated signatures from the person and/or legal representative and case manager to document completion and approval of the assessment and *Coordinated Service and Support Plan Addendum*.
 - a. If, within 10 working days of this submission, the legal representative or case manager has not signed and returned the assessments or has not proposed written modifications, the submission is deemed approved and the documents become effective and remain in effect until the legal representative or case manager submits a written request to revise the documents.

POLICY AND PROCEDURE ON TEMPORARY SERVICE SUSPENSION

I. PURPOSE

The purpose of this policy is to establish determination guidelines and notification procedures for service suspension.

II. POLICY

It is the intent of the company to ensure continuity of care and service coordination between members of the support team including, but not limited to the person served, the legal representative and/or designated emergency contact, case manager, and other licensed caregivers during situations that may require or result in temporary service suspension. The company restricts temporary service suspension to specific situations according to MN Statutes, section 245D.10, subdivision 3.

III. PROCEDURE

The company recognizes that *temporary service suspension* and *service termination* are two separate procedures. The company must limit temporary service suspension to specific situations that are listed below. A temporary service suspension may lead to or include service termination or the company may do a temporary service suspension by itself. The company must limit service termination to specific situations that are listed in *Policy and Procedure on Service Termination*. A service termination may include a temporary service suspension or the company can do a service termination by itself.

A. The company must limit temporary service suspension to situations in which:

1. The person's conduct poses an imminent risk of physical harm to self or others and either positive support strategies have been implemented to resolve the issues leading to the temporary service suspension, but have not been effective and additional positive support strategies would not achieve and maintain safety, or less restrictive measures would not resolve the issues leading to the suspension;
2. The person has emergent medical issues that exceed the company's ability to meet the person's needs; or
3. The program has not been paid for services.

B. Prior to giving notice of temporary services suspension, the company must document actions taken to minimize or eliminate the need for service suspension. Action taken by the company must include, at a minimum:

1. Consultation with the person's expanded/support team to identify and resolve issues leading to issuance of the suspension notice; and
2. A request to the person's case manager for intervention services identified in section 245D.03, subdivision 1, paragraph (c), clause (1), or other professional consultation or intervention services to support the person in the program. This requirement does not apply to temporary suspensions issued due to non-payment of services.
3. If, based on the best interests of the person, the circumstances at the time of the notice were such that the company was unable to take the actions listed above, the company must document the specific circumstances and the reason for being unable to do so.

C. The notice of temporary service suspension must meet the following requirements:

1. This company must notify the person or the person's legal representative and case manager in writing of the intended temporary services suspension. If the temporary services suspension is from residential

- supports and services, as defined in section 245D.03, subdivision 1, paragraph (c), clause (3), the company must also notify MN Department of Human Service's Commissioner in writing;
2. The notice of temporary services suspension must be given on the first day of the services suspension;
 3. The notice must include the reason for the action; a summary of actions taken to minimize or eliminate the need for temporary services suspension as required under MN Statutes, section 245D.10, subdivision 3, paragraph (d); and why these measures failed to prevent the suspension.
- D. During the temporary suspension period, the company must:
1. Provide information requested by the person or case manager;
 2. Work with the expanded/support team to develop reasonable alternatives to protect the person and others and to support continuity of care; and
 3. Maintain information about the temporary service suspension, including the written notice of temporary services suspension, in the service recipient record.
- E. If, based on a review by the person's expanded/support team, the team determines the person no longer poses an imminent risk of physical harm to self or others, the person has a right to return to receiving services. If at the time of the temporary service suspension or at any time during the suspension, the person is receiving treatment related to the conduct that resulted in the service suspension, the expanded/support team must consider the recommendation of the licensed health professional, mental health professional, or other licensed professional involved in the person's care or treatment when determining whether the person no longer poses an imminent risk of physical harm to self or others and can return to the program. If the expanded/support team makes a determination that is contrary to the recommendation of a licensed professional treating the person, the company must document the specific reasons why a contrary decision was made.

POLICY AND PROCEDURE ON SERVICE TERMINATION

IV. PURPOSE

The purpose of this policy is to establish determination guidelines and notification procedures for service termination.

V. POLICY

It is the intent of the company to ensure continuity of care and service coordination between members of the support team including, but not limited to the person served, the legal representative and/or designated emergency contact, case manager, and other licensed caregivers during situations that may require or result in service termination. The company restricts service termination to specific situations according to MN Statutes, section 245D.10, subdivision 3a.

VI. PROCEDURE

The company recognizes that *temporary service suspension* and *service termination* are two separate procedures. The company must limit temporary service suspension to specific situations that are listed in the *Policy and Procedure on Temporary Service Suspension*. A temporary service suspension may lead to or include service termination or the company may do a temporary service suspension by itself. The company must limit service termination to specific situations that are listed below. A service termination may include a temporary service suspension or the company can do a service termination by itself.

- A. The company must permit each person served to remain in the program and must not terminate services unless:
 - 1. The termination is necessary for the person's welfare and the person's needs cannot be met in the facility;
 - 2. The safety of the person or others in the program is endangered and positive support strategies were attempted and have not achieved and effectively maintained safety for the person or others;
 - 3. The health of the person or others in the program would otherwise be endangered;
 - 4. The program has not been paid for services;
 - 5. The program ceases to operate; or
 - 6. The person has been terminated by the lead agency from waiver eligibility.

- B. Prior to giving notice of service termination, the company must document actions taken to minimize or eliminate the need for termination. Action taken by the company must include, at a minimum:
 - 1. Consultation with the person's expanded/support team to identify and resolve issues leading to issuance of the termination notice; and
 - 2. A request to the case manager for intervention services as identified in section 245D.03, subdivision 1, paragraph (c), clause (1), or other professional consultation or intervention services to support the person in the program. This requirement does not apply to notices of service termination issued due to the program not being paid for services.
 - 3. If, based on the best interests of the person, the circumstances at the time of the termination notice were such that the company was unable to take the action specified above, the company must document the specific circumstances and the reason for being unable to do so.

- C. The notice of service termination must meet the following requirements:
 - 1. The company must notify the person or the person's legal representative and the case manager in writing of the intended services termination. If the service termination is from residential supports and services, as

- defined in section 245D.03, subdivision 1, paragraph (c), clause (3), the company must also notify MN Department of Human Service's Commissioner in writing; and
2. The notice must include:
 - a. The reason for the action;
 - b. Except for a service termination when the program ceases to operate, a summary of actions taken to minimize or eliminate the need for service termination or temporary service suspension as required under section 245D.10, subdivision 3a, paragraph (c), and why these measures failed to prevent the termination or suspension;
 - c. The person's right to appeal the termination of services under MN Statutes, section 256.045, subdivision 3, paragraph (a); and
 - d. The person's right to seek a temporary order staying the termination of services according to the procedures in MN Statutes, section 256.045, subdivision 4a or 6, paragraph (c).

 - D. Notice of the proposed termination of service, including those situations that began with a temporary service suspension, must be given:
 1. At least 60 days prior to termination when the company is providing intensive supports and services identified in section 245D.03, subdivision 1, paragraph (c).
 2. At least 30 days prior to termination for all other services licensed under Chapter 245D.
 3. This termination notice may be given in conjunction with a notice of temporary services suspension.

 - E. During the service termination notice period, the company must:
 1. Work with the expanded/support team to develop reasonable alternative to protect the person and others and to support continuity of care;
 2. Provide information requested by the person or case manager; and
 3. Maintain information about the service termination, including the written notice of intended service termination, in the service recipient record.

POLICY AND PROCEDURE ON GRIEVANCES

I. PURPOSE

The purpose of this policy is to promote service recipient right by providing persons served and/or legal representatives with a simple process to address complaints or grievances.

II. POLICY

Each person served and/or legal representative will be encouraged and assisted in continuously sharing ideas and expressing concerns in informal discussions with management staff and in support team meetings. Each concern or grievance will be addressed and attempts will be made to reach a fair resolution in a reasonable manner. Should a person and/or legal representative feel an issue or complaint has not or cannot be resolved through informal discussion, they should file a formal grievance. Staff and persons served and/or legal representatives will receive training regarding the informal and formal grievance procedure. This policy will be provided, orally and in writing, to all persons served and/or legal representatives. If a person served and/or legal representative feel that their formal complaint has not or cannot be resolved by other staff, they may bring their complaint to the highest level of authority in the program, the Chief Executive Officer, who may be reached at the following:

Name: Laurie Wabner

Address: 1160 Center Pointe Drive, Suite 1, Mendota Heights, MN 55120

Telephone Number: 952-432-7710

The company will ensure that during the service initiation process that there is orientation for the person served and/or legal representative to the company's policy on addressing grievances. Throughout the grievance procedure, interpretation in languages other than English and/or with alternative communication modes may be necessary and will be provided upon request. If desired, assistance from an outside agency (i.e. ARC, MN Office of the Ombudsman, local county social service agency) may be sought to assist with the grievance.

Persons served and/or legal representatives may file a grievance without threat or fear of reprisals, discharge, or the loss of future provision of appropriate services and supports.

III. PROCEDURE

- A. All complaints affecting a person's health and safety will be responded to immediately by a manager.
- B. Direct support staff will immediately inform a manager of any grievances and will follow this policy and procedure. If at any time, staff assistance is requested in the complaint process, it will be provided. Additional information on outside agencies that also can provide assistance to the person served and/or legal representative are listed at the end of this procedure.
- C. If for any reason a person served and/or legal representative chooses to use the formal grievance process, they will then notify in writing or discuss the formal grievance with a manager.
- D. When a formal grievance is made, a manager will initially respond in writing within 14 calendar days of receipt of the complaint.
- E. If the person served and/or legal representative is not satisfied with the manager's response, they will then notify in writing or discuss the formal grievance with the Chief Executive Officer, who will then respond within 14 calendar days.
- F. All complaints must and will be resolved within 30 calendar days of receipt of the complaint. If this is not possible, the Chief Executive Officer will document the reason for the delay and the plan for resolution.
- G. If the person served and/or legal representative believe their rights have been violated, they retain the option

of contacting the county's Adult or Child Protection Services or the Department of Human Services. In addition, persons may contact advocacy agencies (listed at the end of this policy) and state they would like to file a formal grievance regarding their services, provider company, etc.

- H. As part of the complaint review and resolution process, a complaint review will be completed by the Designated Manager or the Compliance Coordinator and documented by using the *Internal Review* form regarding the complaint. The complaint review will include an evaluation of whether:
1. Related policies and procedures were followed.
 2. The policies and procedures were adequate.
 3. There is a need for additional staff training.
 4. The complaint is similar to past complaints with the persons, staff, or services involved.
 5. There is a need for corrective action by the company to protect the health and safety of persons served.
- I. Based upon the results of the complaint review, the company will develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by staff or the company, if any.
- J. A written summary of the complaint and a notice of the complaint resolution to the person served and/or legal representative and case manager will be provided by using the *Complaint Summary and Resolution Notice* form. This summary will:
1. Identify the nature of the complaint and the date it was received.
 2. Include the results of the complaint review.
 3. Identify the complaint resolution, including any corrective action.
- K. The *Complaint Summary and Resolution Notice* will be maintained in the service recipient record.

STATE AND COUNTY ADVOCACY AGENCIES

Outside Agency Name	Telephone Number	Address & Email Address
ARC MN	(651) 523-0823 (800) 582-5256	770 Transfer Road, Suite 26, St. Paul, MN 55114 www.thearcofminnesota.org mail@arcmn.org
ARC Greater Twin Cities	(952) 920-0855	2446 University Ave W, Suite 110, St. Paul, MN 55114 www.arcgreatertwincities.org info@arcgreatertwincities.org
ARC Northland	(218) 726-4725	424 W Superior St Ste 201, Duluth, MN 55802 www.arcnorthland.org cbourdage@arcnorthland.org
Disability Law Center/Legal Aid Society	(612) 332-1441	430 1 st Ave North, Minneapolis, MN 55401 www.mndlc.org website@mylegalaid.org
MN DHS Department of Licensing	(651) 431-6500	444 Lafayette Road, St. Paul, MN 55115 www.mn.gov/dhs/general-public/licensing/ dhs.info@state.mn.us

MN Office of the Ombudsman for Families (and Children)	651-603-0058 651-643-2539 Fax: 1-888-234-4939	1450 Energy Drive Suite 106 St. Paul, Minnesota 55108 http://mn.gov/ombudfam/
MN Office of the Ombudsman for Long-Term Care	(651) 431-2555 (800) 657-3591	P.O. Box 64971, St. Paul, MN 55164 www.dhs.state.mn.us/main dhs.info@state.mn.us
MN Office of the Ombudsman for MH/DD	(651) 757-1800 (800) 657-3506	121 7 th Place East, Suite 420, Metro Square Building, St. Paul, MN 55101 www.ombudmhdd.state.mn.us ombudsman.mhdd@state.mn.us
Dakota County Social Services	952-891-7400 Fax: 952-891-7473	14955 Galaxie Avenue Apple Valley, MN 55124-8581
Anoka County Social Services	763-422-7000 Fax: 763-422-6987	2100 3rd Avenue Anoka, MN 55303-2264

MN Area on Aging:

Please select the specific row (below) for applicable telephone numbers or addresses based upon your location.

	MN Area on Aging	Telephone Numbers	Address and Email Address: http://mn4a.org/aaas/
1.	Arrowhead Area Agency on Aging	Main: 218-722-5545 Toll Free: 1-800-232-0707 Fax: 218-529-7592	221 West 1st Street Duluth, Minnesota 55802 Serves: Aitkin, Carlton, Cook, Itasca, Koochiching, Lake & St. Louis counties.
2.	Central MN Council on Aging	Main: 320-253-9349 Fax: 320-253-9576	1301 W St. Germain Street, SE St. Cloud, Minnesota 56301-3456 Serves: Benton, Cass, Chisago, Crow Wing, Isanti, Kanabec, Mille Lacs, Morrison, Pine, Sherburne, Stearns, Todd, Wadena, & Wright counties.
3.	Land of the Dancing Sky Area Agency on Aging	Main: 218-745-6733	109 South Minnesota Street Warren, Minnesota 56762 Serves: Becker, Beltrami, Clay, Clearwater, Douglas, Grant, Hubbard, Kittson, Lake of the Woods, Mahnomen, Marshall, Norman, Otter Tail, Pennington, Polk, Pope, Red Lake, Roseau, Stevens, Traverse & Wilkin.
4.	Metropolitan Area Agency on Aging	Main: 651-641-8612 Fax: 651-641-8618	2365 N McKnight Road, Suite 3 North St. Paul, Minnesota 55109 Serves: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, & Washington counties

5.	MN Chippewa Tribe Area Agency on Aging	Main: 218-335-8586 Toll Free: 1-888-231-7886 Fax: 218-335-8080	PO Box 27 Cass Lake, Minnesota 56633 Serves: Bois Forte, Grand Portage, Leech Lake, & White Earth reservations
6.	MN River Area Agency on Aging	Mankato Office: Main: 507-389-8879 Fax: 507-387-7105 Slayton Office: Main: 507-836-8547 Fax: 507-836-8866	<i>Mankato Office</i> 10 Civic Center Plaza, Suite 3 PO Box 3323 Mankato MN 56002-3323 <i>Slayton Office</i> 2401 Broadway Avenue, Suite 2 Slayton, MN 56172-114 Serves: Big Stone, Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, Martin, McLeod, Meeker, Murray, Nicollet, Nobles, Pipestone, Redwood, Renville, Rock, Sibley, Swift, Waseca, Watonwan, & Yellow Medicine counties.
7.	Southeastern MN Area Agency on Aging	Main: 507-288-6944 Fax: 507-288-4823	421 SW First Avenue, Room 201 Rochester, Minnesota 55902 Serves: Dodge, Fillmore, Freeborn, Goodhue, Houston, Mower, Olmsted, Rice, Steele, Wabasha, & Winona counties

POLICY AND PROCEDURE ON DATA PRIVACY

I. PURPOSE

The purpose of this policy is to establish guidelines that promote service recipient rights ensuring data privacy and record confidentiality of persons served.

II. POLICY

According to MN Statutes, section 245D.04, subdivision 3, persons served by the program have protection-related rights that include the rights to:

- Have personal, financial, service, health, and medical information kept private, and be advised of disclosure of this information by the company.
- Access records and recorded information about the person in accordance with applicable state and federal law, regulation, or rule.

Orientation to the person served and/or legal representative will be completed at service initiation and as needed thereafter. This orientation will include an explanation of this policy and their rights regarding data privacy. Upon explanation, the Designated Manager and/or Designated Coordinator will document that this notification occurred and that a copy of this policy was provided.

This company encourages data privacy in all areas of practice and will implement measures to ensure that data privacy is upheld according to MN Government Data Practices Act, section 13.46. The company will also follow guidelines for data privacy as set forth in the Health Insurance Portability and Accountability Act (HIPAA) to the extent the company performs a function or activity involving the use of protected health information and HIPAA's implementing regulations, Code of Federal Regulations, title 45, parts 160-164, and all applicable requirements. The Chief Executive Officer will exercise the responsibility and duties of the "responsible authority" for all program data, as defined in the Minnesota Data Practices, MN Statutes, chapter 13. Data privacy will hold to the standard of "minimum necessary" which entails limiting protected health information to the minimum necessary to accomplish the intended purpose of the use, disclosure, or request.

III. PROCEDURE

Access to records and recorded information and authorizations

- A. The person served and/or legal representative have full access to their records and recorded information that is maintained, collected, stored, or disseminated by the company. Private data are records or recorded information that includes personal, financial, service, health, and medical information.
- B. Access to private data in written or oral format is limited to authorized persons. The following company personnel may have immediate access to persons' private data only for the relevant and necessary purposes to carry out their duties as directed by the *Coordinated Service and Support Plan* and/or *Coordinated Service and Support Plan Addendum*:
1. Executive staff.
 2. Administrative staff.
 3. Financial staff.
 4. Nursing staff including assigned or consulting nurses.
 5. Management staff including the Designated Coordinator and/or Designated Manager.
 6. Direct support staff.
- C. The following entities also have access to persons' private data as authorized by applicable state or federal laws, regulations, or rules:
1. Case manager.
 2. Child or adult foster care licensor, when services are also licensed as child or adult foster care.

3. Minnesota Department of Human Services and/or Minnesota Department of Health.
 4. County of Financial Responsibility or the County of Residence's Social Services.
 5. The Ombudsman for Mental Health or Developmental Disabilities.
 6. US Department of Health and Human Services.
 7. Social Security Administration.
 8. State departments including Department of Employment and Economic Development (DEED), Department of Education, and Department of Revenue.
 9. County, state, or federal auditors.
 10. Adult or Child Protection units and investigators.
 11. Law enforcement personnel or attorneys related to an investigation.
 12. Various county or state agencies related to funding, support, or protection of the person.
 13. Other entities or individuals authorized by law.
- D. The company will obtain authorization to release information of persons served when consultants, sub-contractors, or volunteers are working with the company to the extent necessary to carry out the necessary duties.
- E. Other entities or individuals not previously listed who have obtained written authorization from the person served and/or legal representative have access to written and oral information as detailed within that authorization. This includes other licensed caregivers or health care providers as directed by the release of information.
- F. Information will be disclosed to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the person served or other individuals or persons. The Designated Coordinator and/or Designated Manager will ensure the documentation of the following:
1. The nature of the emergency.
 2. The type of information disclosed.
 3. To whom the information was disclosed.
 4. How the information was used to respond to the emergency.
 5. When and how the person served and/or legal representative was informed of the disclosed information.
- G. All authorizations or written releases of information will be maintained in the person's service recipient record. In addition, all requests made to review data, have copies, or make alterations, as stated below, will be recorded in the person's record including:
1. Date and time of the activity.
 2. Who accessed or reviewed the records.
 3. If any copies were requested and provided.

Request for records or recorded information to be altered or copies

- A. The person served and/or legal representative has the right to request that their records or recorded information and documentation be altered and/or to request copies.
- B. If the person served and/or legal representative objects to the accuracy of any information, staff will ask that they put their objections in writing with an explanation as to why the information is incorrect or incomplete.
1. The Designated Coordinator and/or Designated Manager will submit the written objections to the Chief Executive Officer who will make a decision in regards to any possible changes.
 2. A copy of the written objection will be retained in the person's service recipient record.
 3. If the objection is determined to be valid and approval for correction is obtained, the Designated Coordinator and/or Designated Manager will correct the information and notify the person served and/or legal representative and provide a copy of the correction.
 4. If no changes are made and distribution of the disputed information is required, the Designated Coordinator and/or Designated Manager will ensure that the objection accompanies the information as distributed, either orally or in writing.

- C. If the person served and/or legal representative disagrees with the resolution of the issue, they will be encouraged to follow the procedures outlined in the *Policy and Procedure on Grievances*.

Security of information

- A. A record of current services provided to each person served will be maintained on the premises of where the services are provided or coordinated. When the services are provided in a licensed facility, the records will be maintained at the facility; otherwise, records will be maintained at the company's program office. Files will not be removed from the program site without valid reasons and security of those files will be maintained at all times.
- B. The Designated Coordinator and/or Designated Manager will ensure that all information for persons served are secure and protected from loss, tampering, or unauthorized disclosures. This includes information stored by computer for which a unique password and user identification is required.
- C. No person served and/or legal representative, staff, or anyone else may permanently remove or destroy any portion of the person's record.
- D. The company and its staff will not disclose personally identifiable information about any other person when making a report to each person and case manager unless the company has the consent of the person. This also includes the use of other person's information in another person's record.
- E. Written and verbal exchanges of information regarding persons served are considered to be private and will be done in a manner that preserves confidentiality, protects their data privacy, and respects their dignity.
- F. All staff will receive training at orientation and annually thereafter on this policy and their responsibilities related to complying with data privacy practices.

**POLICY AND PROCEDURE ON EMERGENCY USE OF MANUAL
RESTRAINT**

I. PURPOSE

The purpose of this policy is to promote service recipient rights and protect the health and safety of persons served during the emergency use of manual restraint (EUMR). This policy will also promote appropriate and safe interventions needed when addressing behavioral situations.

II. POLICY

It is the policy of this company to ensure the correct use of emergency use of manual restraint, to provide intense training and monitoring of direct support staff, and to ensure regulations regarding the emergency use of manual restraint are followed. According to MN Statutes, section 245D.02, subdivision 8a, emergency use of manual restraint is defined as “using a manual restraint when a person poses an imminent risk of physical harm to self or others and is the least restrictive intervention that would achieve safety. Property damage, verbal aggression, or a person’s refusal to receive or participate in treatment or programming on their own do not constitute an emergency.”

III. PROCEDURE

Positive support strategies

- A. The company will attempt to de-escalate a person’s behavior before it poses an imminent risk of physical harm to self or others. Some of the following procedures could be used to de-escalate the situation and are options that could be implemented by staff. This is not a fully inclusive list of options that could include:
1. A calm discussion between the individual served and direct support staff regarding the situation, the person’s feelings, their responses, and alternative methods to handling the situation, etc.
 2. A staff suggesting or recommending that the person participate in an activity they enjoy as a means to self-calm.
 3. A staff to suggest or remind that the person served has options that they may choose to spend time alone, when safety permits, as a means to self-calm.
 4. The individualized strategies that have been written into the person’s *Coordinated Service and Support Plan (CSSP)* and/or *CSSP Addendum*, or *Positive Support Transition Plan*.
 5. The implementation of instructional techniques and intervention procedures that are listed as “permitted actions and procedures” as defined in Letter B of this **Positive support strategies** section.
 6. A combination of any of the above.
- B. Permitted actions and procedures include the use of instructional techniques and intervention procedures used on an intermittent or continuous basis. If used on a continuous basis, it must be addressed in the person’s *Coordinated Service and Support Plan Addendum*. These actions include:
1. Physical contact or instructional techniques that are the least restrictive alternative possible to meet the needs of the person and may be used to:
 - a. Calm or comfort a person by holding that person with no resistance from that person.
 - b. Protect a person known to be at risk or injury due to frequent falls as a result of a medical condition.
 - c. Facilitate the person’s completion of a task or response when the person does not resist or the person’s resistance is minimal in intensity or duration.
 - d. Block or redirect a person’s limbs or body without holding the person or limiting the person’s movement to interrupt the person’s behavior that may result in injury to self or others with less than 60 seconds of physical contact by staff.
 - e. Redirect a person’s behavior when the behavior does not pose a serious threat to the person or others and the behavior is effectively redirected with less than 60 seconds of physical contact by staff.
 2. Restraint may be used as an intervention procedure to:
 - a. Allow a licensed health care professional to safely conduct a medical examination or to provide medical treatment ordered by a licensed health care professional

- b. Assist in the safe evacuation or redirection of a person in the event of an emergency and the person is at imminent risk of harm.
- c. Position a person with physical disabilities in a manner specified in their *Coordinated Service and Support Plan Addendum*. Any use of manual restraint allowed in this paragraph must comply with the restrictions stated in the section of this policy **Emergency use of manual restraint**, Letter C.
- 3. Use of adaptive aids or equipment, orthotic devices, or other medical equipment ordered by a licensed health professional to treat a diagnosed medical condition do not in and of themselves constitute the use of mechanical restraint.
- 4. Positive verbal correction that is specifically focused on the behavior being addressed.
- 5. Temporary withholding or removal of objects being used to hurt self or others.

Prohibited Procedures

The company and its staff are prohibited from using the following:

- A. Chemical restraints
- B. Mechanical restraints
- C. Manual restraint
- D. Time out
- E. Seclusion
- F. Any other aversive or deprivation procedures
- G. As a substitute for adequate staffing
- H. For a behavioral or therapeutic program to reduce or eliminate behavior
- I. Punishment
- J. For staff convenience
- K. Prone restraint, metal handcuffs, or leg hobbles
- L. Faradic shock
- M. Speaking to a person in a manner that ridicules, demeans, threatens, or is abusive
- N. Physical intimidation or a show of force
- O. Containing, restricting, isolating, secluding, or otherwise removing a person from normal activities when it is medically contraindicated or without monitoring the person served
- P. Denying or restricting a person's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the person's functioning. When the temporary removal of the equipment or device is necessary to prevent injury to the person or others or serious damage to the equipment or device, the equipment or device must be returned to the person as soon as imminent risk of injury or serious damage has passed.
- Q. Painful techniques, including intentional infliction of pain or injury, intentional infliction of fear of pain or injury, dehumanization, and degradation
- R. Hyperextending or twisting a person's body parts
- S. Tripping or pushing a person
- T. Requiring a person to assume and maintain a specified physical position or posture
- U. Forced exercise
- V. Totally or partially restricting a person's senses
- W. Presenting intense sounds, lights, or other sensory stimuli
- X. Noxious smell, taste, substance, or spray, including water mist
- Y. Depriving a person of or restricting access to normal goods and services, or requiring a person to earn normal goods and services
- Z. Token reinforcement programs or level programs that include a response cost or negative punishment component
- AA. Using a person receiving services to discipline another person receiving services
- BB. Using an action or procedure which is medically or psychologically contraindicated
- CC. Using an action or procedure that might restrict or obstruct a person's airway or impair breathing, including techniques whereby individuals use their hands or body to place pressure on a person's head, neck, back, chest, abdomen, or joints
- DD. Interfering with legal rights, except as allowed by MN Statutes, section 245D.04, subdivision 3, paragraph (c).

Positive Support Transition Plans

The company must and will develop a *Positive Support Transition Plan* on forms provided by the Department of Human Services and in the manner directed for a person served who requires intervention in order to maintain safety when it is known that the person's behavior poses an immediate risk of physical harm to self or others. This *Positive Support Transition Plan* will phase out any existing plans for the emergency use or programmatic use of restrictive interventions prohibited under MN Statutes, chapter 245D.

Emergency use of manual restraint

- A. If the positive support strategies were not effective in de-escalating or eliminating the person's behavior, emergency use of manual restraint may be necessary. To use emergency use of manual restraint, the following conditions must be met:
1. Immediate intervention must be needed to protect the person or others from imminent risk of physical harm.
 2. The type of manual restraint used must be the least restrictive intervention to eliminate the immediate risk of harm and effectively achieve safety.
 3. The manual restraint must end when the threat of harm ends.
- B. The following conditions, on their own, are not conditions for emergency use of manual restraint:
1. The person is engaging in property destruction that does not cause imminent risk of physical harm.
 2. The person is engaging in verbal aggression with staff or others.
 3. A person's refusal to receive or participate in treatment of programming.
- C. A restricted procedure must not:
1. Be implemented with a child in a manner that constitutes sexual abuse, neglect, physical abuse, or mental injury as defined in MN Statutes, section 626.556, subdivision 2.
 2. Be implemented with an adult in a manner that constitutes abuse or neglect as defined in MN Statutes, section 626.5572, subdivisions 2 or 17.
 3. Be implemented in a manner that violates a person's rights identified in MN Statutes, section 245D.04.
 4. Restrict a person's normal access to a nutritious diet, drinking water, adequate ventilation, necessary medical care, ordinary hygiene facilities, normal sleeping conditions, or necessary clothing, or to any protection required by state licensing standards and federal regulations governing the program.
 5. Deny the person visitation or ordinary contact with legal counsel, a legal representative, or next of kin.
 6. Be used as a substitute for adequate staffing, for the convenience of staff, as punishment, or as a consequence if the person refuses to participate in the treatment of services provided by the company.
 7. Use prone restraint (that places a person in a face-down position).
 8. Apply back or chest pressure while a person is in the prone or supine (face-up) position.
 9. Be implemented in a manner that is contraindicated for any of the person's known medical or psychological limitations.
- D. The company allows certain types of manual restraints which may be used by staff on an emergency basis. Detailed instructions on the safe and correct implementation of these allowed manual restraint procedures are included at the end of this policy. These allowed manual restraints include the following:
1. Physical escort/walking: Step 1-5
 2. Two Person Carry: Step 1-4
 3. Standing Hold: Step 1-4
 4. Sitting Hold: Step 1-4
 5. Supine Hold: Step 1-5 (one and two person)
- E. If a person's licensed health care professional or mental health professional has determined that a manual restraint would be medically or psychologically contraindicated, the company will not use a manual restraint to eliminate the immediate risk of harm and effectively achieve safety. This statement of whether or not a manual restraint would be medically or psychologically contraindicated will be completed as part of service initiation planning.

Monitoring of emergency use of manual restraint

- A. Each single incident of emergency use of manual restraint must be monitored and reported separately. For this understanding, an incident of emergency use of manual restraint is a single incident when the following conditions have been met:
 - 1. After implementing the manual restraint, staff attempt to release the person at the moment staff believe the person's conduct no longer poses an imminent risk of physical harm to self or others and less restrictive strategies can be implemented to maintain safety.
 - 2. Upon the attempt to release the restraint, the person's behavior immediately re-escalates and staff must immediately re-implement the restraint in order to maintain safety.

- B. During an emergency use of manual restraint, the company will monitor a person's health and safety. Staff monitoring the manual restraint procedure will not be the staff implementing the procedure, when possible. A monitoring form will be completed by the staff person for each incident of emergency use of manual restraint to ensure:
 - 1. Only manual restraints allowed according to this policy are implemented.
 - 2. Manual restraints that have been determined to be contraindicated for a person are not implemented with that person.
 - 3. Allowed manual restraints are implemented only by staff trained in their use.
 - 4. The restraint is being implemented properly as required.
 - 5. The mental, physical, and emotional condition of the person who is being manually restrained is being assessed and intervention is provided when necessary to maintain the person's health and safety and prevent injury to the person, staff involved, or others involved.

Reporting of emergency use of manual restraint

- A. Reporting of the incident of emergency use of manual restraint will be completed according to the following process and will contain all required information per MN Statutes, sections 245D.06, subdivision 1 and 245D.061, subdivision 5.

- B. Within 24 hours of the emergency use of manual restraint, the company will make a verbal report regarding the incident to the legal representative or designated emergency contact and case manager. If other persons served were involved in the incident, the company will not disclose any personally identifiable information about any other person when making the report unless the company has the consent of the person.

- C. Within three (3) calendar days of the emergency use of manual restraint, the staff who implemented the emergency use of manual restraint will report, in writing, to the Designated Coordinator and/or Designated Manager the following information:
 - 1. The staff and person(s) served who were involved in the incident leading up to the emergency use of manual restraint.
 - 2. A description of the physical and social environment, including who was present before and during the incident leading up to the emergency use of manual restraint.
 - 3. A description of what less restrictive alternative measures were attempted to de-escalate the incident and maintain safety before the manual restraint was implemented. This description must identify the when, how, and how long the alternative measures were attempted before the manual restraint was implemented.
 - 4. A description of the mental, physical, and emotional condition of the person who was restrained, and other persons involved in the incident leading up to, during, and following the manual restraint.
 - 5. Whether there was any injury to the person who was restrained or other persons involved, including staff, before or as a result of the manual restraint use.
 - 6. Whether there was a debriefing with the staff, and, if not contraindicated, with the person who was restrained and other persons who were involved in or who witnessed the restraint, following the incident. The outcome of the debriefing will be clearly documented and if the debriefing could not occur at the time of the incident, the report will identify whether a debriefing is planned in the future.

- D. Within five (5) working days of the emergency use of manual restraint, the CEO will complete and document

- an internal review of each report of emergency use of manual restraint. The internal review will include an evaluation of whether:
1. The person's served service and support strategies developed according to MN Statutes, sections 245D.07 and 245D.071 need to be revised.
 2. Related policies and procedures were followed.
 3. The policies and procedures were adequate.
 4. There is a need for additional staff training.
 5. The reported event is similar to past events with the persons, staff, or the services involved.
 6. There is a need for corrective action by the company to protect the health and safety of the person(s) served.
- E. Based upon the results of the internal review, the company will develop, document, and implement a corrective action plan for the program designed to correct current lapses and prevent future lapses in performance by the individuals or the company, if any. The CEO and/or Designated Manager will ensure that the corrective action plan, if any, must be implemented within 30 days of the internal review being completed.
- F. Within five (5) working days after the completion of the internal review, the Designated Coordinator and/or Designated Manager will consult with the person's expanded support team following the emergency use of manual restraint. The purpose of this consultation is to:
1. Discuss the incident and to define the antecedent or event that gave rise to the behavior resulting in the manual restraint and identify the perceived function the behavior served.
 2. Determine whether the person's served *Coordinated Service and Support Plan Addendum* needs to be revised to positively and effectively help the person maintain stability and to reduce or eliminate future occurrences requiring emergency use of manual restraint.
- G. Within five (5) working dates of the expanded support team review, the Designated Coordinator and/or Designated Manager will submit, using the DHS online *Behavioral Intervention Reporting Form* (DHS-5148-ENG-1), the following information to the Department of Human Services and the Office of the Ombudsman for Mental Health and Developmental Disabilities:
1. The report of the emergency use of manual restraint.
 2. The internal review and corrective action plan, if any.
 3. The written summary of the expanded support team's discussion and decision.
- H. The following written information will be maintained in the person's service recipient record:
1. The report of an emergency use of manual restraint incident that includes:
 - a. Reporting requirements by the staff who implemented the restraint
 - b. The internal review of emergency use of manual restraint and the corrective action plan, with information about implementation of correction within 30 days, if any
 - c. The written summary of the expanded support team's discussion and decision
 - d. The notifications to the expanded support team, the Department of Human Services, and the MN Office of the Ombudsman for Mental Health and Developmental Disabilities
 3. The PDF version of the completed and submitted DHS online *Behavioral Intervention Reporting Form* (DHS-5148-ENG-1). An email of this PDF version of the *Behavioral Intervention Reporting Form* will be sent to the MN-ITS mailbox assigned to the license holder.

Staff training requirements

- A. The company recognizes the importance of having qualified and knowledgeable staff that are competently trained to uphold the rights of persons served and to protect persons' health and safety. All staff will receive orientation and annual training according to MN Statutes, section 245D.09, subdivisions 4, 4a, and 5. Orientation training will occur within the first 60 days of hire and annual training will occur within a period of 12 months.
- B. Within 60 calendar days of hire, the company provides orientation on:

1. The safe and correct use of manual restraint on an emergency basis according to the requirements in section 245D.061 or successor provisions, and what constitutes the use of restraints, time out, and seclusion, including chemical restraint; and
 2. Staff responsibilities related to prohibited procedures under section 245D.06, subdivision 5, MN Rules, part 9544.0060, or successor provisions, why such procedures are not effective for reducing or eliminating symptoms or undesired behavior, and why such procedures are not safe.
- C. Before staff may implement an emergency use of manual restraint, and in addition to the training on this policy and procedure and the orientation and annual training requirements, staff must receive training on emergency use of manual restraints that incorporates the following topics:
1. Alternatives to manual restraint procedures including techniques to identify events and environmental factors that may escalate conduct that poses an imminent risk of physical harm to self or others.
 2. De-escalation methods, positive support strategies, and how to avoid power struggles
 3. Simulated experiences of administering and receiving manual restraint procedures allowed by the company on an emergency basis
 4. How to properly identify thresholds for implementing and ceasing restrictive procedures
 5. How to recognize, monitor, and respond to the person's physical signs of distress including positional asphyxia
 6. The physiological and psychological impact on the person and the staff when restrictive procedures are used
 7. The communicative intent of behaviors
 8. Relationship building.
- D. For staff that are responsible to develop, implement, monitor, supervise, or evaluate positive support strategies, *Positive Support Transition Plans*, or *Emergency Use of Manual Restraint*, the staff must complete a minimum of eight (8) hours of core training from qualified individuals prior to assuming these responsibilities. Core training must include the following:
- a. De-escalation techniques and their value
 - b. Principles of person-centered service planning and delivery and how they apply to direct support services provided by staff
 - c. Principles of positive support strategies such as positive behavior supports, the relationship between staff interactions with the person and the person's behavior, and the relationship between the person's environment and the person's behavior
 - d. What constitutes the use of restraint, including chemical restraint, time out, and seclusion
 - e. The safe and correct use of manual restraint on an emergency basis, according to MN Statutes, section 245D.061
 - f. Staff responsibilities related to prohibited procedures under MN Statutes, section 245D.06, subdivision 5; why the procedures are not effective for reducing or eliminating symptoms or interfering behavior; and why the procedures are not safe
 - g. Staff responsibilities related to restricted and permitted actions and procedure according to MN Statutes, section 245D.06, subdivisions 6 and 7
 - h. Situations in which staff must contact 911 services in response to an imminent risk of harm to the person or others
 - i. Procedures and forms staff must use to monitor and report use of restrictive interventions that are part of a *Positive Support Transition Plan*
 - j. Procedures and requirements for notifying members of the person's expanded support team after the use of a restrictive intervention with the person
 - k. Understanding of the person as a unique individual and how to implement treatment plans and responsibilities assigned to the license holder
 - l. Cultural competence
 - m. Personal staff accountability and staff self-care after emergencies.
- E. Staff who develop positive support strategies, license holders, executives, managers, and owners in non-

- clinical roles, must complete a minimum of four (4) hours of additional training. Function-specific training must be completed on the following:
- a. Functional behavior assessment
 - b. How to apply person-centered planning
 - c. How to design and use data systems to measure effectiveness of care
 - d. Supervision, including how to train, coach, and evaluate staff and encourage effective communication with the person and the person's support team.
- F. License holders, executives, managers, and owners in non-clinical roles must complete a minimum of two (2) hours of additional training. Function-specific training must be completed on the following:
- a. How to include staff in organizational decisions
 - b. Management of the organization based upon person-centered thinking and practices and how to address person-centered thinking and practices in the organization
 - c. Evaluation of organizational training as it applies to the measurement of behavior change and improved outcomes for persons receiving services.
- G. Annually, staff must complete four (4) hours of refresher training covering each of the training topics listed in items D, E, and F listed above.
- H. For each staff, the license holder must document, in the personnel record, completion of core training, function-specific training, and competency testing or assessment. Documentation must include the following:
- a. Date of training
 - b. Testing or assessment completion
 - c. Number of training hours per subject area
 - d. Name and qualifications of the trainer or instructor.
- I. The license holder must verify and maintain evidence of staff qualifications in the personnel record. The documentation must include the following:
- a. Education and experience qualifications relevant to the staff's scope of practice, responsibilities assigned to the staff, and the needs of the general population of persons served by the program; and
 - b. Professional licensure, registration, or certification, when applicable.

IV. DETAILED INSTRUCTIONS ON ALLOWED MANUAL RESTRAINT PROCEDURES

Manual restraints are only to be utilized in situations which the staff(s) involved have deemed to be of imminent danger. Imminent danger is defined as best as possible specifically for each individual served by Creative Care Resources. It is, however, ultimately left up to the best judgement of the staff taking into consideration the individual, the environment they are in and others involved.

Creative Care Resources focuses on person centered practices, programmatic and therapeutic interventions and positive behavior supports to minimize situations which pose imminent danger to the best extent possible for each individual served.

The following holds are Creative Care Resources approved and are described in a step-by-step process which coincides with individual-specific positive behavior support training.

If an emergency use of manual restraint is needed, staff will attempt to verbally calm the person down throughout the implemented procedure(s), unless to do so would escalate the person's behavior. The least restrictive manual restraint will be used to effectively handle the situation. When imminent danger is no longer present, the EUMR will be disengaged.

Important Notes:

- The use of any manual restraint is to maintain safety and is not designed to eliminate all movement by the

individual. Similarly, use of a manual restraint is designed to eliminate any imminent danger and not to stop the individual from engaging in any aggressive behaviors. It is more likely that harm will be done to the individuals and/or staff when there is an attempt to eliminate or prevent any movement or aggression compared to when holds are done correctly and with the intent of maintaining safety.

- It is Creative Care Resources' policy that all holds must end when imminent danger is no longer present.
- After a hold has been stopped it is then the duty of the staff at hand to return to the individual's specific person centered plan and positive behavior support information to continue helping the individual de-escalate until they have returned to their baseline.
- Core training of the following procedures takes place during orientation and is reviewed annually.
- Photos are shown below each EUMR description to help best understand them.

#1: Physical Escort/Walking

If an individual is exhibiting behaviors that appear to be putting themselves and/or others in imminent danger and/or the individual is in or moving to an environment or spot that is dangerous, an emergency use of manual restraint in the form of an escort may be used. Staff should utilize the following steps to ensure effectiveness and safety.

The following could be implemented in a situation where an individual needs to be moved and is able and/or willing to remain in a standing position and/or will walk.

Step 1: The individual should be approached calmly and be informed that movement will take place to help ensure safety. Staff should approach from the side, back of the individual. Contact should first be made at the individual's shoulder & middle back. Staff should then take their forward hand and move it down to the person's arm, holding their arm against their body for leverage and safety. This arm should be as close to the individual's belt line as possible with any pressure needed pushing their arm more down and not in or up to ensure safety.



Important: When holding the individual's arm across their body staff should be holding the arm with all five of their fingers down. While it may feel more natural to hold like you would a bottle you are actually creating a release point that make the hold less effective and safe for all involved.



Step 2: Simultaneously, the staff person will use their other hand to reach around and under the individual's second arm and grasp the first arm that it already being held. This is best held by the staff taking their second hand and moving it underneath the individual's crossed arm with the thumb on top. Staff should use this arm then to help assure there is appropriate leverage and safety. The individual's second arm may be loose and moving around. The second arm may be held by staff's opposite arm if needed for safety and an opportunity is presented to do so.



Step 3: The movement in step 2 will result in the staff person taking their outside foot and placing it behind and in-between the feet of the individual. Staff should tuck their head in between the individual's shoulder blades to prevent injury. In this step, the staff's hips should be directly in contact with the individual's hips (or where they line up height wise).

Remember: the safest distance, between you and the individual when utilizing an emergency use of manual restraint, is as close as possible.

Right now, the staff will have one leg that located in between the individual's legs, with their second leg on the outside. Staff will be looking towards their second leg to ensure their head is tucked and to have the largest visual range. The individual will have at least one arm placed in a bend across their body, at their belt buckle line and with the staff's fingers down.



Step 4: Movement- When moving, staff will move their leg in the middle first, guiding the individual to move with them. The second leg would then move to meet up with the first step. This should continue until the individual and staff reach the closest, safest spot available.

If the individual is willing to stand, staff can remain standing and follow the directions to end the hold.

Step 5: Ending the hold- At this point staff should let go with their second arm, placing in on individuals back and then move their first arm to the individual shoulder and then away.

If the individual is continuing to attempt to drop and/or is not willingly standing on their own, the staff should then, at the closest, safest spot, help the individual lower themselves to a sitting position by squatting their legs and then let go of the hold in the same was as described above.

If at any point during this use of this emergency use of manual restraint the individual becomes aggressive to the point of needing additional assistance to complete the escort, a second staff may then assist. A second staff's assistance would look identical to the first staff's steps with a few exceptions: the second staff would approach from the opposite side, with the hand toward the back making contact first, followed by the more forward hand which will then slide down the free arm to help hold it in front of the individual. The second staff should use the first staff for support by wrapping their back arm around the staff to stabilize. The second staff should then tuck their head into the individual's body and balance their feet perpendicularly to both the individual and the first staff to avoid tripping as they move together. The second staff should remain silent, as to NOT inadvertently increase the individual's affect level and processing ability.

When ending a two person hold, the second staff should always remove themselves first, followed as quickly as necessary by the first staff involved.

#2: Two Person Carry

The following escort is a Two Person Carry escort that can be utilized in the same situations where imminent danger is present, but the individual is unable or unwilling to stand and/or walk.

Step 1: Staff one should approach the individual from behind prompting the individual in a calm manner for the carry. Staff should then bend down, dropping their hips and sliding both of their arms underneath the armpits of the individual.

Simultaneously staff two should approach the individual from a side (whichever is most comfortable) and help the individual move their legs so that they are bent at 90 degrees and up, off of the ground. Staff two will then place their arm closest to the individual underneath the individual's knees at the bend and the arm furthest over their legs, holding onto their opposite calf. Staff two's body will then be used as leverage to keep the individual's knees together, with their hands working in opposition to not apply too much pressure.



Step 2: Staffs one and two will then, at the same time through use of a '3 count', lift the individual with the intent for staff one to walk backwards whenever possible. The intent of moving this way is to first ensure that the

individual is securely held in a safe position with minimal risk of a dangerous fall; this is accomplished with staff two using their momentum and power to keep the individual's weight up (off the ground) and moving in (towards staff one and the direction of movement) this prevents the individual's weight of resting on staff one's arms which could result in an arm or upper body injury. This design also helps alleviate the stress on the staff's (particularly on staff one) arms, back and legs.



Step 3: Movement- both staff will move in conjunction with each other with staff two guiding directionally. The most efficient movement is accomplished when both staff takes smaller steps, moving only as fast as possible while maintaining the integrity of the hold. This should continue until the individual and staff reaches the closest, safest spot available.



Step 4: Ending the hold- both staff will work together on gently placing the individual back down on the ground in a similar position as at the start of the hold. Staff two should let go of the individual's legs first, quickly, followed by staff one.



Manual Restraints: The following holds are designed to be utilized in situations where an individual is exhibiting aggressive behaviors that are imminently dangerous to themselves and/or others. The following holds are all emergency uses of manual restraints and are described in order ranging from least restrictive to most restrictive. All attempts are to be made by staff to use the least restrictive hold necessary given the individuals, staff, resources and situation specifics. As stated before, all attempts to use individual specific de-escalation techniques and positive behavior supports should be used to de-escalate any situation prior to the point where imminent danger is present.

#3: Standing Manual Hold

This hold is nearly identical in design to the physical escort/walking emergency use of manual restraint.

Step 1: The individual should be approached calmly and be informed that a hold will take place to help ensure safety. Staff should approach from the side, back of the individual. Contact should first be made at the individual's shoulder & middle back. Staff should then take their forward hand and move it down to the person's arm, holding their arm against their body for leverage and safety. This arm should be as close to the individual's belt line as possible with any pressure needed pushing their arm more down and not in or up to ensure safety.



Important: when holding the individual's arm across their body staff should be holding the arm with all five of their fingers down. While it may feel more natural to hold like you would a bottle you are actually creating a release point that make the hold less effective and safe for all involved.



Step 2: Simultaneously, the staff person will use their other hand to reach around and under the individual's second arm and grasp the first arm that it already being held. This is best held by the staff taking their second hand and moving it underneath the individual's crossed arm with the thumb on top. Staff should use this arm then to help assure there is appropriate leverage and safety. The second arm may be loose and moving around. The second arm may be held by staff's opposite arm if needed for safety and an opportunity is presented to do so.

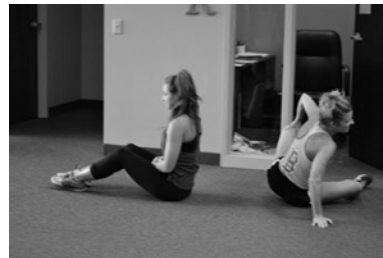


Step 3: Once staff has moved as closely to the described position as possible the staff will then maintain the hold for as long as necessary (until imminent danger is no longer present). Staff's first leg that is placed in the middle of the individual's legs should be used as a base to help stabilize and for leverage; if the individual starts to sit or drop staff can then use their leg to help maintain the hold if a vertical position is the safest possible. Staff's second leg should be used to balance both themselves and the individual during the hold. If the integrity of the hold is lost due to aggressions, movements or loss of placement, staff should immediately end the hold with the safest exit possible and reassess the situation.

At any point, if necessary, a second staff could assist creating a Two-Person Standing Hold. A second staff's assistance would look identical to the first staff's steps with a few exceptions: the second staff would approach from the opposite side, with the hand toward the back making contact first, followed by the more forward hand which will then slide down the free arm to help hold it in front of the individual. The second staff should use the first staff for support by wrapping their back arm around the staff to stabilize. The second staff should then tuck their head into the individual's body and balance their feet perpendicularly to both the individual and the first staff to avoid tripping as they move together.

Step 4: Ending the hold- when imminent danger is no longer present, staff should work on ending the hold. This could mean the individual completely stops their aggressive behavior OR they are beginning to exhibit less dangerous behavior. Staff should start by letting go with their second arm, placing in on individuals back and then move their first arm to the individual shoulder and then quickly away.

A second option during a standing manual hold is to end the hold by lowering the individual to the ground. This can be done to 1) safely end the hold while leaving the individual in a safer, more calming position or 2) be used to end the hold if the individual is aggressive to the point where the hold is no longer effective or safe. To end the hold on the ground the staff person will simply lower themselves by bending their stabilization leg and using their forward leg to help hold the individual up until they are on the ground. The staff person should keep their hips in line with the individuals as long as possible while lowering to the ground. The staff person should also ensure their chest stays as close as possible to the individual's back while tucking their head to ensure safety and stability during the hold. This manual hold can continue as a seated hold if need be. Otherwise, once both individuals are in a safe position on the ground, the staff person should let go of the individual's arm/s and roll away to a safe spot where de-escalation can continue.



#4: Sitting Manual Hold

This hold would be utilized in situations where imminent danger is present and is typically in the form of self-injurious behaviors (not always). This hold can also be utilized when the individual is already sitting, for example, in a chair or in a van. It is likely that individual begins in a standing position and drops to a sitting position (staff may or may not have instilled a standing manual hold).

The exact steps will depend on orientation of the individual and staff involved.

Step 1: Assuming that the individual is on the ground, they should be approached calmly and be informed that a hold will take place to help ensure safety. An assumption is made that the individual is sitting on their buttocks with their legs outright. Staff should approach from the side, back of the individual. Contact should first be made at the individual's shoulder & middle back. Staff should then take their forward hand and move it down to the person's arm, holding their arm against their body for leverage and safety. This arm should be as close to the

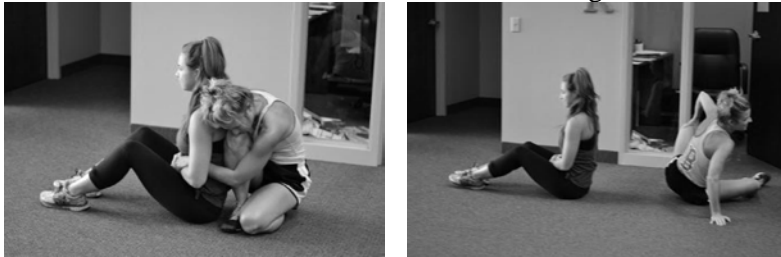
individual's belt line as possible with any pressure needed pushing their arm more down and not in or up to ensure safety. Staff will take extra consideration to ensure their head is tucked towards their second arm.

Step 2: Simultaneously, the staff person will use their other hand to reach around and under the individual's second arm and grasp the first arm that it already being held. This is best held by the staff taking their second hand and moving it underneath the individual's crossed arm with the thumb on top. Staff should use this arm then to help ensure there is appropriate leverage and safety. The second arm may be loose and moving around. The second arm may be held by staff's opposite arm, if needed, for safety and if an opportunity is presented to do so. Due to the proximity to the ground and the bend in the body of the individual, staff will need to pay close attention to their hand placement and ensuring that all pressure is going down towards the ground and **NOT up towards the individual's chest.**

Step 3: The position of staff's legs will depend on their body size, in conjunction with the individual's body size. The staff could be kneeling on both legs, or on one leg; keeping their hips as close to as the individuals as possible is important in maintaining safe positioning for all parties.

Step 4: Ending the hold- when imminent danger is no longer present, staff should work on ending the hold. Staff should start by letting go with their second arm, placing in on individuals back and then move their first arm to the individual shoulder and then move away as quickly as possible; a side roll typically results in the quickest getaway. If two staff are involved, staff number 2 should roll away first followed by staff one.

Remember: If the individual is on the ground, in or not in a hold, a situation of imminent danger is less likely than if they were standing. If a hold begins as a standing hold and moves to a seated hold, staff should take a moment to reflect on if there is still imminent danger and/or what would happen if the hold were to stop.



#5: Supine Hold

This hold would be utilized in situations where standing and/or moving is not a feasible or safe option or in situations where the individual drops to the ground and/or is on the ground and engaging in head banging or other dangerous self-injurious behaviors.

A supine (face up) hold resembles a position typically used by individuals with autism while they are receiving deep pressure. The difference between therapeutic use of deep pressure and a hold will be both the intent by the staff and resistance by the individual. Given that both imminent danger is present and there is resistance by the individual, supine holds are typically (and most effectively) completed with two staff, however can be completed with one staff.

Step 1: The steps involved will be dependent on whether the individual is already standing or lying down. If the individual is standing and a safe standing or sitting hold cannot be executed, but is needed due to imminent danger, the staff person will have to assist the individual to the ground. This can be accomplished by holding the individual by their hip and tucking their arm to the side in which they are lowering towards. Staff then helps the individual to the ground, attempting to place the individual's weight on the safest and strongest areas of their body- their thigh, then side of hip and then onto the buttocks to be rolled into a supine position. This should be accomplished in an accordion like fashion, each part touching the ground after the other. If the individual is already on the ground, in a supine position, and a hold is still deemed necessary, it can then be implemented as is.



Step 2: If the individual is on the ground and there is two staff, the two staff will communicate to each other to ensure that the implementation of the hold by both staff happens at the same time. The two staff will then move in, each straddling the leg closest to them. No weight is necessary to hold leg down, but the staff person should feel secure in that they cannot easily be flipped or kicked off of the hold. The goal is to limit movement to prevent further harm to the individual or others, NOT to completely immobilize.



Step 3: After the staff persons are over the individual's legs, each staff will then hold their respected arm. This is best done with the arm stretched out at a comfortable angle, with one hand along the forearm or wrist and the second up near the armpit. Staff making sure to not apply too much pressure to the individual's joints.



Step 4: No pressure should be felt by the individual any higher than their thighs. If head butting or hitting continues to be an issue, staff persons can call for assistance or use whatever soft object is closest and place it underneath the individual's head. (Shown below is a soft sports pad placed underneath the head to help protect)



Step 5: The supine hold lends itself to slowly ease up on resistance safely. Staff can sit up higher on their legs, lessen the hold to the arms or let go of either limb all together, to ensure that the hold can end when imminent danger is no longer present. Communication by both staff is vital to help ensure that both staff are safe and exit the hold in a manner that does not jeopardize any party involved. When exiting, both staff should simultaneously roll down and out from the individual as quickly as possible to help with the de-escalation process.

A supine hold can also be completed by one staff person. This would be done by following the same steps as above, with the same ending goal of holding each arm away from their head or upper body (where they could do harm). The staff person may be off to the individual's side or straddling one or both of the legs, depending on what is most comfortable and safest for the staff. Again, when implementing a solo supine manual restraint, the staff is certain to have their weight down low, on the individual's thighs, to ensure the individual can breathe and to help decrease the possibility of further aggression towards the staff.



POLICY AND PROCEDURE ON RESPONDING TO AND REPORTING INCIDENTS

I. PURPOSE

The purpose of this policy is to provide instructions to staff for responding to and reporting incidents.

II. POLICY

The company will respond to incidents as defined in MN Statutes, section 245D.02, subdivision 11, that occur while providing services to protect the health and safety of and minimize risk of harm to the person(s) served. Staff will address all incidents according to the specific procedure outlined in this policy and act immediately to ensure the safety of persons served. After the situation has been resolved and/or the person(s) involved are no longer in immediate danger, staff will complete the necessary documentation in order to comply with licensing requirements on reporting and to assist in developing preventative measures. For emergency response procedures, staff will refer to the *Policy and Procedure on Emergencies*.

All staff will be trained on this policy and the safe and appropriate response and reporting of incidents. In addition, program sites will have contact information of a source of emergency medical care and transportation readily accessible. In addition, a list of emergency phone numbers will be posted in a prominent location and emergency contact information for persons served at the facility including each person's representative, physician, and dentist is readily available.

III. PROCEDURE

Defining incidents

- A. An incident is defined as an occurrence which involves a person and requires the program to make a response that is not a part of the program's ordinary provision of services to that person, and includes:
1. Serious injury of a person as determined by MN Statutes, section 245.91, subdivision 6:
 - a. Fractures
 - b. Dislocations
 - c. Evidence of internal injuries
 - d. Head injuries with loss of consciousness
 - e. Lacerations involving injuries to tendons or organs and those for which complications are present
 - f. Extensive second degree or third degree burns and other burns for which complications are present
 - g. Extensive second degree or third degree frostbite and others for which complications are present
 - h. Irreversible mobility or avulsion of teeth
 - i. Injuries to the eyeball
 - j. Ingestion of foreign substances and objects that are harmful
 - k. Near drowning
 - l. Heat exhaustion or sunstroke
 - m. All other injuries considered serious by a physician involving complications of a previous injury or medical treatment
 2. Death of a person served.
 3. Any medical emergency, unexpected serious illness, or significant unexpected changes in an illness or medical condition of a person that requires the program to call "911," physician treatment, or hospitalization.
 4. Any mental health crisis that requires the program to call "911," a mental health crisis intervention team, or a similar mental health response team or service when available and appropriate.
 5. An act or situation involving a person that requires the program to call "911," law enforcement, or the fire department.
 6. A person's unauthorized or unexplained absence from a program.
 7. Conduct by a person served against another person served that:
 - a. Is so severe, pervasive, or objectively offensive that it substantially interferes with a person's opportunities to participate in or receive service or support
 - b. Places the person in actual and reasonable fear of harm
 - c. Places the person in actual and reasonable fear of damage to property of the person
 - d. Substantially disrupts the orderly operation of the program
 8. Any sexual activity between persons served involving force or coercion as defined under MN Statutes, section 609.341, subdivisions 3 and 14.
 9. Any emergency use of manual restraint as identified in MN Statutes, section 245D.061.
 10. A report of alleged or suspected maltreatment of a minor or vulnerable adult under MN Statutes, sections 626.556 or 626.557.

Responding to incidents

- A. Staff will respond to incidents according to the following plans. For incidents including death of a person served, maltreatment, and emergency use of manual restraints, staff will follow the applicable policy and procedure:
1. **Death of a person served:** *Policy and Procedure on the Death of a Person Served*
 2. **Maltreatment:** *Policy and Procedure on Reporting and Review of Maltreatment of Vulnerable Adults or Policy and Procedure on Reporting and Review of Maltreatment of Minors*
 3. **Emergency use of manual restraint:** *Policy and Procedure on Emergency Use of Manual Restraint*
- B. **Any medical emergency (including serious injury), unexpected serious illness, or significant unexpected changes in an illness or medical condition of a person that requires the program to call "911," physician treatment, or hospitalization**

1. Staff will first call “911” if they believe that a person is experiencing a medical emergency (including serious injury), unexpected serious illness, or significant unexpected change in illness or medical condition that may be life threatening and provide any relevant facts and medical history.
 2. Staff will give first aid and/or CPR to the extent they are qualified, when it is indicated by their best judgment or the “911” operator, unless the person served has an advanced directive. Staff will refer to the *Policy and Procedure on the Death of a Person Served* for more information.
 3. Staff will notify the Designated Coordinator and/or Designated Manager or designee who will assist in securing any staffing coverage that is necessary.
 4. If the person is transported to a hospital, staff will either accompany the person or go to the hospital as soon as possible. Staff will not leave other persons served alone or unattended.
 5. Staff will ensure that a completed *Medical Referral* form and all insurance information including current medical insurance card(s) accompany the person.
 6. Staff will remain at the hospital and coordinate an admission to the hospital. If the person served is not to be admitted to the hospital, staff will arrange for transportation home.
 7. Upon discharge from the hospital or emergency room, staff transporting to the program site will coordinate with the assigned nurse or nurse consultant, Designated Coordinator and/or Designated Manager or designee and ensure that:
 - a. All new medications/treatments and cares have been documented on the *Medical Referral* form
 - b. All medications or supplies have been obtained from the pharmacy
 - c. All new orders have been recorded on the monthly medication sheet
 - d. All steps and findings are documented in the program and health documentation, as applicable
 8. If the person’s condition does not require a call to “911,” but prompt medical attention is necessary, staff will consider the situation as health threatening and will call the person’s physician, licensed health care professional, or urgent care to obtain treatment.
 9. Staff will contact the assigned nurse or nurse consultant or Designated Coordinator and/or Designated Manager or designee and will follow any instructions provided including obtaining necessary staffing coverage.
 10. Staff will transport the person to the medical clinic or urgent care and will remain with the person. A *Medical Referral* form will be completed at the time of the visit.
 11. Upon return from the medical clinic or urgent care, staff will coordinate with the assigned nurse or nurse consultant, Designated Coordinator and/or Designated Manager or designee and ensure that:
 - a. All new medications/treatments and cares have been documented on the *Medical Referral* form
 - b. All medications or supplies have been obtained from the pharmacy
 - c. All new orders have been recorded on the monthly medication sheet
 - d. All steps and findings are documented in the program and health documentation, as applicable
- C. Any mental health crisis that requires the program to call “911.” a mental health crisis intervention team, or a similar mental health response team or service when available and appropriate.**
1. Staff will implement any crisis prevention plans specific to the person served as a means to de-escalate, minimize, or prevent a crisis from occurring.
 2. If a mental health crisis were to occur, staff will ensure the person’s safety, and will not leave the person alone if possible.
 3. Staff will contact “911,” a mental health crisis intervention team, or a similar mental health response team or service when available and appropriate, and explain the situation and that the person is having a mental health crisis.
 4. Staff will follow any instructions provided by the “911” operator or the mental health crisis intervention team contact person.
 5. Staff will notify the Designated Coordinator and/or Designated Manager or designee who will assist in securing any staffing coverage that is necessary.
 6. If the person is transported to a hospital, staff will either accompany the person or go to the hospital as soon as possible. Staff will not leave other persons served alone or unattended.
 7. Staff will ensure that a completed *Medical Referral* form and all current insurance information including current medical insurance card(s) accompany the person.

8. Staff will remain at the hospital and coordinate an admission to the hospital. If the person served is not to be admitted to the hospital, staff will arrange for transportation home.
9. Upon discharge from the hospital or emergency room, staff transporting to the program site will coordinate with the assigned nurse or nurse consultant, Designated Coordinator and/or Designated Manager or designee and ensure that:
 - a. All new medications/treatments have been documented on the *Medical Referral* form
 - b. All medications or supplies have been obtained from the pharmacy
 - c. All new orders have been recorded on the monthly medication sheet
 - d. All steps and findings are documented in the program and health documentation, as applicable

D. An act or situation involving a person that requires the program to call “911,” law enforcement, or the fire department

1. Staff will contact “911” immediately if there is a situation or act that puts the person at imminent risk of harm.
2. Staff will immediately notify the Designated Coordinator and/or Designated Manager or designee of any “911,” law enforcement, or fire department involvement or intervention.
3. If a person served has been the victim of a crime, staff will follow applicable policies and procedures for reporting and reviewing maltreatment of vulnerable adults or minors.
4. If a person has been sexually assaulted, staff will discourage the person from bathing, washing, or changing clothing. Staff will leave the area where the assault took place untouched, if it is under the company’s control.
5. If a person served is suspected of committing a crime or participating in unlawful activities, staff will follow the person’s *Coordinated Service and Support Plan Addendum* when possible criminal behavior has been addressed by the support team.
6. If a person served is suspected of committing a crime and the possibility has not been addressed by the support team, the Designated Coordinator and/or Designated Manager will determine immediate actions and contact support team members to arrange a planning meeting.
7. If a person served is incarcerated, the Designated Coordinator and/or Designated Manager or designee will provide the police with information regarding vulnerability, challenging behaviors, and medical needs.

E. Unauthorized or unexplained absence of a person served from a program

1. Based on the person’s supervision level, staff will determine when the person is missing from the program site or from supervision in the community.
2. Staff will immediately call “911” if the person is determined to be missing. Staff will provide the police with information about the person’s appearance, last known location, disabilities, and other information as requested.
3. Staff will immediately notify the Designated Coordinator and/or Designated Manager or designee. Together a more extensive search will be organized, if feasible, by checking locations where the person may have gone.
4. The Designated Coordinator and/or Designated Manager or designee will continue to monitor the situation until the individual is located.
5. If there is reasonable suspicion that abuse and/or neglect led to or resulted from the unauthorized or unexplained absence, staff will report immediately in accordance with applicable policies and procedures for reporting and reviewing maltreatment of vulnerable adults or minors.

F. Conduct by a person served against another person served

1. Staff will immediately enlist the help of additional staff if they are available and intervene to protect the health and safety of persons involved.
2. Staff will redirect persons to discontinue the behavior and/or physically place themselves between the aggressor(s) using the least intrusive methods possible in order to de-escalate the situation.
3. If the aggressor has a behavior plan in place, staff will follow the plan as written in addition to the methodologies that may be provided in the *Coordinated Service and Support Plan Addendum*.

4. Staff will remove the person being aggressed towards to an area of safety.
5. If other least restrictive alternatives were ineffective in de-escalating the aggressors' conduct and immediate intervention is needed to protect the person or others from imminent risk of physical harm, staff will follow the *Policy and Procedure on Emergency Use of Manual Restraint* and/or staff will call "911."
6. If the ordinary operation of the program is disrupted, staff will manage the situation and will return to the normal routine as soon as possible.
7. To the extent possible, staff will visually examine persons served for signs of physical injury and document any findings.
8. If the conduct results in injury, staff will provide necessary treatment according to their training.

G. Sexual activity between persons served involving force or coercion

1. Staff will follow any procedures as directed by the *Individual Abuse Prevention Plans* and/or *Coordinated Service and Support Plan Addendums*, as applicable.
2. Staff will immediately intervene in an approved therapeutic manner to protect the health and safety of the persons involved if there is obvious coercion or force involved, or based on the knowledge of the persons involved, that one of the persons may have sexually exploited the other.
3. If the persons served are unclothed, staff will provide them with a robe or other appropriate garment and will discourage the person from bathing, washing, changing clothing or redressing in clothing that they were wearing.
4. Staff will leave the area where the sexual activity took place untouched if it is under the company's control.
5. Staff will call "911" in order to seek medical attention if necessary and inform law enforcement.
6. To the extent possible, staff will visually examine persons served for signs of physical injury and document any findings.
7. If the incident resulted in injury, staff will provide necessary treatment according to their training.

Reporting incidents

- A. Staff will first call "911" if they believe that a person is experiencing a medical emergency that may be life threatening. In addition, staff will first call "911," a mental health crisis intervention team, or a similar mental health response team or service when available and appropriate for a person experiencing a mental health crisis.
- B. Staff will immediately notify the Designated Coordinator and/or Designated Manager that an incident or emergency has occurred and follow direction issued to them and will document the incident or emergency on an *Incident and Emergency Report* and any related program or health documentation. Each *Incident and Emergency Report* will contain the required information as stated in the *Policy and Procedure on Reviewing Incidents and Emergencies*.
- C. When the incident or emergency involves more than person served, the company and staff will not disclose personally identifiable information about any other person served when making the report to each person and/or legal representative and case manager unless the company has the consent of the person and/or legal representative.
- D. The Designated Coordinator and/or Designated Manager will maintain information about and report incidents to the legal representative or designated emergency contact and case manager within 24 hours of an incident occurring while services are being provided, within 24 hours of discovery or receipt of information that an incident occurred, unless the company has reason to know that the incident has already been reported, or as otherwise directed in the person's *Coordinated Service and Support Plan* and/or *Coordinated Service and Support Plan Addendum*.
- E. A report will be made to the MN Office of the Ombudsman for Mental Health and Developmental Disabilities and the Department of Human Services Licensing Division within 24 hours of the incident, or receipt of the

information that the incident occurred, unless the company has reason to know that the incident has already been reported, by using the required reporting forms. These forms include *Death Reporting Form*, *Serious Injury Form*, and *Death or Serious Injury Report FAX Transmission Cover Sheet*. Incidents to be reported include:

1. Serious injury as determined by MN Statutes, section 245.91, subdivision 6.
 2. Death of a person served.
- F. Verbal reporting of an emergency use of manual restraint will occur within 24 hours of the occurrence. Further reporting procedures will be completed according to the *Policy and Procedure on Emergency Use of Manual Restraint* which includes the requirements of reporting incidents according to MN Statutes, sections 245D.06, subdivision 1 and 245D.061.
- G. Within 24 hours of reporting maltreatment, the company will inform the case manager of the nature of the activity or occurrence reported and the agency that received the report. The company and staff will follow the applicable policy and procedure on reporting maltreatment for vulnerable adults or minors, as applicable.
- H. For residential programs, licensed under the Adult Foster Care rule and not as a MN Statutes, chapter 245D-CRS Satellite license, the Designated Coordinator and/or Designated Manager will ensure that a report is made to the county licensing authority for the following incidents within 24 hours of:
1. The occurrence of a fire that causes damage to the residence or requires the services of a fire department or the onset of any changes or repairs to the residence that require a building permit.
 2. The occurrence of any injuries of a person served that require treatment by a physician.
 3. The occurrence of a death of a person served.
 4. Suspected or alleged maltreatment.
 5. Notification to a person's physician because medication has not been taken as prescribed and the physician has determined that the refusal or failure to take the medication as prescribed created an immediate threat to the person's health or safety or the health or safety of other persons served.
- I. For residential programs licensed as a MN Statutes, chapter 245D-CRS Satellite site, the company will notify the local agency within 24 hours of the onset of changes in a residence resulting from construction, remodeling, or damages requiring repairs that require a building permit or may affect a licensing requirement of MN Statutes, chapter 245D.

POLICY AND PROCEDURE ON EMERGENCIES

I. PURPOSE

The purpose of this policy is to provide guidelines on preparing for, reporting, and responding to emergencies to ensure the safety and well-being of persons served.

II. POLICY

The company will be prepared to respond to emergencies as defined in MN Statutes, section 245D.02, subdivision 8, that occur while providing services, to protect the health and safety of and minimize risk of harm to the person(s) served. Staff will address all emergencies according to the specific procedure outlined in this policy and act immediately to ensure the safety of persons served. After the situation has been resolved and/or the person(s) involved are no longer in immediate danger, staff will complete the necessary documentation in order to comply with licensing requirements on reporting and to assist in developing preventative measures, if applicable. For incident response procedures, staff will refer to the *Policy and Procedure on Responding to and Reporting Incidents*.

All staff will be trained on this policy and the safe and appropriate response to and reporting of emergencies. Program sites will have contact information of a source of emergency medical care and transportation readily available for quick and easy access. In addition, a list of emergency phone numbers will be posted in a prominent location and emergency contact information for persons served at the facility including each person's

representative, physician, and dentist.

III. PROCEDURE

Defining emergencies

- A. Emergency is defined as any event that affects the ordinary daily operation of the program including, but not limited to:
1. Fires.
 2. Severe weather.
 3. Natural disasters.
 4. Power failures.
 5. Emergency evacuation or moving to an emergency shelter.
 6. Temporary closure or relocation of the program to another facility or service site for more than 24 hours.
 7. Other events that threaten the immediate health and safety of persons served and that require calling "911."

Preparing for emergencies

- A. To be prepared for emergencies, a staff person trained in first aid will be available on site in a community residential setting, and when required in a person's *Coordinated Service and Support Plan (CSSP) and/or CSSP Addendum*, be able to provide cardiopulmonary resuscitation (CPR), whenever persons are present and staff are required to be at the site to provide direct services.
- B. Each community residential setting will have a first aid kit readily available for use by, and that meet the needs, of persons served and staff. The first aid kit will contain, at a minimum, bandages, sterile compresses, scissors, and ice bag or cold pack, an oral or surface thermometer, mild liquid soap, adhesive tape, and a first aid manual.
- C. Community residential setting facilities will have:
1. A floor plan available that identifies the locations of:
 - a. Fire extinguishers and audible or visual alarm systems
 - b. Exits, primary and secondary evacuation routes, and accessible egress routes, if any
 - c. An emergency shelter within the facility
 2. A site plan that identifies:
 - a. Designated assembly points outside the facility
 - b. Locations of fire hydrants
 - c. Routes of fire department access
 3. An emergency escape plan for each resident.
 4. A floor plan that identifies the location of enclosed exit stairs for facilities that have three (3) or more dwelling units.
- D. Quarterly fire and severe weather drills will be conducted throughout the year on various days of the week and times of the day or night. Staff and persons served in the facility will not be notified prior to the drill, if possible, to ensure correct implementation of staff responsibilities for response. A manager or designee will be responsible for the initiation of the emergency drill and will record the date, day, and time of the drill in the emergency plan files.
- E. As part of the emergency plan file kept at the facility site, the following information will be maintained:
1. The log of quarterly fire and severe weather drills.
 2. The readily available emergency response plan.
 3. Emergency contact information for persons served at the facility including each person's representative, physician, and dentist.
 4. Information on the emergency shelter within the facility and the designated assembly points outside the facility.

5. Emergency phone numbers that are posted in a prominent location.
- F. If persons served require the use of adaptive procedures or equipment to assist them with safe evacuation, staff will receive specific instruction on these procedures and equipment.

Responding to emergencies

- A. Staff will call “911” based upon the emergency situation as provided in each individual response procedure as stated below.

B. Fire

1. Staff will respond immediately to all fire and smoke detector alarms or signs of fire by activating the alarms system.
2. All persons will be evacuated from the building by staff and assembled at the established designated assembly point outside the facility.
3. “911” will be immediately called from a neighbor’s telephone or a cell phone in order to report the fire.
4. Staff will contain the area of the fire, if feasible, by closing doors. If it is possible to put out the fire with a fire extinguisher, staff will attempt to do so.
5. Staff will notify their HM, DC and DM, On-Call Administrator or designee.
6. Persons served and individuals will not reenter the program site until the police or fire department issue instructions that the area is safe.
7. If the program site is not habitable and relocation to a designated safe area such as an emergency shelter is necessary, staff will follow the procedures in Letter E of this **Responding to emergencies** section.

C. Severe weather conditions and natural disasters

1. At the first sign of severe weather, including but not limited to high winds, heavy snow or rain, or extreme temperatures, staff will confirm the location and safety of all persons served.
2. Staff will listen to the radio or watch television for current weather conditions.
3. Upon hearing sirens or a take cover warning, staff will notify all persons that they need to seek shelter and will guide all persons to the designated safe area in the facility and will also bring a battery operated radio or television set, first aid kit, and flashlight.
4. If feasible, persons served but not scheduled for supervision will be called and warned.
5. Staff will assist all persons in staying in the safe area until an all clear is issued through the radio or by other means.
6. If injury or damage occurs, staff will notify the Designated Coordinator and/or Designated Manager, On-Call Administrator or designee and follow directions given.
7. If relocation to a designated safe area such as an emergency shelter is necessary, staff will follow the procedures in Letter E of this **Responding to emergencies** section.

D. Power failure (electricity outage or gas leak)

1. During a power failure, all staff will remain with persons served. If persons are not in the immediate area at the program, staff will locate them and bring them to the central program area.
2. The power company will be contacted by cell phone to determine estimated length of the power outage. If estimated to last less than two hours, the Designated Coordinator and/or Designated Manager, On-Call Administrator or designee will be contacted to determine what actions will be taken. If the power outage is to last more than two hours, staff will transport the persons to a safe area or location as previously established by the Designated Coordinator and/or Designated Manager.
3. If gas is smelled or a gas leak is suspected, staff will evacuate persons to the established designated assembly point outside the facility.
4. The gas company will be immediately notified and instructions followed.
5. No one will be permitted to use lighters, matches, or any open flame during this time. All electrical and battery-operated appliances and machinery will be turned off until the all clear has been provided.
7. The Designated Coordinator and/or Designated Manager, On-Call Administrator or designee will be notified of the gas leak. This call will be made by staff from the safe area using a cell phone or from a

neighbor's phone.

8. If relocation to a designated safe area such as an emergency shelter is necessary, staff will follow the procedures in Letter E of this **Responding to emergencies** section.

E. Emergency evacuation, moving to an emergency shelter, and temporary closure or relocation of the program to another facility or service site for more than 24 hours

1. Staff will ensure that everyone leaves the building and will assist all persons in gathering at the designated assembly point outside the facility.
2. Staff will immediately notify the Designated Coordinator and/or Designated Manager, On-Call Administrator or designee of the conditions that may require emergency evacuation, moving to an emergency shelter, temporary closure, or the relocation of program to another site.
3. The Designated Coordinator and/or Designated Manager, On-Call Administrator or designee will coordinate relocation of services in a way that promotes continuity of care of persons served.
4. The Designated Coordinator and/or Designated Manager, On-Call Administrator or designee will coordinate and assist staff as necessary in transporting persons to the designated location.
5. If access to the program site is permitted, staff will transfer persons' program files, clothing, necessary personal belongings, current medications, and medication administration records to the designated location.
6. The Designated Coordinator and/or Designated Manager or On-Call Administrator will notify the legal representative or designated emergency contact, and case manager, and other licensed caregiver (if applicable) of the new location of the program if necessary.

F. Other events that threaten the immediate health and safety of persons served and that require calling "911"

1. Pandemic event: Upon request, staff will cooperate with state and local government disaster planning agencies working to prepare for or react to emergencies presented by a pandemic outbreak.
2. Bomb threat
 - a. Upon receiving a bomb threat, staff at the program site should pull the fire alarm, if available.
 - b. Staff will ensure that everyone leaves the building and assembles at the designated assembly point outside the facility.
 - c. Staff will immediately call "911" from a neighbor's telephone or a cell phone.
 - d. Staff and persons will remain outside the building until further instructions are received from the police or fire department.
 - e. If unable to re-occupy the building, staff will follow the procedures in Letter E of this **Responding to emergencies** section.
3. Repeated and unwanted or threatening phone calls
 - a. Upon receiving repeated and unwanted or threatening phone calls, staff will hang up the phone immediately or encourage the person served to hang up the phone.
 - b. Staff will lock all doors and windows.
 - c. Staff will monitor the frequency of disruptive phone calls, informing the Designated Coordinator and/or Designated Manager when the calls continue to a point where the safety of persons served is in question or when the calls are personally threatening or environmentally threatening to a program site or property.
 - d. Staff will call "911" if at any point they feel threatened.
 - e. The Designated Coordinator and/or Designated Manager will determine when and if the telephone number will be changed due to the harassing or threatening telephone calls.

Reporting emergencies

- A. Staff will immediately notify the Designated Coordinator and/or Designated Manager or On-Call Administrator that an incident or emergency has occurred and follow direction issued to them and will document the incident or emergency on an *Incident and Emergency Report* any related program or health documentation. Each *Incident and Emergency Report* will contain the required information as stated in the *Policy and Procedure on Reviewing Incidents and Emergencies*.
- B. If an incident resulted from the emergency situation, the Designated Coordinator and/or Designated Manager or On-Call Administrator will maintain information about and report incidents to the legal representative or designated emergency contact and case manager within 24 hours of an incident occurring while services are being provided, within 24 hours of discovery or receipt of information that an incident occurred, unless the company has reason to know that the incident has already been reported, or as otherwise directed in the person's *Coordinated Service and Support Plan* and/or *Coordinated Service and Support Plan Addendum*.
- C. When the incident or emergency involves more than person served, the company and staff will not disclose personally identifiable information about any other person served when making the report to each person and/or legal representative and case manager unless the company has the consent of the person and/or legal representative.
- D. If a serious injury or death were to occur as a result of the emergency situation, staff will follow the response and reporting procedures as stated in the *Policy and Procedures on Responding to and Reporting Incidents* and, if needed, the *Policy and Procedure on Death of a Person Served*.

POLICY AND PROCEDURE ON REVIEWING INCIDENTS AND EMERGENCIES

I. PURPOSE

The purpose of this policy is to establish guidelines for the internal review of incidents and emergencies.

II. POLICY

This company is committed to the prevention of and safe and timely response to incidents and emergencies. Staff will act immediately to respond to incidents and emergencies as directed in the *Policy and Procedure on Responding to and Reporting Incidents* and the *Policy and Procedure on Emergencies*. After the health and safety of person(s) served are ensured, staff will complete all required documentation that will be compiled and used as part of the internal review process.

The company will ensure timely completion of the internal review procedure of incident and emergencies to identify trends or patterns and corrective action, if needed.

III. PROCEDURE

- A. The Designated Manager will conduct a review of all reports of incidents and emergencies for identification of patterns and implementation of corrective action as necessary to reduce occurrences. This review will include:
1. Accurate and complete documentation standards that include the use of objective language, a thorough narrative of events, appropriate response, etc.
 2. Identification of patterns which may be based upon the person served, staff involved, location of incident, etc. or a combination.
 3. Corrective action that will be determined by the results of the review and may include, but is not limited to, retraining of staff, changes in the physical plant of the program site, and/or changes in the *Coordinated Service and Support Plan Addendum*.
- B. Each *Incident and Emergency Report* will contain the following information:
1. The name of the person or persons involved in the incident. It is not necessary for staff to identify all persons affected by or involved in an emergency unless the emergency resulted in an incident.
 2. The date, time, and location of the incident or emergency.
 3. A description of the incident or emergency.
 4. A description of the response to the incident or emergency and whether a person's *Coordinated Service and Support Plan Addendum* or program policies and procedures were implemented as applicable.
 5. The name of the staff person or persons who responded to the incident or emergency.
 6. The determination of whether corrective action is necessary based on the results of the review that will be completed by the Designated Manager.
- C. In addition to the review for the identification of patterns and implementation of corrective action, the company will consider the following situations reportable as incidents or emergencies which will require the completion of an internal review:
1. Emergency use of manual restraint as defined in MN Statutes, sections 245D.02, subdivision 8a and 245D.061. MN Statutes, section 245D.061, subdivision 6, has an internal review report requiring the answering of six questions.
 2. Death and serious injuries not reported as maltreatment according to MN Statutes, section 245D.06, subdivision 1, paragraph g.
 3. Reports of maltreatment of vulnerable adults or minors according to MN Statutes, sections 626.557 and 626.556.
 4. Complaints or grievances as defined in MN Statutes, section 245D.10, subdivision 2.
- D. When the company has knowledge that a situation has occurred that requires an internal review, the Designated Manager will ensure that an *Incident and Emergency Report* or *Emergency Use of Manual Restraint Incident Report* has been completed.
1. In addition to the *Incident and Emergency Report*, if there was a death or serious injury, the Designated Manager will also ensure that the applicable documents have also been completed for the MN Office of the Ombudsman for Mental Health and Developmental Disabilities and the Department of Human Services Licensing Division.
 2. For internal reports of suspected or alleged maltreatment of a vulnerable adult, a copy of the *Notification to an Internal Reporter* will also be submitted for the internal review.
 3. The internal review and reporting of emergency use of manual restraints will be completed according to the *Policy and Procedure on Emergency Use of Manual Restraint*.
- E. Documentation to be submitted to the designated person responsible for completing internal reviews will include, as applicable:
1. *Incident and Emergency Report*.
 2. *Notification to an Internal Reporter*.
 3. *Emergency Use of Manual Restraint Incident Report*.

4. *Death Reporting Form.*
 5. *Serious Injury Form.*
 6. *Death or Serious Injury Report FAX Transmission Cover Sheet.*
 7. *Complaint Summary and Resolution Notice.*
- F. The CEO is the primary individual responsible for ensuring that internal reviews are completed for reports. If there are reasons to believe that the CEO is involved in the alleged or suspected maltreatment or is unable to complete the internal review, the CFO is the secondary individual responsible for ensuring that internal reviews are completed.
- G. The internal review will be completed (within 30 calendar days for maltreatment reports) using the *Internal Review* form and will include an evaluation of whether:
1. Related policies and procedures were followed.
 2. The policies and procedures were adequate.
 3. There is a need for additional staff training.
 4. The reported event is similar to past events with the persons or the services involved.
 5. There is a need for corrective action by the license holder to protect the health and safety of persons served.
- H. Based upon the results of the review, the license holder will develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by staff or the license holder, if any.
- I. The following information will be maintained in the service recipient record, as applicable:
1. *Incident and Emergency Report* including the written summary and the Designated Manager's review.
 2. *Emergency Use of Manual Restraint Incident Report* and applicable reporting and reviewing documentation requirements.
 3. *Death Reporting Form.*
 4. *Serious Injury Form.*
 5. *Death or Serious Injury Report FAX Transmission Cover Sheet.*
 6. *Complaint Summary and Resolution Notice.*
- J. Completed *Internal Reviews* and documentation regarding suspected or alleged maltreatment will be maintained separately by the internal reviewer in a designated file that is kept locked and only accessible to authorized individuals.
- K. Internal reviews must be made accessible to the commissioner immediately upon the commissioner's request for internal reviews regarding maltreatment.

**POLICY AND PROCEDURE ON REPORTING AND REVIEW OF
MALTREATMENT OF VULNERABLE ADULTS**

I. PURPOSE

The purpose of this policy is to establish guidelines for the internal and external reporting and the internal review of maltreatment of vulnerable adults.

II. POLICY

Staff who are mandated reporters must report all of the information they know regarding an incident of known or suspected maltreatment, either, externally or internally, in order to meet their reporting requirements under law. All staff of the company who encounter maltreatment of a vulnerable adult will take immediate action to ensure the safety of the person(s) served. Staff will define maltreatment of vulnerable adults as abuse, neglect, or financial exploitation and will refer to the definitions from Minnesota Statutes, section 626.5572 at the end of this policy. Staff are to conduct themselves in a supportive and respectful manner which does not maltreat Vulnerable Adults.

Staff will refer to the *Policy and Procedure on Reporting and Review of Maltreatment of Minors* regarding suspected or alleged maltreatment of persons 17 years of age or younger.

III. PROCEDURE

- A. Staff of the company who encounter maltreatment of a vulnerable adult, age 18 or older, will take immediate action to ensure the safety of the person or persons, as well as the safekeeping of their funds and property. If a staff knows or suspects that a vulnerable adult is in immediate danger, they will call "911."
- B. If a staff knows or suspects that maltreatment of a vulnerable adult has occurred, they must make a verbal report immediately (within 24 hours) to either to the Minnesota Adult Abuse Reporting Center (MAARC) or internally to CCR's Administration. Should the staff choose to make a report directly to an external agency, they must make the report by notifying the Minnesota Adult Abuse Reporting Center (MAARC).
- C. Where to report - You can make an external or an internal report:
1. You may make an internal report to a CCR Administrator (952-432-7710) or the CCR Administrator On-Call at 612-590-2533 on weekends. If this person (on-call) is involved in the alleged or suspected maltreatment, you must report to Laurie Wabner at 612-801-8290 or Sheila Williams at 612-802-2995, in the event an individual is suspected of maltreatment. The CCR Administrator will then report the suspected abuse using the MAARC system on your behalf, as well as begin conducting an internal review immediately.
 2. You may make external reports thru the MAARC system by calling 1-844-880-1574 or online at mn.gov/dhs/reportadultabuse/.
- D. The CEO is the primary individual responsible for receiving internal reports of maltreatment and for forwarding internal reports using the MAARC System. If there are reasons to believe that the CEO is involved in the alleged or suspected maltreatment, the CFO is the secondary individual responsible for receiving internal reports of maltreatment and for forwarding internal reports to MAARC.
- E. When reporting the alleged or suspected maltreatment, either externally or internally, staff will include as much information as known and will cooperate with any subsequent investigation.
- F. If you have reported internally, you must receive, within two working days, a written notice that tells you whether or not your report has been forwarded to MAARC. The written notice must be given to you in a

manner that protects your confidentiality as a reporter. It shall inform you that if you are not satisfied with the action taken by the facility on whether to report the incident to the MAARC System, you may still make an external report to the MAARC yourself. It must also inform you that you are protected against retaliation by the program if you make a good faith report.

- G. When the company has knowledge that an external or internal report of alleged or suspected maltreatment has been made, an internal review will be completed. The CEO is the primary individual responsible for ensuring that internal reviews are completed for reports of maltreatment. If there are reasons to believe that the CEO is involved in the alleged or suspected maltreatment, the CFO is the secondary individual responsible for ensuring that internal reviews are completed.
- H. The *Internal Review* will be completed within 30 calendar days. The person completing it will:
1. Ensure an *Incident and Emergency Report* has been completed.
 2. Contact the lead investigative agency if additional information has been gathered.
 3. Coordinate any investigative efforts with the lead investigative agency by serving as the company contact, ensuring that staff cooperate, and that all records are available.
 4. Complete an *Internal Review* which will include the following evaluations of whether:
 - a. Related policies and procedures were followed
 - b. The policies and procedures were adequate
 - c. There is a need for additional staff training
 - d. The reported event is similar to past events with the vulnerable adults or the services involved
 - e. There is a need for corrective action by the license holder to protect the health and safety of the vulnerable adult(s)
 5. Complete the *Alleged Maltreatment Review Checklist* and compile together all documents regarding the report of maltreatment.
- H. Based upon the results of the internal review, the company will develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by staff or the company, if any.
- I. Internal reviews must be made accessible to the commissioner immediately upon the commissioner's request for internal reviews regarding maltreatment.
- J. The company will provide an orientation to the internal and external reporting procedures to all persons served and/or legal representatives. This orientation will include the telephone number and website for the Minnesota Adult Abuse Reporting Center. This orientation for each new person to be served will occur within 24 hours of admission, or for persons who would benefit more from a later orientation, the orientation may take place within 72 hours.
- K. Staff will receive training on this policy, MN Statutes, section 245A.65 and sections 626.557 and 626.5572 and their responsibilities related to protecting persons served from maltreatment and reporting maltreatment. This training must be provided within 72 hours of first providing direct contact services and annually thereafter.

MINNESOTA STATUTES, SECTION 626.5572 DEFINITIONS

Subdivision 1.Scope.

For the purpose of section [626.557](#), the following terms have the meanings given them, unless otherwise specified.

Subd. 15.Maltreatment.

"Maltreatment" means abuse as defined in subdivision 2, neglect as defined in subdivision 17, or financial exploitation as defined in subdivision 9.

Subd. 2.Abuse.

"Abuse" means:

(a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of:

- (1) assault in the first through fifth degrees as defined in sections [609.221](#) to [609.224](#);
- (2) the use of drugs to injure or facilitate crime as defined in section [609.235](#);
- (3) the solicitation, inducement, and promotion of prostitution as defined in section [609.322](#); and
- (4) criminal sexual conduct in the first through fifth degrees as defined in sections [609.342](#) to [609.3451](#).

A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.

(b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following:

- (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult;
- (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening;
- (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and
- (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section [245.825](#).

(c) Any sexual contact or penetration as defined in section [609.341](#), between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.

(d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another.

(e) For purposes of this section, a vulnerable adult is not abused for the sole reason that the vulnerable adult or a person with authority to make health care decisions for the vulnerable adult under sections [144.651](#), [144A.44](#), chapter 145B, 145C or 252A, or section [253B.03](#) or 524.5-313, refuses consent or withdraws consent, consistent with that authority and within the boundary of reasonable medical practice, to any therapeutic conduct, including any care, service, or procedure to diagnose, maintain, or treat the physical or mental condition of the vulnerable adult or, where permitted under law, to provide nutrition and hydration parenterally or through intubation. This paragraph does not enlarge or diminish rights otherwise held under law by:

- (1) a vulnerable adult or a person acting on behalf of a vulnerable adult, including an involved family member, to consent to or refuse consent for therapeutic conduct; or
- (2) a caregiver to offer or provide or refuse to offer or provide therapeutic conduct.

(f) For purposes of this section, a vulnerable adult is not abused for the sole reason that the vulnerable adult, a person with authority to make health care decisions for the vulnerable adult, or a caregiver in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the vulnerable adult in lieu of medical care, provided that this is consistent with the prior practice or belief of the vulnerable adult or with the expressed intentions of the vulnerable adult.

(g) For purposes of this section, a vulnerable adult is not abused for the sole reason that the vulnerable adult, who is not impaired in judgment or capacity by mental or emotional dysfunction or undue influence, engages in consensual sexual contact with:

- (1) a person, including a facility staff person, when a consensual sexual personal relationship existed prior to the caregiving relationship; or
- (2) a personal care attendant, regardless of whether the consensual sexual personal relationship existed prior to the caregiving relationship.

Subd. 9. Financial exploitation.

"Financial exploitation" means:

(a) In breach of a fiduciary obligation recognized elsewhere in law, including pertinent regulations, contractual obligations, documented consent by a competent person, or the obligations of a responsible party under section [144.6501](#), a person:

- (1) Engages in unauthorized expenditure of funds entrusted to the actor by the vulnerable adult which results or is likely to result in detriment to the vulnerable adult; or
- (2) Fails to use the financial resources of the vulnerable adult to provide food, clothing, shelter, health care, therapeutic conduct or supervision for the vulnerable adult, and the failure results or is likely to result in detriment to the vulnerable adult.

(b) In the absence of legal authority a person:

- (1) Willfully uses, withholds, or disposes of funds or property of a vulnerable adult;
- (2) Obtains for the actor or another the performance of services by a third person for the wrongful profit or advantage of the actor or another to the detriment of the vulnerable adult;
- (3) acquires possession or control of, or an interest in, funds or property of a vulnerable adult through the use of undue influence, harassment, duress, deception, or fraud; or
- (4) Forces, compels, coerces, or entices a vulnerable adult against the vulnerable adult's will to perform services for the profit or advantage of another.

(c) Nothing in this definition requires a facility or caregiver to provide financial management or supervise financial management for a vulnerable adult except as otherwise required by law.

Subd. 17. Neglect.

"Neglect" means:

(a) The failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is:

- (1) Reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and
- (2) Which is not the result of an accident or therapeutic conduct.

(b) The absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult.

(c) For purposes of this section, a vulnerable adult is not neglected for the sole reason that:

- (1) the vulnerable adult or a person with authority to make health care decisions for the vulnerable adult under sections [144.651](#), [144A.44](#), chapter 145B, 145C, or 252A, or sections [253B.03](#) or [524.5-101](#) to [524.5-502](#), refuses consent or withdraws consent, consistent with that authority and within the boundary of reasonable medical practice, to any therapeutic conduct, including any care, service, or procedure to diagnose, maintain, or treat the physical or mental condition of the vulnerable adult, or, where permitted under law, to provide nutrition and hydration parenteral or through intubation; this paragraph does not enlarge or diminish rights otherwise held under law by:
 - (i) a vulnerable adult or a person acting on behalf of a vulnerable adult, including an involved family member, to consent to or refuse consent for therapeutic conduct; or
 - (ii) a caregiver to offer or provide or refuse to offer or provide therapeutic conduct; or
- (2) the vulnerable adult, a person with authority to make health care decisions for the vulnerable adult, or a caregiver in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the vulnerable adult in lieu of medical care, provided that this is consistent with the prior practice or belief of the vulnerable adult or with the expressed intentions of the vulnerable adult;
- (3) the vulnerable adult, who is not impaired in judgment or capacity by mental or emotional dysfunction or undue influence, engages in consensual sexual contact with:
 - (i) a person including a facility staff person when a consensual sexual personal relationship existed prior to the

caregiving relationship; or

(ii) a personal care attendant, regardless of whether the consensual sexual personal relationship existed prior to the caregiving relationship; or

(4) an individual makes an error in the provision of therapeutic conduct to a vulnerable adult which does not result in injury or harm which reasonably requires medical or mental health care; or

(5) an individual makes an error in the provision of therapeutic conduct to a vulnerable adult that results in injury or harm, which reasonably requires the care of a physician, and:

(i) the necessary care is provided in a timely fashion as dictated by the condition of the vulnerable adult;

(ii) if after receiving care, the health status of the vulnerable adult can be reasonably expected, as determined by the attending physician, to be restored to the vulnerable adult's preexisting condition;

(iii) the error is not part of a pattern of errors by the individual;

(iv) if in a facility, the error is immediately reported as required under section [626.557](#), and recorded internally in the facility;

(v) if in a facility, the facility identifies and takes corrective action and implements measures designed to reduce the risk of further occurrence of this error and similar errors; and

(vi) if in a facility, the actions required under items (iv) and (v) are sufficiently documented for review and evaluation by the facility and any applicable licensing, certification, and ombudsman agency.

(d) Nothing in this definition requires a caregiver, if regulated, to provide services in excess of those required by the caregiver's license, certification, registration, or other regulation.

(e) If the findings of an investigation by a lead agency result in a determination of substantiated maltreatment for the sole reason that the actions required of a facility under paragraph (c), clause (5), item (iv), (v), or (vi), were not taken, then the facility is subject to a correction order. An individual will not be found to have neglected or maltreated the vulnerable adult based solely on the facility's not having taken the actions required under paragraph (c), clause (5), item (iv), (v), or (vi). This must not alter the lead agency's determination of mitigating factors under section [626.557, subdivision 9c](#), paragraph (c).

POLICY AND PROCEDURE ON REPORTING AND REVIEW OF MALTREATMENT OF MINORS

I. PURPOSE

The purpose of this policy is to establish guidelines for the reporting and internal review of maltreatment of minors (children) in care.

II. POLICY

Staff who are mandated reporters must report externally all of the information they know regarding an incident of known or suspected maltreatment of a child, in order to meet their reporting requirements under law. All staff of the company who encounter maltreatment of a minor will take immediate action to ensure the safety of the child. Staff will define maltreatment as sexual abuse, physical abuse, or neglect and will refer to the definitions from MN Statutes, section 626.556 at the end of this policy.

Any person may voluntarily report to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff if the person knows, has reason to believe, or suspects a child is being neglected or subjected to physical or sexual abuse. Staff of the company cannot shift the responsibility of reporting maltreatment to an internal staff person or position. In addition, if a staff knows or has reason to believe a child is being or has been neglected or physically or sexually abused within the preceding three years, the staff must immediately (within 24 hours) make a report to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff.

Staff will refer to the *Policy and Procedure on Reporting and Review of Maltreatment of Vulnerable Adults* regarding suspected or alleged maltreatment of individuals 18 years of age or older.

III. PROCEDURE

- A. Staff of the company who encounter maltreatment of a child, age 17 or younger, will take immediate action to ensure the safety of the child or children. If a staff knows or suspects that a child is in immediate danger, they will call "911."
- B. A staff who is a mandated reporter is required to report any child abuse or neglect either internally or externally.
- C. Where to report - You can make an external or an internal report:
 - 1. You may make an internal report to a CCR Administrator (952-432-7710) or the CCR Administrator On-Call at 612-590-2533 on weekends. If this person (on-call) is involved in the alleged or suspected maltreatment, you must report to Laurie Wabner at 612-801-8290 or Sheila Williams at 612-802-2995, in the event an individual is suspected of maltreatment. The CCR Administrator will then report the suspected abuse on your behalf, as well as begin conducting an internal review immediately.
 - 2. You may make external reports regarding child abuse or neglect using the phone number: 952-891-7171.
- C. Reports regarding incidents of suspected abuse or neglect to a child occurring to an individual who does not live permanently within the licensed facility (i.e. a respite client) and the suspected abuse or neglect is not due to a staff member who works at the licensed facility, the report should be made to the local county social services agency or local law enforcement referencing the phone numbers contained within this policy (see chart below).
- D. When verbally reporting the alleged maltreatment to the external agency, the mandated reporter will include as much information as known to identify the child involved, any persons responsible for the abuse or neglect

(if known), and the nature and extent of the maltreatment.

- E. If the report of suspected abuse or neglect occurred within the company, the report should also include any actions taken by the company in response to the incident. If a staff attempts to report the suspected maltreatment internally, the person receiving the report will remind the staff of the requirement to report externally.
- F. A verbal report of suspected abuse or neglect that is made to one of the listed agencies by a mandated reporter must be followed by a written report to the same agency within 72 hours, exclusive of weekends and holidays, unless the appropriate agency has informed the mandated reporter that the oral information does not constitute a report.
- G. When the company has knowledge that an external report of alleged or suspected maltreatment has been made, an internal review will be completed. The CEO is the primary individual responsible for ensuring that internal reviews are completed for reports of maltreatment. If there are reasons to believe that the CEO is involved in the alleged or suspected maltreatment, the CFO is the secondary individual responsible for ensuring that internal reviews are completed.
- H. The *Internal Review* will be completed within 30 calendar days. The person completing it will:
 - 5. Ensure an *Incident and Emergency Report* has been completed.
 - 6. Contact the lead investigative agency if additional information has been gathered.
 - 7. Coordinate any investigative efforts with the lead investigative agency by serving as the company contact, ensuring that staff cooperate, and that all records are available.
 - 8. Complete an *Internal Review* which will include the following evaluations of whether:
 - f. Related policies and procedures were followed
 - g. The policies and procedures were adequate
 - h. There is a need for additional staff training
 - i. The reported event is similar to past events with the children or the services involved
 - j. There is a need for corrective action by the license holder to protect the health and safety of the children in care
 - 6. Complete the *Alleged Maltreatment Review Checklist* and compile together all documents regarding the report of maltreatment.
- I. Based upon the results of the internal review, the company will develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by individuals or the company, if any.
- J. Internal reviews must be made accessible to the commissioner immediately upon the commissioner's request for internal reviews regarding maltreatment.
- K. Staff will receive training on this policy, MN Statutes, section 245A.66 and section 626.556 and their responsibilities related to protecting children in care from maltreatment and reporting maltreatment. This training must be provided within 72 hours of first providing direct contact services and annually thereafter.

EXTERNAL AGENCIES

COUNTY	DAY	EVENING/WEEKEND
AITKIN	(218) 927-7200 or (800) 328-3744	(218) 927-7400
ANOKA	(763) 422-7215	(651) 291-4680
BECKER	(218) 847-5628	(218) 847-2661

CREATIVECARE

RESOURCES

BELTRAMI	(218) 333-4223	(218) 751-9111
BENTON	(320) 968-5087	(320) 968-7201
BIG STONE	(320) 839-2555	(320) 815-0215
BLUE EARTH	(507) 304-4111	(507) 625-9034
BROWN	(507) 354-8246	(507) 233-6720
CARLTON	(218) 879-4583	(218) 384-3236
CARVER	(952) 361-1600	(952) 442-7601
CASS	(218) 547-1340	(218) 547-1424
CHIPPEWA	(320) 269-6401	(320) 269-2121
CHISAGO	(651) 213-5600	(651) 257-4100
CLAY	(218) 299-5200	(218) 299-5151
CLEARWATER	(218) 694-6164	(218) 694-6226
COOK	(218) 387-3620	(218) 387-3030
COTTONWOOD	(507) 831-1891	(507) 831-1375
CROW WING	(218) 824-1140	(218) 829-4740
DAKOTA	(952) 891-7459	(952) 891-7171
DODGE	(507) 635-6170	(507) 635-6200
DOUGLAS	(320) 762-2302	(320) 762-8151
FARIBAULT	(507) 526-3265	(507) 526-5148
FILLMORE	(507) 765-2175	(507) 765-3874
FREEBORN	(507) 377-5400	(507) 377-5205
GOODHUE	(651) 385-3232	(651) 385-3155
GRANT	(218) 685-4417	(800) 797-6190
HENNEPIN	(612) 348-3552	(612) 348-8526
HOUSTON	(507) 725-5811	(507) 725-3379
HUBBARD	(218) 732-1451	(218) 732-3331
ISANTI	(763) 689-1711	(763) 689-2141
ITASCA	(218) 327-2941	(218) 326-8565
JACKSON	(507) 847-4000	(507) 847-4420
KANABEC	(320) 679-6350	(320) 679-8400
KANDIYOHI	(320) 231-7800	(320) 235-1260

CREATIVECARE

RESOURCES

KITTSON	(218) 843-2689	(218) 843-3535
KOOCHICHING	(218) 283-7000	(218) 283-4416
LAC QUI PARLE	(320) 598-7594	(320) 598-3720
LAKE	(218) 834-8400	(218) 834-8385
LAKE OF THE WOODS	(218) 634-2642	(218) 634-1143
LE SUEUR	(507) 357-8288	(507) 357-8545
LINCOLN	(800) 810-8816	(507) 694-1664
LYON	(800) 657-3760	(507) 537-7666
MAHNOMEN	(218) 935-2568	(218) 935-2255
MARSHALL	(218) 745-5124	(218) 745-5411
MARTIN	(507) 238-4757	(507) 238-4481
MC LEOD	(320) 864-3144	(320) 864-3134
MEEKER	(320) 693-5300	(320) 693-5400
MILLE LACS	(320) 983-8208	(320) 983-8250
MORRISON	(320) 632-2951	(320) 632-9233
MOWER	(507) 437-9700	(507) 437-9400
MURRAY	(800) 657-3811	(507) 836-6168
NICOLLET	(507) 386-4528	(507) 931-1570
NOBLES	(507) 295-5213	(507) 372-2136
NORMAN	(218) 784-5400	(218) 784-7114
OLMSTED	(507) 328-6400	(507) 328-6583
OTTER TAIL	(218) 998-8150	(218) 998-8555
PENNINGTON	(218) 681-2880	(218) 681-6161
PINE	(320) 591-1570	(320) 629-8380
PIPESTONE	(507) 825-6720	(507) 825-6792
POLK	(218) 281-8483	(218) 281-0431
POPE	(320) 634-5750	(320) 634-5411
RAMSEY	(651) 266-4500	(651) 291-6795
RED LAKE	(218) 253-4131	(218) 253-2996
REDWOOD	(507) 637-4050	(507) 637-4036
RENVILLE	(320) 523-2202	(320) 523-1161

RICE	(507) 332-6115	(507) 210-8524
ROCK	(507) 283-5070	(507) 283-5000
ROSEAU	(218) 463-2411	(218) 463-1421
SCOTT	(952) 445-7751	(952) 496-8484
SHERBURNE	(763) 241-2600	(763) 241-2500
SIBLEY	(507) 237-4000	(507) 237-4330
ST. LOUIS	N. (218) 749-7128 or S. (218) 726-2012	N. (218) 749-6010 or S. (218) 727-8770
STEARNS	(320) 656-6225	(320) 251-4240
STEELE	(507) 444-7500	(507) 444-3800
STEVENS	(320) 589-7400	(320) 589-2141
SWIFT	(320) 843-3160	(320) 843-3133
TODD	(320) 732-4500	(320) 732-2157
TRAVERSE	(320) 563-8255	(320) 563-4244
WABASHA	(651) 565-3351	(651) 565-3361
WADENA	(218) 631-7605	(218) 631-7600
WASECA	(507) 835-0560	(507) 835-0500
WASHINGTON	(651) 430-6457	(651) 291-6795
WATONWAN	(507) 375-3294	(507) 507-3121
WILKIN	(218) 643-8013	(218) 643-8544
WINONA	(507) 457-6200	(507) 457-6368
WRIGHT	(763) 682-7449	(763) 682-1162
YELLOW MEDICINE	(320) 564-2211	(320) 564-2130

DEPARTMENT OF HUMAN SERVICES LICENSING DIVISION MALTREATMENT INTAKE: 651-431-6600

MINNESOTA STATUTES, SECTION 626.556 DEFINITIONS

Subdivision. 2. Definitions.

As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(c) "Substantial child endangerment" means a person responsible for a child's care, who by act or omission commits or attempts to commit an act against a child under their care that constitutes any of the following:

- (1) egregious harm as defined in section [260C.007, subdivision 14](#);
- (2) abandonment under section [260C.301, subdivision 2](#);
- (3) neglect as defined in paragraph (f), clause (2), that substantially endangers the child's physical or mental health, including a growth delay, which may be referred to as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

- (4) murder in the first, second, or third degree under section [609.185](#), [609.19](#), or [609.195](#);
- (5) manslaughter in the first or second degree under section [609.20](#) or [609.205](#);
- (6) assault in the first, second, or third degree under section [609.221](#), [609.222](#), or [609.223](#);
- (7) solicitation, inducement, and promotion of prostitution under section [609.322](#);
- (8) criminal sexual conduct under sections [609.342](#) to [609.3451](#);
- (9) solicitation of children to engage in sexual conduct under section [609.352](#);
- (10) malicious punishment or neglect or endangerment of a child under section [609.377](#) or [609.378](#);
- (11) use of a minor in sexual performance under section [617.246](#); or
- (12) parental behavior, status, or condition which mandates that the county attorney file a termination of parental rights petition under section [260C.301, subdivision 3](#), paragraph (a).

(d) "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child, as defined in section [609.341](#), or by a person in a position of authority, as defined in section [609.341](#), subdivision 10, to any act which constitutes a violation of section [609.342](#) (criminal sexual conduct in the first degree), [609.343](#) (criminal sexual conduct in the second degree), [609.344](#) (criminal sexual conduct in the third degree), [609.345](#) (criminal sexual conduct in the fourth degree), or [609.3451](#) (criminal sexual conduct in the fifth degree). Sexual abuse also includes any act which involves a minor which constitutes a violation of prostitution offenses under sections [609.321](#) to [609.324](#) or [617.246](#). Sexual abuse includes threatened sexual abuse.

(f) "Neglect" means the commission or omission of any of the acts specified under clauses (1) to (9), other than by accidental means:

- (1) failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health, medical, or other care required for the child's physical or mental health when reasonably able to do so;
- (2) failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
- (3) failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety, or the basic needs or safety of another child in their care;
- (4) failure to ensure that the child is educated as defined in sections [120A.22](#) and [260C.163, subdivision 11](#), which does not include a parent's refusal to provide the parent's child with sympathomimetic medications, consistent with section [125A.091, subdivision 5](#);
- (5) nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of medical care may cause serious danger to the child's health. This section does not impose upon persons, not otherwise legally responsible for providing a child with necessary food, clothing, shelter, education, or medical care, a duty to provide that care;
- (6) prenatal exposure to a controlled substance, as defined in section [253B.02](#), subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child at birth, or medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance;
- (7) "medical neglect" as defined in section [260C.007, subdivision 6](#), clause (5);
- (8) chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety; or
- (9) emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

(g) "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care on a child other than by accidental means, or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized under section [121A.67](#) or [245.825](#).

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian which does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by section [121A.582](#). Actions which are not reasonable and moderate include, but are not limited to, any of the following:

- (1) throwing, kicking, burning, biting, or cutting a child;
- (2) striking a child with a closed fist;
- (3) shaking a child under age three;
- (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age;
- (5) unreasonable interference with a child's breathing;
- (6) threatening a child with a weapon, as defined in section [609.02, subdivision 6](#);
- (7) striking a child under age one on the face or head;
- (8) striking a child who is at least age one but under age four on the face or head, which results in an injury;
- (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child; or other substances that substantially affect the child's behavior, motor coordination, or judgment or that results in sickness or internal injury, or subjects the child to medical procedures that would be unnecessary if the child were not exposed to the substances;
- (10) unreasonable physical confinement or restraint not permitted under section [609.379](#), including but not limited to tying, caging, or chaining; or
- (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under section [121A.58](#).

POLICY AND PROCEDURE ON SAFE TRANSPORTATION

I. PURPOSE

The purpose of this policy is to ensure the safety of persons served as well as staff during transportation and include the provisions for handling emergency situations.

II. POLICY

When transportation is the responsibility of the company, staff will assist in transporting, handling, and transferring persons served in a safe manner and according to their *Community Service and Support Plan* and/or *Community Service and Support Plan Addendum*.

III. PROCEDURE

- A. Upon employment, staff are informed of the requirement that they must hold a valid driver's license, appropriate insurance, and maintain a safe driving record. Staff may also be required to complete additional training on safe transportation procedures.
- B. The Designated Coordinator and/or Designated Manager will ensure the safety of vehicles, equipment, supplies, and materials owned or leased by the company and will maintain these in good condition. Standard practices for vehicle, equipment, supplies, and materials maintenance and inspection will be followed.
- C. Staff will transport persons served with a Creative Care Resources Vehicle. If there is no program vehicle, staff will attempt to use public or contracted transportation.
- D. For contracted transportation, the Designated Coordinator and/or Designated Manager will ensure that all required documentation is completed and submitted before the first trip is scheduled. Staff will arrange ongoing use of contracted transportation or will assist persons served, as needed, in arranging transportation for themselves.
- E. When dropping off persons served at a site which requires a change in staff, transporting staff will ensure that staff or another responsible party are present before leaving the person served unless otherwise specified in the person's *Community Service and Support Plan* and/or *Community Service and Support Plan Addendum*. Any necessary information will be presented to the staff or other responsible party.
- F. In accordance with state laws, anyone riding in a moving vehicle must wear seatbelts and/or child safety restraints.
- G. Staff are prohibited by state law (MN Statutes, section 169.475) to compose, send, or receive an electronic message while operating a motor vehicle. This includes all program vehicles. An electronic message (as defined by state law) "means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. An electronic message includes, but is not limited to, e-mail, a text message, an instant message, a command or request to access a World Wide Web page, or other data that uses a commonly recognized electronic communications protocol. An electronic message does not include voice or other data transmitted as a result of making a phone call, or data transmitted automatically by a wireless communications device without direct initiation by a person."
- H. Persons served using wheelchairs will be transported according to manufacturer's safety guidelines. This includes, but is not limited to, safe operation and regular maintenance of lift equipment, checks of straps to secure the wheelchair to the floor of the vehicle, and use of adaptive seating equipment (i.e. headrests, lap trays) when appropriate. Staff who are transporting persons served and who complete "tie-downs" of wheelchairs will receive training on how to do so and will be required to demonstrate competency prior to transporting persons using wheelchairs.

- I. Staff will receive training on each person's transferring or handling requirements for the person and/or equipment prior to transferring or transporting persons. All transfers and handling of persons served will be done in a manner that ensures their dignity and privacy. Any concerns regarding transportation, transfers, and handling will be promptly communicated to the Designated Coordinator and/or Designated Manager who will address these concerns. This will be done immediately if the health and safety of the person(s) served are at risk.
- J. When equipment used by a person served is needed, staff will place the equipment in a safe location in the vehicle such as the trunk of a car. If a program vehicle does not have a designated storage space such as a trunk, staff will place the equipment in an area of the vehicle and secure it, when possible, so that there is limited to no shifting during transport.
- K. If there is an emergency while driving, staff follow emergency response procedures to ensure the person(s) safety. This will include pulling the vehicle over and stopping in a safe area as quickly and as safely as possible. Staff will use a cell phone or any available community resource to contact "911" for help if needed. If a medical emergency were to occur, staff will call "911" and follow first aid and/or CPR protocols according to their training.
- L. While transporting more than one person served and person to person physical aggression occurs, staff will pull over and stop the vehicle in a safe area as quickly and as safely as possible, redirect the persons served, and if necessary, attempt to contact another staff person, the Designated Coordinator and/or Designated Manager, or "911" for assistance.
- M. Persons served are prohibited from driving program vehicles at any time.

POLICY AND PROCEDURE ON ANTI-FRAUD

I. PURPOSE

The purpose of this policy is to provide information regarding the prevention, elimination, monitoring, and reporting of fraud, abuse, and improper activities of government funding in order to obtain and maintain integrity of public funds.

II. POLICY

A holder of a license that is issued by Minnesota Department of Human Services (DHS), pursuant to MN Statutes, chapter 245A [Human Services Licensing Act], and who has enrolled to receive public governmental funding reimbursement for services is required to comply with the enrollment requirements as a licensing standard (MN Statutes, sections 245A.167 and 256B.04, subdivision 21). The company is a provider of services to persons whose services are funded by government/public funds.

Government funds may be from state or federal governments, to include, but not be limited to: Minnesota's Medical Assistance, Medicaid, Medicare, Brian Injury (BI) Waiver, Community Alternative Care (CAC) Waiver, Community Alternatives for Disabled Individuals (CADI) Waiver, Developmental Disability (DD) Waiver, Elderly Waiver (EW), and Minnesota's Alternative Care (AC) program. The company has a longstanding practice of fair and truthful dealing with persons served, families, health professionals, and other businesses. Management, staff, contractors, and other agents of the company shall not engage in any acts of fraud, waste, or abuse in any matter concerning the company's business, mission, or funds.

III. PROCEDURE

A. Definition: Types of fraud, abuse, or improper activities include, but are not limited to, the following:

1. Billing for services not actually provided.
2. Documenting clinical care not actually provided.
3. Paying phantom vendors or phantom staff.
4. Paying a vendor for services not actually provided.
5. Paying an invoice known to be false.
6. Accepting or soliciting kickbacks or illegal inducements from vendors of services, or offering or paying kickbacks or illegal inducements to vendors of services.
7. Paying or offering gifts, money, remuneration, or free services to entice a Medicaid recipient to use a particular vendor.
8. Using Medicaid reimbursement to pay a personal expense.
9. Embezzling from the company.
10. Ordering and charging over-utilized medical services that are not necessary for the person served.
11. Corruption.
12. Conversion (converting property or supplies owned by the company to personal use).
13. Misappropriation of funds of the company or person served by the company.
14. Personal loans to executives.
15. Illegal orders.
16. Maltreatment or abuse of persons served by the company.

B. Public Funds Compliance Officer: This company has designated the Chief Financial Officer as their Public Funds Compliance Officer.

C. Reporting responsibility: The company has an open door policy and encourages staff to share their questions, concerns, suggestions, or complaints regarding the company and its operations with someone who can address them properly. In most cases, this will be a staff person's supervisor. However, if the staff person is not comfortable speaking with their supervisor or is not satisfied with the supervisor's response, the staff person is encouraged to speak with the Public Funds Compliance Officer. If the staff is not comfortable speaking with the Public Funds Compliance Officer, the staff is encouraged to speak with the owner/CEO/Board of

Directors. At any time, the staff may speak with an applicable external agency to express their concerns if it is believed that it is not possible to speak with the owner/CEO/Board of Directors. Examples of applicable external agencies are local social service agency's financial manager or law enforcement. This policy is intended to encourage and enable persons to raise serious concerns within the company prior to seeking resolution outside it.

- D. Requirement of good faith: Anyone filing a complaint concerning a violation or suspected violation of the law or regulation requirements must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. **Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.**
- E. Confidentiality: Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
- F. No retaliation: No staff person who in good faith reports a violation of a law or regulation requirements will suffer harassment, retaliation, or adverse employment consequences. A staff who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.
- G. Report acknowledgement: The Public Funds Compliance Officer, or designee, will acknowledge receipt of the reported violation or suspected violation by writing a letter (or email) to the complainant within ten (10) business days, noting that the allegations will be investigated.
- H. Responding to allegations of improper conduct: The Public Funds Compliance Officer is responsible for responding to allegations of improper conduct related to the provision or billing of Medical Assistance services. This may include, but is not limited to: investigating, interviewing applicable individuals involved, reviewing documents, asking for additional assistance, seeking input on process of the investigation, or seeking input on Medical Assistance laws and regulations interpretations to address all staff complaints and allegations concerning potential violations. The CEO will take on functions of the Public Funds Compliance Officer role if the complaint involves the Chief Executive Officer. If the complaint involves both the CEO and Chief Financial Officer, outside legal counsel or an applicable external agency will carry out the functions of the Public Funds Compliance Officer. The Chief Executive Officer or its designee will implement corrective action to remediate any resulting problems.
- I. Evaluation and monitoring for internal compliance: On a regular schedule and as needed, the Chief Executive Officer, Chief Financial Officer or their designee, will run routine financial reports to review financial information for accuracy and compliance. On a regular schedule and as needed, the Chief Executive Officer, Chief Financial Officer or its designee, will review standard operations and procedures to ensure that they remain compliant.
- J. External auditing for compliance: On a regular schedule, the company will have an external financial audit.
- K. Promptly reporting errors: The Public Funds Compliance Officer shall immediately notify appropriate individuals of all reported concerns or complaints regarding corporate accounting practices, internal controls, or auditing. This may include the Chief Financial Officer, the owner/CEO, or the Chairperson of the Board of Directors. The Chief Executive Officer will promptly report to DHS any identified violations of Medical Assistance laws or regulations.
- L. Recovery of overpayment: Within 60 days of discovery by the company of a Medical Assistance reimbursement overpayment, a report of the overpayment to DHS will be completed and arrangements made with DHS for the Department's recovery of the overpayment.

M. Training: Staff are trained on this policy and as needed, they may need to be re-trained. As determined by the company, staff may need to demonstrate an understanding of the implementation of this policy.

POLICY AND PROCEDURE ON ALCOHOL AND DRUG USE

I. PURPOSE

The purpose of this policy is to establish guidelines regarding the use of alcohol, prescription/legal drugs, chemicals, or illegal drugs while employees (also referred to as staff), subcontractors, and volunteers are on duty, whether they are at the program site, transporting persons served, or with persons in the community.

II. POLICY

It is not permissible for employees, subcontractors, and volunteers to be on duty, transporting a person(s) served, driving on company business, or accompanying a person served into the community when under the influence of alcohol or illegal drugs or impaired by any chemicals or prescription/legal drugs.

The company will give the same consideration to employees, subcontractors, and volunteers with chemical dependency issues as it does to those having other health issues. Voluntarily seeking assistance for such an issue will not jeopardize employment, whereas performance, attendance, or behavioral issues will.

The company will train employees, subcontractors, and volunteers on the company's alcohol and drug policy.

III. PROCEDURE

- A. Any employee, subcontractor, or volunteer, while directly responsible for persons served, are prohibited from abusing any prescription/legal drugs, or being in any manner under the influence of a chemical that impairs the individual's ability to provide services or care including alcohol, prescription/legal drugs, or illegal drugs.
- B. Any employee, subcontractor, or volunteer reporting or returning to work, whose behavior reflects the consumption of alcoholic beverages or the use of drugs, may be referred for an immediate medical evaluation to determine fitness for work and may be suspended without pay until deemed able to return to work.
- C. When prescription or over-the-counter drugs may affect behavior and performance, the employee, subcontractor, and volunteer must inform the Designated Coordinator and/or Designated Manager. Re-assignment, light duty or temporary relief from duties may be required and this will be evaluated on a case by case basis.
- D. At any time, the sale, purchase, transfer, use, or possession of illegal drugs or alcohol, and/or the involvement in these activities of any individual under the legal age of consumption during work hours or at a program site will result in disciplinary action up to and including termination. Law enforcement will be notified as determined by the Designated Coordinator and/or Designated Manager, CEO and/or CFO.
- E. Employees will immediately take necessary action up to and including contact of medical professionals, "911," and/or contact of law enforcement at any time a person served is believed to be under the influence of illegal drugs, is believed to be under the influence of alcohol under the legal age of consumption, or is believed to be a victim of potential alcohol poisoning.
- F. Prescription drugs that belong to an employee, subcontractor, or volunteer are to be stored in a location that is not accessible to any person served.
- G. Employees, subcontractors, or volunteers are not allowed to store alcoholic beverages at a program site. Persons served may store alcoholic beverages at a program site if identified in their *Consumer Support and Services Plan or Consumer Support and Services Plan Addendum*; however, based on a person's vulnerabilities or other related concerns, alcoholic beverages may be prohibited at any or all times from a program site.

- H. As a condition of continuing employment, under certain circumstances, employees, subcontractors, and volunteers may be required to submit to drug and/or alcohol testing. Drug or alcohol testing may be required when there is a reasonable suspicion that an individual is currently abusing a drug or alcohol, is under the influence of drugs or alcohol while on duty, or has violated any of the procedures in this policy.
- I. Failure to complete the testing or upon receiving positive test results are cause for disciplinary action up to and including termination. A positive test result may be explained or a request to pay for a confirmatory result made to the Designated Coordinator and/or Designated Manager.

POLICY AND PROCEDURE ON THE DEATH OF A PERSON SERVED

I. PURPOSE

The purpose of this policy is to establish guidelines for anticipating the death of a person served. In addition, this policy establishes the response and reporting guidelines for when death occurs of a person served.

II. POLICY

When the death of a person served is anticipated, the priority is to ensure that the person's dignity is preserved and that the wishes of the person and/or legal representative are complied with to the greatest extent possible. In the event that a person dies, staff will ensure proper response and reporting of the death.

III. PROCEDURE

- A. If a person served develops a life threatening illness or sustains a life threatening injury from which the attending physician indicates death is anticipated, the Designated Coordinator and/or Designated Manager will ensure that the legal representative, case manager, other service providers, and the company staff are notified immediately (family members and others may be notified by the legal representative).
- B. If possible, the Designated Coordinator and/or Designated Manager, CEO or CFO will ensure that a support team meeting or conference call is scheduled.
- C. In coordination with the support team and in anticipation of the person's death, the Designated Coordinator and/or Designated Manager, assigned nurse or nurse consultant, and legal representative will determine whether the person served will reside at a hospital, other facility, or at home.
 - 1. The Designated Coordinator and/or Designated Manager will ensure that the support team makes a decision in regards to an advance directive.
 - 2. Staff will act as if all persons under state guardianship have "do resuscitate" status unless consent has been given by the Guardianship Unit at the MN Department of Human Services for an advanced directive.
 - 3. At the request of the support team, the Designated Coordinator and/or Designated Manager will help obtain an advanced directive order by supplying information to the case manager from the physician so that a summary report may be submitted to the Guardianship Unit.
 - 4. The Designated Coordinator and/or Designated Manager and staff will not take a formal position on whether or not such an advanced directive order should or should not be issued. Staff will work to implement the wishes of the legal representative including helping to arrange and implement all physicians' orders. Staff who cannot in good conscience help obtain or implement particular physicians' orders will report this to the Designated Coordinator and/or Designated Manager.
 - 5. The Designated Coordinator and/or Designated Manager will review and document the status of all advanced directives regularly with the case manager (consent for advance directive orders for state wards expire annually and must be reauthorized by the Guardianship Unit at the MN Department of Human Services).
- D. The Designated Coordinator and/or Designated Manager, in coordination with the support team, will develop a plan describing the protocol to be followed upon death, including notifications.
- E. The Designated Coordinator and/or Designated Manager will coordinate with the support team to determine what services the program needs to deliver to meet the needs of the person served, including but not limited to additional supervision, specialized staff training, and implementation and documentation of all physician and nursing orders, including advanced directives.
- F. The Designated Coordinator and/or Designated Manager and assigned nurse or nurse consultant, will ensure that staff are trained in, implement, and document all physician and nursing orders related to the person's anticipated death as well as the agreed upon protocol upon witnessing or discovering the death.
- G. When discovering a person served who appears to have died, all staff will treat the situation as if it were a

medical emergency and will take the following steps:

1. Staff will call “911” and provide first aid and/or CPR to the extent they are qualified, unless the person served has an advanced directive.
 2. Staff will notify all required persons including the Designated Coordinator and/or Designated Manager and/or On-Call Administrator and assigned nurse or nurse consultant, if available.
 3. When an authorized person, such as a physician or paramedic, determines that the person served is deceased, the Designated Coordinator and/or Designated Manager or On-Call Administrator will ensure the County Coroner’s office is notified and will ensure that the body is not moved until the coroner arrives.
 4. The Designated Coordinator and/or Designated Manager and/or On-Call Administrator will notify the following individuals or entities within 24 hours of the death, or receipt of information that the death occurred, unless the company has reason to know that the death has already been reported:
 - a. Legal representative or designated emergency contact
 - b. Case manager
 - c. MN Office of the Ombudsman for Mental Health and Developmental Disabilities and the Department of Human Services Licensing Division using the required reporting forms. These forms include the *Death Reporting Form* and *Death or Serious Injury Report Fax Transmission Cover Sheet*.
 - d. Adult or Child Foster Care licensing authority, as applicable
 5. The Designated Coordinator and/or Designated Manager and/or On-Call Administrator will discuss with the legal representative any funeral arrangements and notifications and will offer to assist the family/legal representative as needed.
 6. The Chief Executive Officer will be responsible for sending the notification letter “Notification Letter to Next-of-Kin” from the MN Office of the Ombudsman for Mental Health and Developmental Disabilities to the next of kin and for offering to arrange grief counseling for staff and other involved persons.
- I. Upon the death of the person, any funds or other property of the person will be surrendered to the person’s legal representative or given to the executor or administrator of the estate in exchange for an itemized receipt. A written inventory that was completed regarding the person’s funds or property will be placed in their file with signatures obtained from the legal representative, executor, or administrator of the estate.
- J. The company will conduct an internal review of incident of deaths that occurred while services were being provided and that were not reported by the program as alleged or suspected maltreatment, for identification of incident patterns and implementation of corrective action as necessary to reduce occurrences.
- K. The Director of Training and Development will complete and document the internal review related to the report of death and will add the person’s name to the *Admission and Discharge Register*. The internal review will include an evaluation of whether:
1. Related policies and procedures were followed.
 2. The policies and procedures were adequate.
 3. There is a need for additional staff training.
 4. The reported event is similar to past events with the persons or the services involved.
 5. There is a need for corrective action by the company to protect the health and safety of person served.
- L. Based upon the results of the internal review, the company will develop, document, and implement a corrective action plan for the program designed to correct current lapses and prevent future lapses in performance by the individuals or the company, if any.

**POLICY AND PROCEDURE ON UNIVERSAL PRECAUTIONS
AND SANITARY PRACTICES**

I. PURPOSE

The purpose of this policy is to establish guidelines to follow regarding universal precautions and sanitary practices, including hand washing, for infection prevention and control, and to prevent communicable diseases.

II. POLICY

It is the policy of the company to minimize the transmission of illness and communicable diseases by practicing and using proper sanitary practices. Staff will be trained on universal precautions to prevent the spread of blood borne pathogens, sanitary practices, and general infection control procedures. This includes active methods to minimize the risk of contracting illness or disease through individual to individual contact or individual to contaminated surface contact.

III. PROCEDURE

Care and sanitation of the general program site

- A. The Designated Coordinator and/or Designated Manager will ensure that the program site including the interior and exterior of buildings, structures, or enclosures, walls, floors, ceilings, registers, fixtures, equipment, and furnishings are maintained in good repair and in sanitary and safe condition. Furnishings (such as furniture and carpet), particularly upholstery, will be routinely inspected and cleaned as necessary. The program site will be kept clean and free from accumulations of dirt, grease, garbage, peeling paint, mold, vermin, and insects.
- B. Any building and equipment deterioration, safety hazards, and unsanitary conditions will be corrected. The Designated Coordinator and/or Designated Manager will be the primary individual(s) responsible for this coordination. Cleaning and disinfecting schedules will be developed by the Designated Coordinator and/or Designated Manager and implemented by staff.
- C. Food will be obtained, handled, and properly stored to prevent contamination, spoilage, or a threat to persons served. Food and drink will not be stored in areas where bodily fluids, hazardous materials, and harmful substances may be present (i.e. bathrooms).
- D. Chemicals, detergents, cleaning supplies, and other hazardous or toxic substances will not be stored with food or drink products or in any way that poses a hazard to persons served.
- E. Each person served will have the following personal care items for their own use, if needed and/or desired. These items will be stored in a safe and sanitary manner to prevent contamination:
 - 1. Hair comb/brush and hair accessories.
 - 2. Toothbrush, toothpaste, and floss.
 - 3. Cosmetics.
 - 4. Deodorants.
 - 5. Razors/shavers.
 - 6. Bath soap/body wash.
 - 7. Shampoo/conditioner.

Universal precautions and infection prevention and control

- A. Hand washing is the single most important practice for preventing the spread of disease and infection. Proper hand washing will be completed as a part of regular work practice and routine, regardless of the presence or absence of any recognized disease and infection. Staff are also expected to assist persons served to ensure regular hand washing. Hand washing will occur often and will include thorough use of water, soap, rubbing hands vigorously together for 20 seconds, rinsing and drying completely.

- B. Staff will ensure that their coughs and sneezes are appropriately covered. Appropriately covered means coughing or sneezing into a tissue or paper towel. When these items are not available, staff will cough or sneeze into their elbows. Staff are also expected to assist persons served to understand and use appropriate means to cover their coughs and sneezes.
- C. Gloves will be used as a barrier between hands and any potential source of infection. Gloves must be worn when contact with high risk bodily fluids can be reasonably anticipated. Fresh gloves will be used for each situation and for each person served.
- D. Eye protection may be made available whenever splashes or drops of high risk bodily fluids are anticipated. This can include, but is not limited to, oral hygiene procedures and clean up of large amounts of high risk bodily fluids.
- E. If necessary, a fluid resistant gown may be provided for staff to wear as a barrier during clean up of high volume fluids.
- F. When handling linen and clothing contaminated with high risk bodily fluids, staff will wear gloves at all times. Contaminated laundry will be cleaned in the washing machine and dried in the dryer separate from non-contaminated laundry.
- G. Staff are to use extreme, deliberate precaution in handling contaminated needles and sharps. Contaminated needles will not be bent or recapped. All needles and sharps will be disposed of in an appropriate sharps container.
- H. Specimens obtained for medical testing or procedures containing high risk bodily fluids or other potentially infectious material must be handled with gloves, placed in a sealed container to prevent leakage, and labeled with the person's name and the type of specimen. If refrigeration is required, the specimen will be placed inside a second sealed container and separated from any refrigerated foods.

Compliance

- A. Staff are responsible to adhere to universal precaution procedures. If there are obstacles to the implementation of universal precaution procedures, they will be immediately brought to the attention of the Designated Coordinator and/or Designated Manager. The Designated Coordinator and/or Designated Manager will then develop and implement solutions as necessary.
- B. At a minimum, gloves, disinfectant, and appropriate cleaning supplies and materials will be available at the program site. The Designated Coordinator and/or Designated Manager will ensure adequate amounts of the infection control supplies after consideration of the program and staff needs.
- C. Staff will receive training at orientation and annually thereafter on universal precaution procedures, infection control, and blood borne pathogens.

POLICY AND PROCEDURE ON HEALTH SERVICE COORDINATION

I. PURPOSE

The purpose of this policy is to promote the health and safety of persons served through establishing guidelines for the coordination and care of health-related services.

POLICY

This company is designated as a residential program and will implement procedures to ensure the continuity of care regarding health-related service needs as assigned in the *Coordinated Service and Support Plan* and/or *CSSP Addendum*. These procedures will be implemented in a way that is consistent with the specific health needs of the person served and which follows the procedures stated in the *Policy and Procedure on Safe Medication Assistance and Administration*. Decision making regarding the health services needs of the person served will be guided by person-centered philosophy and medical practice.

PROCEDURE

- A. If responsibility for meeting the person's health service needs has been assigned to the company in the *Coordinated Service and Support Plan* and/or *CSSP Addendum*, the company must maintain documentation on how the person's health needs will be met, including a description of the procedures the company will follow in order to:
 - 1. Provide medication setup, assistance, or administration according to MN Statutes, chapter 245D.
 - 2. Monitor health conditions according to written instructions from a licensed health care professional.
 - 3. Assist with or coordinate medical, dental, and other health service appointments.
 - 4. Use medical equipment, devices, or adaptive aides or technology safely and correctly according to written instructions from a licensed health care professional.
- B. Unless directed otherwise in the *CSSP* or the *CSSP Addendum*, the company will ensure the prompt notification to the legal representative, if any, and the case manager of any changes to the person's mental and physical health needs that may affect the health service needs assigned to the company in the *Coordinated Service and Support Plan* and/or *CSSP Addendum* in mental and physical health needs of the person has been discovered by the company, unless the company has reason to know that the change has already been reported.
- C. In coordination with person's health care providers, the company and person's legal representative will determine how each person's health condition(s) will be monitored.
- F. When a person served requires the use of medical equipment, devices, or adaptive aides or technology, the company will ensure the safe and correct use of the item and that staff are trained accordingly on its use and assistance to the person. These items will only be used according to the written instructions from a licensed health care professional.
- G. When a person served requires the use of medical equipment to sustain life or to monitor a medical condition that could become life-threatening without proper use of the medical equipment, staff will be specifically trained by a licensed health care professional or a manufacturer's representative including an observed skill assessment to demonstrate staff's ability to safely and correctly operate the equipment according to the treatment orders and manufacturer's instructions. Equipment includes, but is not limited to ventilators, feeding tubes, and endotracheal tubes.

**POLICY AND PROCEDURE ON SAFE MEDICATION ASSISTANCE
AND ADMINISTRATION**

II. PURPOSE

The purpose of this policy is to establish guidelines to promote the health and safety of persons served by ensuring the safe assistance and administration of medication and treatments or other necessary procedures.

III. POLICY

The company is responsible for meeting health service needs including medication-related services of persons as assigned in the *Coordinated Service and Support Plan (CSSP)* and/or *CSSP Addendum*.

Persons served will be encouraged to participate in the process of medication administration to the fullest extent of their abilities, unless otherwise noted in the *Coordinated Service and Support Plan* and/or *CSSP Addendum*. The following procedures contain information on medication-related services for the administration of medication as well as the assistance staff may provide to a person who self-administers their own medication.

The company will obtain written authorization from the person served and/or legal representative to administer medications or treatments, including psychotropic medications, and will re-obtain this authorization annually. This authorization will remain in effect unless withdrawn in writing and it may be withdrawn at any time. If authorization by the person served and/or legal representative is refused, the company will not administer the medication or treatment. This refusal will be immediately reported to the person's prescriber and staff will follow any directives or orders given by the prescriber.

All medications and treatments will be administered according to this policy and procedure and the company's medication administration training curriculum.

IV. PROCEDURE

Staff training

- A. When medication set up and/or or administration has been assigned to the company as stated in the *Coordinated Service and Support Plan* and/or *CSSP Addendum*, staff who will set up or administer medications to persons served will receive training and demonstrate competency as well as reviewing this policy and procedure.
- B. Unlicensed staff, prior to the set up and/or administration of medication, must successfully complete a medication set up or medication administration training course developed by a registered nurse, clinical nurse specialist in psychiatric and mental health nursing, certified nurse practitioner, physician's assistant, or physician. The training curriculum must incorporate a skill assessment conducted by the trainer to ensure staff demonstrate the ability to safely and correctly follow medication procedures. The course must be taught by a registered nurse if the person has or develops a health care condition that affects available service options.
- C. Upon completion of this course and prior to the setting up and/or administering medications, staff will be required to demonstrate medication set up and/or administration established specifically for each person served at their location, if this has not already been completed.
- D. This training will be completed for each staff person during orientation, within the first 60 days of hire. Staff who demonstrate a pattern of difficulty with accurate medication administration may be required to complete retraining at a greater frequency and/or be denied the responsibility of administering medications.
- E. Documentation for this training and the demonstrated competency will be maintained in each staff person's personnel file.

Medication administration

- A. Medication may be administered within 30 minutes before or after the prescribed time. For example, a medication ordered to be given at 8:00 am may be administered between 7:30 am and 8:30 am.
- B. Medications ordered to be given as an “AM medication” and/or “PM medication” may be administered at a routine daily time. The routine time may fluctuate up to two hours in order to accommodate the person’s schedule. For example, if a person typically receives their medication at 7:00 am, then on the weekends, the medication may be given between 5:00 am and 9:00 am.
- C. Staff administering medication must know or be able to locate medication information on the intended purpose, side effects, dosage, and special instructions.
- D. Staff will NOT administer medications they have not personally set up.
- D. General and specific procedures on administration of medication by routes are included at the end of this policy. Routes included are:
 - 1. Oral tablet/capsule/lozenge.
 - 2. Liquid medication.
 - 3. Buccal medication.
 - 4. Inhaled medication.
 - 5. Nasal spray medication.
 - 6. Eye medication.
 - 7. Ear drop medication.
 - 8. Topical medication.

Medication set up

- A. Medication set up means the arranging of medications according to instructions from the pharmacy, the prescriber, or a licensed nurse, for later administration when a company is assigned responsibility in the *Coordinated Service and Support Plan or the CSSP Addendum*. A prescription label or the prescriber’s written or electronically recorded order for the prescription is sufficient to constitute written instruction from the prescriber.
 - 1. If the staff is setting up medications for later administer for an individual who is absent 5 days or fewer staff will document the following on a medication envelop per day per medication time. If an individual is gone for 5 days or greater, staff will send the original pharmacy labeled container and notify the Designated Manager and Health Coordinator.
 - 2. Liquid and topical medications in their original pharmacy labeled containers for any leave of absence, including day programs, school and work.
 - 3. Staff will document leave of absences on the medication sheet in the following manner;
 - a. Documentation for Home Visit, staff will use the abbreviation in “HV” and their initials for the appropriate date and time
 - b. Documentation for School or Work staff will use the abbreviation “S” or “W”, respectively and their initials for the appropriate date and time.
 - c. Documentation for a day trip with Creative Care Resources, staff will document by placing a diagonal line through the box and initialing when medications are prepackaged and the staff who administered the medications will initial once they have returned from the outing.
- B. Staff will document the following information in the person’s served medication administration record:
 - 1. Dates of medication set up.
 - 2. Name of medication.
 - 3. Quantity of dose.
 - 4. Times to be administered.
 - 5. Route of administration at the time of set up.
 - 6. When the person will be away from service location.

- C. Additional information that will be maintained in a person's medication administration record include:
1. Information on the current prescription labels or the prescriber's current written or electronically recorded order or prescription that includes the:
 - a. Person's name
 - b. Description of the medication or treatment to be provided
 - c. Frequency of administration
 - d. Other information needed to safely and correctly administer medication or treatment to ensure effectiveness
 2. Easily accessible information on risks and other side effects that are reasonable to expect and any contraindications to the medications use.
 3. Possible consequences if the medication or treatment is not taken or administered as directed.
 4. Instruction on when and to whom to report:
 - a. If a dose of medication is not administered or treatment is not performed as prescribed, whether by staff error, the person's error, or by the person's refusal
 - b. The occurrence of possible adverse reactions to the medication or treatment
 5. Notation of any occurrence of a dose of medication not being administered or treatment not performed as prescribed, whether by staff error, the person's error, or by the person's refusal, or of adverse reactions, and when and to whom the report was made.
 6. Notation of when a medication or treatment is started, administered, changed, or discontinued.
 7. Medical and mental health referral forms, protocols, results of lab work or x-rays, etc.

Medication assistance

- A. There may be occasions when the company is assigned responsibility solely for medication assistance to enable a person served to self-administer medication or treatments when the person is capable of directing their own care or when the person's legal representative is present and able to direct care for the person.
- B. If medication assistance is assigned in the *Coordinated Service and Support Plan* and/or *CSSP Addendum*, staff may:
1. Bring to the person and open a container of previously set up medications, empty the container into the person's hand, or open and give the medication in the original container to the person under the direction of the person.
 2. Bring to the person food or liquids to accompany the medication.
 3. Provide reminders, in person, remotely, or through programming devices such as telephones, alarms, or medication boxes, to take regularly scheduled medication or perform regularly scheduled treatments and exercises.

Medication Authorization

- A. Prior to administering medication for the person served, the company will obtain written authorization from the person served and/or legal representative to administer medication or treatments, including psychotropic medications.
- B. This authorization will remain in effect unless withdrawn in writing and it may be withdrawn at any time.
- C. If authorization by the person served and/or legal representative is refused, the company will not administer the medication or treatment. This refusal will be immediately reported to the person's prescriber and staff will follow any directives or orders given by the prescriber.

Injectable medications

- A. Injectable medications may be administered to a person served according to their prescriber's order and written instructions are provided when one of the following conditions have been met:
1. A registered nurse or licensed practical nurse will administer injections
 2. A supervising registered nurse with a prescriber's order can delegate the administration of an injectable

- medication to an unlicensed staff persons and provide the necessary training
3. There is an agreement that must be signed by the company, the prescriber and the person served and/or legal representative that will be maintained in the service recipient record. This agreement will specify:
 - a. What injection may be given
 - b. When and how the injection may be given
 - c. That the prescriber retains responsibility for the company to give the injection.
- B. Only a licensed health care professional is allowed to administer psychotropic medications by injection. This responsibility will not be delegated to unlicensed staff.

Psychotropic medication

- A. When a person served is prescribed a psychotropic medication and the company is assigned responsibility for the medication administration, the requirements for medication administration will be followed.
- B. The company will develop, implement, and maintain the following information in the person's *CSSP Addendum* according to MN Statutes, sections 245D.07 and 245D.071. This information includes:
 1. A description of the target symptoms that the psychotropic medication is to alleviate.
 2. Documentation methods that the company will use to monitor and measure changes to these target symptoms, if required by the prescriber.
 3. Data collection of target symptoms and reporting on the medication and symptom-related data, as instructed by the prescriber, a minimum of quarterly or as requested by the person and/or legal representative. This reporting will be made to the expanded support team.
- C. If the person and/or legal representative refuse to authorize the administration of a psychotropic medication as ordered by the prescriber, the company will not administer the medication and will notify the prescriber as expediently as possible. After reporting the refusal to the prescriber, the company must follow any directives or orders given by the prescriber. A refusal may not be overridden without a court order. Refusal to authorize administration of a specific psychotropic medication is not grounds for service termination and does not constitute an emergency.

Medication Refusals

- A. Staff will consider a medication/treatment refusal to be an individual refusing to accept the medication or treatment either verbally or behaviorally.
 1. For a time period long enough so that the medication or treatment cannot be administered according to the health professional's order OR
 2. So that it is never administered.
- B. Immediate Action to be taken if an individual is refusing a medication or treatment:
 1. Staff must first attempt to understand why an individual is refusing a medication and attempt to fix the reason
 2. Staff should give the individual 10-15 minutes of either discussion or a different activity and after that time attempt to pass the medication/treatment for a 2nd time.
 3. If the individual is still refusing to accept a medication or treatment and it is near the 30 minutes cut off time staff will call the pharmacy to request the latest possible time the individual can receive the medication.
 4. Staff will then attempt to pass the medication every 30-40 minutes until the designated time established by the pharmacist, staff will document this extension in the individuals *Health Progress Notes*
 5. Staff will inform the individual of the adverse effects of not receiving their medication, providing it is appropriate and the individual understands the explanation.
 6. If the individual is still refusing to accept a medication or treatment, staff will acknowledge the individual's legal right to refuse a medication.
 7. Staff will then document the individual's refusal on the medication sheet, in their *Health Progress Notes* as well as completing a *Medication Refusal Form*
 8. Staff will call the individual's legal guardian, case manager and Designated Manager in the event the

individual does not receive a medication due to refusal.

Medication/Treatment Errors

- A. Staff will consider the following to be medication/treatment *errors*:
1. The wrong person
 2. The wrong medication
 3. The wrong route
 4. The wrong dose
 5. The wrong time
 6. The wrong date
 7. The medication or treatment was not given
 8. Medication given was expired
- B. Immediate Action to be taken upon knowledge of a Medication Error
1. If one of the above occurred staff will immediately call the following;
 - a. The staff who failed to pass medications correctly; staff will call to inform them of the error and verify that medications were not passed.
 - b. The pharmacist; staff should ask the pharmacist if and when to pass the medication or what side effects to monitor
 - c. The prescriber; staff should leave a message on the prescriber's line to inform them of the medication error
 - d. The legal guardian
 - e. The Case Manager
 - f. The House Manager/On-call
 - g. The Health Coordinator
 2. Staff will document conversations and details of the error in the *Medication Discrepancy/Error Report*
 3. Staff who discovered the error will circle the relevant box on the medication sheet and place an "X" inside of the circle, staff will also describe error in comments section at the bottom of the medication sheet.
 4. Staff will place the *Medication Discrepancy/Error Report* in the Weekly Turn-In Folder to be turned in by the House Manager
 5. For any of the above medication errors the following progressive discipline will occur:
 - a. A 1st tier written warning will be given for the 1st error received by staff in a 6 month period. Staff will also have to complete a medication demo, performed by the House Manager, Designated Coordinator or Designated Manager.
 - b. For the 2nd error within a 6 month period staff will receive their 2nd tier written warning, must complete a medication demo, performed by the House Manager or other supervisors, as well as meet with the Health Coordinator which will include but is not limited to; retaking the medication course, retaking the Medication Administration Quiz, re-reading policy and procedures etc.
 - c. For the 3rd error within a 6 month period staff will be terminated from employment at Creative Care Resources.

VAA Reporting of Medication Errors

- A. When contacted about a medication Error, the House Manager will;
- B. Ensure that the individual's health is not in danger or the individual is receiving appropriate treatment
- C. Consult with the Designated Manager if the medication error may be reportable to the MAARC System (adult) or Common Entry Point (child) as possible neglect; staff will report all medication/treatment errors as neglect if they are unsure of whether to report or not.
- D. If deemed reportable, they will report the medication error as neglect according to the procedures on the VAA/MAMA if the medication/treatment error resulted in harm to the consumer or represents a systematic pattern.

Medication/Treatment Discrepancies

- A. Staff will consider the following to be *Medication/Treatment Discrepancies*;
 - 1. Staff administering medication/treatment correctly but failed to document it on the medication sheet
- B. Immediate Action to be take upon knowledge of *Medication Discrepancy*
 - 1. The staff who discovers the medication discrepancy will first call the staff who failed to document correctly to verify that the medication was passed.
 - 2. If the medication/treatments were given, staff will circle the box on the medication sheet
 - 3. Staff will call the following;
 - a. The staff responsible for the discrepancy and inform them they need to initial inside the circled box, to indicate medications were passed.
 - b. The House Manager
 - c. The Health Coordinator
 - 4. Staff will document conversations on the *Medication Discrepancy/Error Report* and place this report in the Weekly Turn-In Folder to be turned in by the House Manager
- C. For any of the above medication discrepancies, the following progressive discipline with occur;
 - 1. For a staff's 1st discrepancy within 6 months a 1st tier written warning will be given and documented in the staff's performance notes
 - 2. For a 2nd discrepancy within 6 months a 2nd tier written warning will be given, staff will need to complete a medication demo, performed by the House Manager or other supervisor.
 - 3. For a 3rd discrepancy within 6 months a 2nd tier written warning will be given, staff will need to complete a medication demo, performed by the House Manager or other supervisor, as well as meet with the Health Coordinator which will include but is not limited to; retaking the medication course, retaking the Medication Administration Quiz, re-reading policy and procedures etc.,
 - 4. For the 4th discrepancy within a 6 month period staff will be terminated from employment at Creative Care Resources.

Discipline Guidelines

- A. All medication passing privileges will be suspended during the discipline process for errors and discrepancies, except in crisis situations
- B. Staff is responsible for scheduling and completing any and all follow-up training (medication demonstration or review course) with two weeks if a Discrepancy or Error, special circumstances must be approved by the Health Coordinator. If staff fail to schedule or attend training at the level of 3 discrepancies and/or 2 errors it will be considered voluntary termination
- C. If a staff with an infraction is assigned to other sites, they must report that they are not a medication passer, this may impact staffing assignments
- D. All Medication/Treatment Discrepancies and Errors must be reported to the House Manager immediately
- E. Creative Care Resources is an "at will company" and reserves the right to act in the best interests of its individuals and staff, therefore; this discipline policy is a guideline used at the discretion of the Creative Care Resources owners and the nurse consultant.

Documentation requirements on the Medication Administration Record (MAR)

The following will be documented on a person's medication administration record

- 1. Information on the current prescription labels or the prescriber's current written or electronically recorded order or prescription that includes the:
 - a. Person's name
 - b. Description of the medication or treatment to be provided
 - c. Frequency of administration
 - d. Other information needed to safely and correctly administer medication or treatment to ensure

effectiveness

2. Easily accessible information on the risks and side effects that are reasonable to expect and any contraindications to the medications use.
3. Possible consequences if the medication or treatment is not taken or administered as directed
4. Instruction on when and to whom to report:
 - a. If a dose of medication is not administered or treatment is not performed as prescribed, whether by staff error, the person's error or by the person's refusal
 - b. The occurrence of possible adverse reactions to the medication or treatment
5. Notation of any occurrence of a dose of medication not being administered or treatment not performed as prescribed, whether by staff error, the person's error, or by the person's refusal, or of adverse reactions, and when and to whom the report was made

Medication documentation and charting

- A. Staff will transcribe a prescriber's new, changed, and discontinued medication/treatment orders to the medication sheet by:
 1. Comparing the label on the medication with the prescriber's to ensure they match. Any discrepancy must be reported to the Health Coordinator immediately.
 2. Copying any new medication/treatment or change from the original prescriber's orders to all medication sheets.
 3. When there is a change in a current medication/treatment, the revision is written on the MAR in order to implement the medication change.
 4. Entering the medication/treatment name, dose, route, frequency, and times to be administered.
 5. Drawing an arrow to the start date for each assigned time.
 6. Writing the date the medication is to start, the name of the prescriber who ordered the medication, and the initials of the person making the entry, on the line just below the arrows or in comments section at the bottom of the medication sheet.
 7. Discontinuing a medication/treatment as ordered by writing "D/C" or "Discontinued," the date, the prescriber's name, and the initials of the person making the entry on the line just below the arrow.
 8. Staff will complete a *Medication Change Form* filling out all pertinent information and posting on the outside of the medication cabinet, all staff must sign this form once read.
 9. Completing any applicable health documentation regarding the entry (including but not limited to; writing a *Health Progress Note, Medication Change Form*) and notifying necessary personnel.
- B. Staff will document a medication given from the *Standing Order Medications List* form by:
 1. Writing the medication on the medication sheet exactly as it is written on the *Standing Order Medications List*.
 2. Initialing in the correct box for the date the medication was administered and the time.
 3. Documenting what medication/treatment was administered, the dose, the reason it was given, and the effect in the *Health Progress Note* one hour after the medication was given.
 4. Following any special instructions noted on the *Standing Order Medications* form, notifying the assigned nurse, nurse consultant, or prescriber as directed.
- C. Staff will document administration of medications/treatments on the weekly cycle medication sheet by:
 1. Ensuring the person's name, allergies, prescriber's name, month, and year are on the medication sheet.
 2. Completing documentation on the medication sheet in black ink.
 3. Ensuring white-out, erasing, or disfigurement, such as scratching out are not used at any time.
 4. If a mistake in documentation is made staff will cross out with one line, using black ink, and initial next to documentation mistake.
- D. Each week, staff administering and documenting medication/treatment administration will enter their initials, full name, and title initials in the designated location on the medication sheet.

Coordination and communication with prescriber

- A. As part of medication set up and administration, the company will ensure that clear and accurate

documentation of prescription orders has been obtained by the prescriber in written format.

- B. Initiations, dosage changes, or discontinuations of medications will be coordinated with the prescriber and discussed as needed to ensure staff and/or the person served has a clear understanding of the order. If the order has only been done verbally, Health Coordinator will request a written or electronically recorded copy from the prescriber. Staff will not make any changes to medications or treatment orders unless there is a written or electronically recorded copy.
- C. All prescriber instructions will be implemented as directed and within required timelines by staff and/or the person served and documented in related health documentation.
- D. Concerns regarding medication purpose, dosage, potential or present side effects, or other medication-related issues will be promptly communicated to the prescriber by staff, the manager or nurse
- E. Any changes to the physical or mental needs of the person as related to medication will be promptly made to the prescriber in addition to the legal representative and case manager.

Coordination of medication refills and communicating with the pharmacy

- A. The manager or assigned staff person will be responsible for checking medication supply routinely to ensure adequate amount for administration, this includes; topicals, nasal sprays, ear drops, powders etc.
- B. Some pharmacies may automatically refill prescriptions of persons served. If this is the case, staff will contact the pharmacy if a medication or treatment is discontinued.
- C. The Health Coordinator will ensure that the pharmacy has the contact information for the service location and the main contact person who can answer questions and be the primary person responsible for coordinating refills.

Handling changes to prescriptions and implementation of those changes

- A. All written instructions regarding changes to medications and treatments are required to be documented through a prescription label or the prescriber's written or electronically recorded order for the prescription.
- B. Changes made to prescriptions will be immediately communicated to the manager and the nurse, as applicable.
- C. Any concerns regarding these changes and the order will be resolved prior to administration of the medication to ensure safety and accuracy.
- D. Staff will implement changes and document appropriately on the weekly cycle medication sheet,
- E. Discontinued medications or medications that the dosage is no longer accurate due to the changes will be discarded appropriately.

Physical Exams

- A. The Health Coordinator will ensure the individual receives a physical exam on a schedule set by the *Coordinated Service Support Plan* or the physician, and documented on the *Annual Physical Form*
- B. If the *Coordinated Service Support Plan* or the physician does not determine a schedule of physical exams, the Health Coordinator will ensure than one is obtained every year and documented on the *Annual Physical Form*
- C. The House Manager will ensure that the physician documents whether manual restraint is contraindicated for an individual on the *Annual Physical Form*, before the individual is subject to emergency use of manual restraint

Individual Hospitalization

- A. Upon admission, the House Manager will obtain the hospital of preference from the individual, family or legal representative and assure that staff have access to its address and phone number
- B. Planning;
 1. If a physician or other health professional orders a hospitalization, the Designated Manager will plan the hospitalization with the Health Coordinator, Case Manager, Legal Representative and the family.
 2. The Designated Manager will ensure that the following is identified prior to hospitalization.
 - a. Who will transport and coordinate the admission, stay and discharge
 - b. Who, if anyone, will provide additional supervision/staffing during the stay
 - c. Who will monitor and coordinate the activities of hospital physicians and nurses
 - d. When and for how long will the individual be hospitalized
 - e. Identify what medical, health and behavioral information regarding the individual will need, providing that information and ensure Creative Care Resources' *Standard Release of Information* allows its release to the hospital
 3. Unless ordered differently the Designated Manager will ensure the individual is hospitalized at their preference
 4. If medical or surgical consents are required, the Designated Manager will ensure that the hospital or physician obtains them from the legal representative. Under no circumstances will the Creative Care Resources' staff consent to medical or surgical procedures on behalf of an individual. Only the nurse consultant or owners may do so in emergency circumstances or when life/limb is at stake and the physician recommends the procedure
- C. Admission
 1. If Creative Care Resources is transporting, the House Manager or assignee will accompany the individual to the hospital and remain until admission is complete and the individual is in the room
 2. The Designated Manager will ensure the following;
 - a. The hospital obtains necessary copies of medical records
 - b. The hospital obtains necessary behavioral information about the individual
 - c. Arrange for Creative Care Resources to provide supervision or staffing if necessary
 - d. Document the circumstances of the hospitalization in the *Health Progress Notes*
 - e. Report the circumstances of the hospitalization to the Case Manager, family, legal representatives and nurse consultant
 3. The CEO may arrange for the nurse consultant or Health Coordinator to participate or coordinate the admission if circumstances are difficult or complicated
- D. Service Coordination during Hospitalization
 1. The Designated Manager will coordinate continuity of care by contacting the hospital
 - a. Every other day if Creative Care Resources is providing additional supervision
 - b. At least 3 times per week if Creative Care Resources is not providing additional supervision
- E. Discharge
 1. The Designated Manager and/or Health Coordinator will involve themselves with discharge planning. They may use whatever influence they have to prevent discharge for which the individual is not prepared
 2. The Designated Manager will ensure that the individual has everything necessary, including clothing on discharge day, and is transported home safely with all necessary orders
 3. The Designated Manager will ensure the following documentation is obtained or completed:
 - a. Physician orders for changes in medications, treatments, diet and physical restrictions as indicated
 - b. Approvals to resume previous orders has indicated
 - c. Follow-up cares as indicated.
 - d. All orders are documented according to **Medication Documentation Procedures** and all newly ordered medications are obtained.
 - e. Ensure the parents, legal guardian and case manager are informed of the results of the hospitalization

4. The Health Coordinator will ensure that:
 - a. All new medications are obtained from the pharmacy the day of discharge
 - b. All supplies required for implementing treatments/care are obtained the day of discharge
 - c. Staff are immediately trained in new or changed orders and cares

Medical Emergencies: Unexpected Serious Illness, Accident or Serious Injury

- A. Staff on scene will determine if the illness, accident or injury is life-threatening, health-threatening, needs urgent attention but not emergency attention, 911 transport, or if it is non-threatening. Staff will refer to the procedure on **Treatment of Non-Threatening Injuries and Illnesses** for treatment of this type. When in doubt staff will treat illness, accident and injury as threatening
- B. Calling 911 and coordinating paramedics for life or health threatening illness, accident and injury
 1. Staff will immediately call 911 for life or health threatening illness, accident and injury immediately after discovery. Staff will report the emergency, all relevant health information, follow all instructions and stay on the phone with the 911 operator until directed to hang up.
 2. Other staff may give first aid to the individual to the limits of their ability until paramedics arrive.
 3. Staff will give the paramedics any relevant facts, medical history and medications
 4. If the individual is transported to the hospital, one staff will either accompany the individual or go to the hospital as soon as possible. The staff person may refer to the **Authorization to Act in an Emergency** for information about which medical procedures staff may authorize if the legal representative cannot be contacted
 5. Staff will ensure a *Medical/Dental Referral*, a copy of the individual's insurance card and *Red Emergency Folder* is brought along to the hospital
 6. Once the individual has been transported to the hospital, one staff will call the House Manager to;
 - a. Report on the individual
 - b. Discuss the need for additional staff
 - c. How/who should contact the legal representative
 7. The staff at the hospital will remain there until the individual is admitted or discharged
 8. If the individual is admitted, staff at the hospital will refer to **Individual Emergency Hospitalization**
- C. Immediate follow up to calling 911
 1. The House Manager or designated contact will take charge by;
 - a. Ensuring a smooth hospital admission
 - b. Ensuring staff coverage at the site
 - c. Notifying the Designated Manager, Health Coordinator and nurse consultant
 - d. Notifying/working with the family and legal representative
 - e. Taking any immediate action necessary to protect the health and welfare of the individual or other individuals
 2. If the individual is not admitted to the hospital the staff transporting them home will;
 - a. Ensure that all new medications/treatments or cares have been ordered and documented on the *Medical/Dental Referral*
 - b. Purchase needed supplies or newly ordered medications from the pharmacy
 - c. Record the new orders on the medication sheet
 - d. Inform the other direct support staff by writing in the *Communication Log*
 - e. Document all pertinent information in the *Health Progress Notes*
 - f. Notify the Health Coordinator of all new orders
- D. Seeking Urgent Medical/Dental care of illness, accident and injury that does not require 911 service
 1. Staff at the site will seek immediate medical/dental care for affected individuals immediately after discovering the following accident, injury or symptoms of illness:
 - a. If staff are confused or uncertain about the severity of an illness, accident or injury
 - b. When the nurse consultant instructs staff to do so
 - c. Lost or damaged teeth (staff will find tooth, place in container of milk and bring to appointment)
 - d. Problems with or painful mobility
 - e. Severe side effects or adverse drug reactions from medications

- f. Sudden changes in the individual's behavior, particularly an increase in challenging behavior, from those individuals with few expressive skills
 - g. If the individual complains or there is minor evidence of pain
2. Before visiting the physician or dentist, staff will create a plan by:
 - a. Selecting the medical provider from the individual's record, an Urgent Care or Hospital Emergency Department
 - b. Bring the individual's *Red Emergency Folder* to the appointment and verifying it contains; a copy of the individual's insurance card, list of current medication, blank medical/dental referral etc.
 - c. Completing the top portion of the *Medical/Dental Referral*
 - d. Assuring a minimum staffing pattern at the site
3. One staff will transport the individual to the appointment and coordinate giving information to medical provider.
4. The staff person at the appointment will ensure that the physician documents new medications/treatments on the *Medical/Dental Referral*, as well as dating and signing the document
5. After the appointment the staff will:
 - a. Ensure that all new medications/treatments or cares have been ordered and documented on the *Medical/Dental Referral*
 - b. Purchase needed supplies or newly ordered medications from the pharmacy
 - c. Record the new orders on the medication sheet
 - d. Inform the other direct support staff by writing in the *Communication Log*
 - e. Document all pertinent information in the *Health Progress Notes*
 - f. Notify the Health Coordinator of all new orders

Verification and monitoring of effectiveness of systems to ensure safe medication handling and administration (reporting and reviewing)

- A. The Health Coordinator will be responsible for reviewing each person's medication administration record to ensure information is current and accurate. This will include a review of the medication sheets, medical referrals, medication orders, etc.
- B. At a minimum, this review will occur quarterly or more frequently if directed by the person and/or legal representative or the *Coordinated Service and Support Plan* or *CSSP Addendum*.
- C. Based upon this quarterly or more frequent review, the Health Coordinator will notify the manager, as needed, of any issues. Collaboratively, a plan must be developed and implemented to correct patterns of medication administration errors or systemic errors when identified. When needed, staff training will be included as part of this plan to correct identified errors.
- D. The following information will be reported to the legal representative and case manager as they occur or as directed by the *Coordinated Service and Support Plan* or *CSSP Addendum*:
 1. Concerns about a person's self-administration of medication or treatment.
 2. A person's refusal or failure to take or receive medication or treatment as prescribed.
 3. Any reports as required regarding:
 - a. If a dose of medication is not administered or treatment is not performed as prescribed, whether by staff error, the person's error, or by the person's refusal
 - b. Occurrence of possible adverse reactions to the medication or treatment

Medication storage and security, including Schedule II medication storage

- A. The medication storage area/container will be appropriate for the person served, which may include being locked by the person or by the company, when unattended by staff and will be kept clean, dry, and within the appropriate temperature range.
- B. Each person served will have a separate container for their internal medications and a separate container for their external medications. External standing order medications will be in a separate container from internal standing order medications.

- C. Medication will not be kept in the same area as food or chemicals (in the case of refrigerated medications, they will be kept in a locked container and separated from food).
- D. Schedule II controlled substances, names in MN Statutes, section 152.02 subdivision 3, will be stored in a locked storage area permitting access to the person served and staff authorized to administer medications.
- E. Medications will be disposed of according to the Environmental Protection Agency recommendations

Medication Destruction

- A. All Non-Controlled Substance medication will be charted and discarded by the Health Coordinator, and disposed of in the approved Sharps container bin until full which will then be mailed back per instructions on the bin.
- B. All Controlled Substance medication will be charted and discarded by the nurse consultant and disposed of in the approved Sharps container bin until full which will then be mailed back per the instructions on the bin.
- C. Medications to be destroyed will be documented with the following information;
 - 1. Name of Medication
 - 2. Initials of Individual
 - 3. Rx Number
 - 4. Quantity Destroyed
 - 5. Date Destroyed
 - 6. Reason for destruction
 - 7. Signature of person who completed destruction
- D. Medication Destruction may need to occur for the following reasons; expired medications, discontinued, medications, extra medications (due to medication errors, refusals, extra quantity provided by the pharmacy etc.) or medications which fell to floor, were spit out or dropped.
- E. If medication needs to be destroyed (for reasons listed above) Staff will place medication, left in original packaging, in the designated destruction bin. The House Manager will then bring medication into the office to be destroyed by either the Health Coordinator or Registered Nurse.

Obtaining Vital Signs

- A. Temporal Temperature
 - a. Staff should take an individual's temperature using only a temporal thermometer
 - b. Follow the directions provided with the thermometer
 - c. Hair should be moved aside, allowing the sensor to be placed on clear skin
 - d. Temperatures should be taken only after the individual has been inside for 10 minutes, to avoid changes in temperature caused by heat or cold
 - e. Record the temperature in the *Health Progress Notes* (a normal temporal temperature is 98.6 degrees-same reading for an oral temperature)
 - f. Inform the nurse consultant if the temperature is above 100 or below 97.6 degrees F
- B. Radial Pulse
 - a. Obtain a watch with a second hand or digital display of seconds
 - b. Position the individual in a lying down or sitting position
 - c. Extend the individuals wrist with palm down
 - d. Place the tips of the first 3 fingers of their hand along the radial artery (thumb, side outer edge of wrist)
 - e. Lightly compress the artery against the radius bone
 - f. When the pulse is felt at a regular rate, use the watch's second hand to count the number of beats
 - g. Count the pulse for a full 60 seconds or 15 seconds and multiply by 4 (normal pulse: 60-80 beats per minute)
 - h. Note the rhythm: regular/irregular and strength strong/weak

- i. Record the rate and characteristics for the pulse in the *Health Progress Notes*
- j. Report any abnormalities to House Manager/On-Call, Designated Manager and Health Coordinator
- C. Respirations
 - a. Obtain a watch with a second hand or digital display of seconds
 - b. Position the individual in a comfortable position
 - c. Place the individual's arm across abdomen, lower chest or place their hand directly over their upper abdomen
 - d. Watch for the chest to rise and fall (complete cycle includes one inspiration and one expiration)
 - e. Look at the second hand of the watch and count the rate for one full minute, the standard range is 16-20 breaths (in and out) per minute
 - f. Note the rhythm: regular/irregular and depth: normal/shallow
 - g. Record the rate and characteristics of the respiration in the *Health Progress Notes*
 - h. Report any abnormalities to the House Manager/On-Call, Designated Manager and Health Coordinator
- D. Blood Pressure
 - a. If blood pressure is requested by a physician staff will be trained by how to accurately retrieve and read a blood pressure
 - b. Blood pressures should be recorded on the medication sheets and notify the physician if a blood pressure

Treatment of Non-Threatening Injuries

- A. Staff and House Manager will refer to the procedure on "Emergency First Aid Treatments" for directions in treating the following injuries or events.
 1. Choking
 2. Rescue Breathing
 3. CPR
 4. Shock
 5. Bleeding
 6. Third Degree Burns
 7. Neck/Pelvis/Spine Fractures
 8. Poisoning
 9. Continual Seizures
 10. Heatstroke/Sunstroke
 11. Internal Injuries
 12. Penetrating Eye Injury
 13. Unconsciousness
 14. Near Drowning
- B. Staff and House Manager will treat the following Non-threatening injuries according to the following steps, staff must also document all medical injuries/illness in the *Health Progress Notes* as well as treatment provided, House Manager will be responsible to follow up with Designated Manager, Designated Coordinator and Health Coordinator including if the condition is or is not improving
 1. Bites-Animal/Human
 - a. Calm all persons involved
 - b. Wash the area with soap and water and clean with gauze
 - c. Notify the House Manager
 - d. If skin is broken, seek medical attention immediately
 - e. If an animal bite, contact police and request animal be confined for observation
 - f. Complete needed paperwork
 2. Blisters
 - a. Determine cause of the blister and remove it (i.e. ill-fitting shoes)
 - b. Avoid breaking blister
 - c. Wash the area with soap and water, avoid applying pressure
 - d. Cover the area with sterile gauze or band aid
 3. Bruises/Swelling

- a. Apply cold compress as soon as possible
- b. Obtain information to determine cause of injury and examine the individual for other injuries
- c. Elevate to prevent swelling
- d. If sprain or fracture or pain worsens notify House Manager
4. Burns-First Degree- A superficial burn involving only the top layer of skin which can appear red, discolored, swollen, and potential pain
 - a. Apply cold compress or immerse in cool water
 - b. Apply a moist sterile dressing and bandage loosely
 - c. Avoid ointments
5. Burns-Second Degree-A partial thickness burn involving the top layers of skin (deeper than first degree) which can appear red, mottled, or wet, it may blister and swelling will be present.
 - a. Notify the House Manager if uncertain about severity of burn or if medical attention is needed
 - b. Immerse the burned area or hold under cold running water (not ice water) until pain subsides, if immersion is not possible apply a clean cloth that has been wrung out in ice water
 - c. Apply dry sterile gauze or clean cloth as a loose protective bandage
 - d. Avoid breaking blisters, removing skin or using antiseptic preparation
 - e. Elevate if affected arms or legs
 - f. Call 911 for 2nd degree burns and notify the nurse consultant
6. Fever/Sore Throat/Cold Symptoms
 - a. Obtain the individual's temperature according to the procedure on **Obtaining Vital Signs**
 - b. Ensure individual gets adequate fluid intake and rest
 - c. Keep individual home and on activity restriction until temperature is normal for 24 hours
 - d. Administer comfort medications as indicated by the consumer's *Standing Orders for Comfort Medications*
 - e. Check temperature every 4 hours or as directed by the nurse consultant or physician
 - f. Monitor for other signs of illness
 - g. Notify the nurse consultant if any of the following occur:
 1. Temperature is over 100 degrees F or below 97.6 degrees
 2. A cough lasts more than 3 day
 3. A cough is productive (coughing up sputum or mucous)
 4. Ear ache or discharge is present
 5. Chest pain or chest congestion is present
 6. Sore throat lasts more than 3 days
 7. Chills are present
 8. A skin rash is present, especially on trunk or torso
 - h. Seek physician exam if any of the following occur:
 1. Temperature is 102 degrees F for 24 hours
 2. Symptoms last more than 7 days without improvement
 3. Pain present in sinus area of face or forehead
 4. Persistent hoarseness
 5. Shortness of breath, wheezing, or a dry painful cough
 6. A productive cough with thick green sputum or blood-tinged sputum
 - i. Ensure the individual correctly uses and disposes of tissues
 - j. Ensure the individual and staff observe good hand washing skills
 - k. Document observations, instructions, care, and responses on the *Health Progress Notes* until the problem is resolved
7. Diarrhea
 - a. Provide rest as needed
 - b. Give fluids (water, Gatorade, etc.) as tolerated to maintain adequate fluid intake, attempt every 30 minutes
 - c. Contact nurse consultant for further instruction
 - d. Administer comfort medications, including ointments or lotions per *Standing Orders for Comfort Medications* if directed to do so by the nurse consultant
 - e. Seek medical attention if symptoms persist for more that 48hrs or if blood is noted in the stool

- f. Keep individual separate from others to prevent the spread of infection
 - g. Take the individual temperature every 4 hours, if fever present follow instructions on fever
 - h. Monitor condition of the skin in perineal area and report need for intervention to nurse consultant if diarrhea persists
 - i. Instruct/assist individual as necessary in good hygiene and perineal care
 - j. Ensure the individual and staff observe good hand washing skills
 - k. Document observations, instructions, care and responses on the *Health Progress Notes* until resolved
8. Athlete's Foot
- a. Observe for cracking skin and small blisters
 - b. Wash feet daily with soap and water, rinse and dry well (especially between the toes)
 - c. Apply comfort medications as indicated by the individual's *Standing Orders for Comfort Medications*
 - d. Ensure the individual changes socks daily and wears white cotton socks
 - e. Ensure the individual does not walk around barefoot
 - f. Washes and disinfects the tub with bleach, or comparable solution, after individual use
9. Rashes
- a. Obtain information from the individual about the rash including location, duration, other associated symptoms, or precipitating factors
 - b. Examine the area of the rash and note location, color, size, and any other symptom (i.e. open areas, pustules) wearing gloves
 - c. Take the individual's temperature according to the procedure on **Obtaining Vital Signs**, if fever is present follow the direction in that section
 - d. Contact the nurse consultant
 - e. Apply comfort medications as indicated by the individual's *Standing Orders for Comfort Medications*
 - f. Seeks physician exam if condition worsens or has not improved in 7 days, if rash is accompanied by a fever, or if the individual has recently began taking new medications
 - g. Document observations, instructions, care, and responses in the *Health Progress Notes* until the problem has resolved
10. Pain Complaints
- a. Obtain a description, location, frequency, duration, intensity and any other associated symptom of pain from the individual
 - b. Examine the area to detect any physical factors or abnormalities
 - c. Contact the nurse consultant
 - d. Apply comfort medications as indicated by the individual's *Standing Orders for Comfort Medications*
 - e. Seek medical attention if condition worsens or if the individual is in obvious distress
 - f. Document observations, instructions, care and responses in the *Health Progress Notes* until the problem has resolved
11. Cuts or Scrapes
- a. Stop any bleeding with a gloved hand by applying direct pressure with a sterile gauze pad and elevate the wound if possible
 - b. After bleeding stops, gently cleanse the area thoroughly with soap and water, and rinse with cool water
 - c. Clean wound ONCE with hydrogen peroxide
 - d. Cover the area with the appropriate sterile gauze dressing or band aid to prevent contact and contamination
 - e. Cover the dressing with an ace bandage or disposable rolled bandage. If the bleeding continues repeat the previous steps.
 - f. If bleeding continues and the cut or scrape is on an arm or leg apply pressure to the artery against the bone.

- g. Notify the House Manager (who will notify Designated Manager and Health Coordinator) if embedded dirt or debris remains in the wound, if unsure about the need for stitches or if any sign of infection develops (i.e. redness, swelling, heat, pain, tenderness, pus or temperature)
12. Eye Injury-Foreign Body in the Eye
- a. Wash hands and apply gloves before examining the individual's eye
 - b. Check to see if tears may have washed out the object
 - c. Prevent the individual from rubbing the eye and forcing the object to become embedded
 - d. Notify the House Manager (who will notify Designated Manager and Health Coordinator)
 - e. Check the lower lid by placing a finger under the lower lid and rolling downward so the lid comes out
 - f. If the foreign body is visible and NOT embedded, gently remove it with the corner of a clean cloth or tissue
 - g. Grasp the upper lid by the lashes and pull forward and down over the lower lashes, then observe to see if the object has been brushed out by the lower lashes
 - h. Flush the eye with water
 - i. If the individual is uncooperative or the object cannot be located, cover the eye and seek medical attention at Urgent Care or the Emergency Department
13. Eye Injury-Blunt Eye Injury
- a. Examine the injured area and apply a cold compress as soon as possible
 - b. Seek medical attention at either Urgent Care or the Emergency Department
 - c. Secure object with an ace bandage or disposable rolled bandage
14. Ear Injuries
- a. Seek medical attention if there is drainage, pain, or if there is an object embedded
 - b. Only remove the object if it is easily seen and NOT embedded
 - c. Cover the ear with gauze pad or clean cloth to control bleeding or to prevent further injury
15. Fainting
- a. Attempt to treat the consumer before unconsciousness is lost by having the individual lie down and elevate the legs 8-10 inches ONLY if a head or back injury is NOT suspected
 - b. If individual is already unconscious, loosen any tight clothing and check for breathing and pulse
 - c. Refer to **Emergency First Aid Treatments** for rescue breathing and CPR
 - d. Observe to ensure the individual recovers quickly, if not, refer to **Emergency First Aid Treatments** for unconsciousness
 - e. Keep the individual quiet for 30 minutes
 - f. Notify the House Manager for further instructions
16. Fractures; symptoms: pain, swelling, discoloration, obvious deformity
- a. Observe both limbs to determine the amount of swelling or deformity if applicable
 - b. Refer to the **Emergency First Aid Treatments**, for directions in treating suspected neck, pelvis and spine fractures
 - c. Immobilize the area from the joint above to the joint below injured area
 - d. Transport to Urgent Care or Emergency Department for collarbone, wrist, arm, finger or foot injuries
17. Frostbite; symptoms: red skin initially, then turning to white and/or yellow patches where circulation is lacking, blistering may also be present
- a. Warm the frozen part with body heat if outdoors
 - b. If indoors, immerse the frozen part in warm (NOT HOT) water (102-105 degrees F), cover with a blanket
 - c. Avoid rubbing the area
 - d. Keep the individual warm and give him/her a warm drink
 - e. Transport the individual to Urgent Care or the Emergency Department
 - f. Notify the Health Coordinator after obtaining medical care
18. Head Injury
- a. Examine the individual and determine the extent of the injury

- b. Notify the House Manger (who will notify the Designated Manager and Health Coordinator) if no injury is suspected at the time
 - c. If an injury is suspected; call 911 and refer to **Emergency First Aid Treatments** and treat for shock or concussion
 - d. Awaken the individual every 2-4 hours for the next 24-48 hours to ensure he/she can be easily awakened
 - e. Observe the individual and obtain medical attention if ANY of the following symptoms occur post head injury;
 1. Drowsiness
 2. Increased irritability
 3. Nausea or vomiting
 4. Changes in respiration or difficulty breathing
 5. Bluish tone to the skin or nails
 6. Blurred or double vision or unequal pupils
 7. Inability to move any extremity or unsteady gait
 8. Fluid or bleeding from the ears
 9. Difficulty speaking or slurred speech
 10. Persistent headache (do NOT give sedatives or pain medication without consulting a physician)
 11. Twitching or seizures
 12. Loss of consciousness
19. Heat Exhaustion or Prostration;
- Symptoms: normal body temperature, cold and clammy skin, profuse sweating, weakness, dizziness, headache and nausea
- Cause: intake of water is inadequate to compensate for loss of body fluid through sweating
- Prevention: avoid strenuous exercise in hot humid weather, drink plenty of extra fluids and wear light clothing
- a. Ensure the symptoms do not resemble heat stroke (high body temperature, hot red/dry skin, rapid/strong pulse, grayish face color in later stages) If symptoms do resemble heat stroke or sun stroke, refer to **Emergency First Aid Treatments** for instructions.
 - b. Ensure the individual rests in a shaded or air conditioned area
 - c. Keep the individual comfortable
 - d. Give the individual a glass of water
 - e. Elevate the individual's feet if possible
 - f. Notify the House Manager (who will notify Designated Manager and Health Coordinator)
20. Hypothermia
- Symptoms: severe lowering of the core body temperature; it loses heat faster than it can be made
- Cause: exposure to cold, aggravated by wet, wind and exhaustion
- a. Take the individual to a warm area and replace any wet clothing with dry
 - b. Warm the individual by wrapping in blankets and plastic sheeting
 - c. Give the individual warm liquids to drink if conscious
 - d. Seek medical attention by either transporting to Urgent Care or the Emergency Department
21. Nose Bleeds
- a. Have the individual sit with head forward so that blood does not drain into the throat
 - b. Wearing gloves, apply pressure by pressing the nostrils together toward the middles
 - c. Apply a cold compress to the individuals face and nose
 - d. Call the Health Coordinator (who will contact the nurse consultant) if the bleeding lasts longer than 30 minutes or if it is severe
 - e. Observe for the sign of fracture (swelling, discoloration, black eyes)
22. Splinters
- a. Remove the small foreign object with tweezers (disinfected with alcohol)
 - b. Wash the area with soap and water after removal
 - c. Observe the area for any sign of infection (swelling, redness etc.)

- d. Notify the House Manager (who will notify Designated Manager or Health Coordinator) and seek medical attention at Urgent care if anything is embedded in the tissue or too difficult to remove
 - e. Notify the Health Coordinator at any sign of infection (redness, swelling, heat, pain, tenderness, pus or temperature)
23. Sprains; symptoms: pain, tenderness, swelling and discoloration
- a. Apply cold packs to lessen swelling and relieve pain
 - b. If fractures are suspected refer to **Emergency First Aid Treatments**
 - c. Contact House Manager (to call Designated Manager or Health Coordinator) to determine which of the following to provide
 - 1. Keep the area immobilized and elevated
 - 2. Give comfort medications for pain as needed according to the *Standing Orders for Comfort Medications*
 - 3. Use an ace wrap or triangular bandage for temporary support
 - 4. Limit activities until pain or swelling resolve
 - 5. Obtain a medical examination
24. Stings
- a. Call 911 immediately if the individual has a history of allergic reactions to insect bites or is subject to hay fever or asthma, administer an ANA kit, if prescribed, and call 911
 - b. If insect/stinger still imbedded take individual to the Emergency Department for removal
 - c. If insect or stinger is not imbedded:
 - 1. Apply a damp cold cloth to the area for 20 minutes or until pain subsides
 - 2. Observe for at least 2 hours and obtain immediate medical attention if one of the following is observed:
 - a. Abdominal pain, nausea or vomiting
 - b. Pale look to still (if unusual)
 - c. Cool, moist skin
 - d. Increased heart rate
 - e. Weak or no pulse
 - f. Agitation or listlessness
 - g. Hyperventilation
 - h. Lower than normal blood pressure
 - 3. Give comfort medications for pain, as needed, according to the *Standing Orders for Comfort Medications*
25. Muscle Strains; symptoms: pain and loss of motion
- a. Contact the House Manager to determine which of the following treatments should be given:
 - 1. Apply cold pack if swelling is present
 - 2. Rest, elevated and provide firm support to the area
 - 3. Give comfort medications, as needed, according to the *Standing Orders for Comfort Medications*
 - 4. Obtain medical attention if pain is severe or persistent
26. Sunburn
- a. Examine the sunburn to determine if it is a first or second degree burn
 - b. Apply a cold compress to the area and ensure the individual takes cool baths or showers
 - c. Take the individual to the Emergency Department if blister develop and call House Manager
 - d. Refer to the individual's *Standing Orders for Comfort Medications*
27. Ticks
- a. If the tick is imbedded, notify the House Manager and seek medical attention at either the Emergency Department or Urgent Care
 - b. If the tick should release itself or is not imbedded, wrap it (or what is remaining) in a moist paper towel, place it in a labeled jar with the date, individuals name, the location where the tick was found on their body and the geographical location to where it may have come from
 - c. Notify the individual's general physician that a tick was found, removed and saved. Follow physician's instructions
 - d. Wash the area with soap and water

- e. Observe the individual for 20 days after the bite and report signs of infection (redness, swelling, heat, pain, tenderness, pus or temperature) or signs of Lyme's Disease (bull's-eye rash in the bite area, flu-like chills/fever, headache, fatigue, stiff neck, swelling/pain in joints for several weeks after the bite) to the physician
- f. If tick remains imbedded take the individual to the Emergency Department or Urgent Care for removal.

Emergency First Aid Treatments

- A. Staff will implement the following First Aid procedures if the situation arises and may refer to procedure on **Obtaining Vital Signs** if the treatment is needed

1. Choking-Obstructed Airway

- a. If a choking individual can speak or is coughing forcefully, encourage them to try to cough up the object
- b. If the individual is unable to speak or cough, the airway is blocked. A staff person or bystander will call 911 while another staff will begin "back blows" or "abdominal thrusts"
 1. Lean the individual forward and give 5 back blows with the heel of your hand
 2. Stand behind the individual and wrap your arms around their waist
 3. Place the thumb side of your fist against the middle of the abdomen just above the navel
 4. Grasp your fist with other hand
 5. Give 5 quick, inward and upward thrusts
 6. Repeat until the object is coughed up or the individual is unconscious
- c. If the individual is unconscious
 1. Position the individual on their back on the floor
 2. Tilt head back and attempt to give 2 slow breaths
 3. If the air still will not go in, re-tilt the individuals head and give breaths again
 4. If the air still will not go in, start 30 chest compressions
 5. Look for an object and remove if seen by lifting jaw and tongue and using your finger to sweep out the mouth
 6. Repeat breaths, compressions and looking for the object until breaths go in

2. CPR (Cardiopulmonary Resuscitation)

- a. If an individual is not breathing and has no sign of life, staff will perform CPR

3. Shock

Definition: A condition in which the circulatory system fails to deliver blood to all parts of the body. When the body's organs do not receive blood, they fail to function properly

Causes: May be caused by loss of body fluids, severe injury, burns, heart attack, stroke and allergic reactions

Symptoms: Restlessness, irritability, altered consciousness, rapid or weak pulse, dilated pupils, skin that is pale/cool/moist/clammy, rapid breathing that is shallow or irregular

- a. Immediately call 911
- b. Control any external bleeding, open blocked airway and assist in breathing if necessary
- c. Elevate the individual's legs about 12 inches unless there is respiratory distress, a suspected head/neck/back injury or unless possible broken bones involving hips or legs (if unsure leave the individual flat.
- d. Do NOT give food or drink
- e. Help the individual maintain normal body temperature and cover him/her only if necessary to prevent chilling
- f. Monitor airway, breathing and compression and record vital signs every 5 minutes if possible until paramedics arrive

4. Bleeding

- a. Call 911 immediately and attempt to control bleeding if there profuse bleeding from a wound
- b. Cover the wound with a sterile dressing or roller bandage and apply direct pressure, apply additional dressing as needed if bleeding continues

- c. Elevate the bleeding extremity if possible
 - d. Take steps to minimize shock
5. Neck/Pelvis and Spine Fractures
 - a. Immediately call 911 and ensure the individual does not move any part of his/her body
6. Third Degree Burns; symptoms: deep tissue destruction, white or charred black appearance which may appear similar to a second degree burn, or a complete loss of all layers of skin
 - a. Do NOT transport, and call 911 immediately
 - b. Stop burning by putting out the flames or remove the individual from the source of the burn
 - c. Cool the burn by using large amounts of cool water (unless burn was caused by electricity or an explosion); avoid ice or ice water. Soaked towels, sheets or other wet clothing way be applied to an area that cannot be immersed in cool water
 - d. Avoid removing any clothing that is clinging to the burned area\
 - e. Loosely cover the burns with sterile dressing or freshly cleaned towel or linen
 - f. Elevate arms or legs if burned
 - g. Keep individual warm, quiet and laying down with feet elevated to about the level of the heart
 - h. Treat for shock
7. Poisoning
 - a. Locate the source of poisoning
 - b. Call the Poison Control Center at: 800-764-7661
 - c. Give Poison Control the following information
 1. Identification of caller
 2. Individual's name, age and medical condition
 3. Any known information about the poison and symptoms
 4. Treatment given so far
 - d. If the individual is unconscious
 1. Call 911 and assess the need for CPR; implement if necessary
 2. Treat for shock
8. Internal Injuries

Symptoms: Tender, swollen, bruised or hardened areas of the body (i.e. abdomen), rapid or weak pulse, skin that feels moist/cool and is pale/blue in color, vomiting or coughing up blood, excessive thirst, signs of confusion, faintness, drowsiness or if unconscious

 - a. Call 911
 - b. Help the Individual to rest in a comfortable position
 - c. Prevent the individual from getting chilled or overheated
 - d. Provide reassurance and comfort
 - e. Monitor and respond according to directions in this procedure regarding changes in consciousness and breathing
9. Continual Seizures/Status Epileptics for Individuals who have had a seizure before

Definition: Rapid progression (longer than 2 minutes) of generalized tonic clonic seizures without the individual regaining consciousness; a continual stopping and restarting of seizures; or an individual who remains unconscious after a seizure; comes with a grave danger of brain damage

 - a. Implement the individual's *Seizure Protocol Plan*, call 911 and do any of the following not ruled out by the *Seizure Protocol Plan*
 - b. Remove objects that could injure the individual if struck during a seizure
 - c. Cushion the individual's head using a pillow or folded clothing
 - d. If there is saliva, blood or vomit in the individual's mouth, roll the individual on to their side
 - e. Do NOT restrain the individual or put anything in their mouth
 - f. Call 911 if the seizure lasts more than 2 minutes, if the seizure stops and then starts again, or if the individual remains unconscious after the seizure stops
10. Continual Seizures/Status Epileptics for Individuals who have NOT had a seizure before

Definition: Rapid progression (longer than 2 minutes) of generalized tonic clonic seizures without the individual regaining consciousness; a continual stopping and restarting of seizures; or a individual who remains unconscious after a seizure; comes with a grave danger of brain damage

 - a. Call 911 immediately and do the following until paramedics arrive;

1. Remove objects that could injure the individual if struck during a seizure
 2. Cushion the individual's head using a pillow or folded clothing
 3. If there is saliva, blood or vomit in the individual's mouth, roll the individual on to their side
 4. Do NOT restrain the individual or put anything in their mouth
11. Heatstroke or Sunburn; symptoms: high body temperature (106-112 degrees F), hot/red/dry skin, rapid/strong pulse, may be conscious, face may appear gray in later stages
- a. Call 911
 - b. Move the individual to a cool place out of the sun
 - c. Loosen tight clothing and sponge with cool water
 - d. If possible, remove individual's clothing and place the individual in a tub of cool water until paramedics arrive
 - e. Encourage individual to drink small amounts of cool water
12. Penetrating Eye Injury
- a. Call 911 for transport
 - b. Make NO attempt at removing the object
 - c. Cover both eyes loosely with sterile or clean dressing and secure it with tape or bandage without putting pressure on the object
 - d. Keep individual calm and at rest (lying down)
13. Unconsciousness; symptoms: Unresponsive to verbal or physical prompts, appears to be in a deep sleep or he/she cannot be aroused
- a. Call 911
 - b. Open individual's airway and check for breathing
 - c. If breathing, place in recovery position, and continue to monitor airway, breathing and compressions
 - d. If not breathing, give 2 slow breaths
 - e. If breaths go in, assume that it's a cardiac related problem and begin CPR
 - f. If breaths do not go in, re-tilt head and try to give breaths again
 - g. If breaths still do not go in, give 30 compressions, check mouth for object, and give 2 more breaths if no object was found
 - h. If breaths go in and there is still no sign of life, assume it's a cardiac related issue
 - i. Give cycles of 30 chest compressions and 2 breaths until there is sign of life, EMS arrives and AED becomes available, or until you're too tired to continue
 - j. When breathing is stabilized, check for severe bleeding and treat for other injuries
14. Near Drowning
- a. Call 911
 - b. Open individual's airway and check for breathing
 - c. If breathing, place in recovery position, and continue to monitor airway, breathing and compressions
 - d. If not breathing, give 2 slow breaths
 - e. If breaths go in, assume that it's a cardiac related problem and begin CPR
 - f. If breaths do not go in, re-tilt head and try to give breaths again
 - g. If breaths still do not go in, give 30 compressions, check mouth for object, and give 2 more breaths if no object was found
 - h. If breaths go in and there is still no sign of life, assume it's a cardiac related issue
 - i. Give cycles of 30 chest compressions and 2 breaths until there is sign of life, EMS arrives and AED becomes available, or until you're too tired to continue
 - j. When breathing is stabilized, check for severe bleeding and treat for other injuries
 - k. If individual vomits, roll him/her onto their side (recovery position) unless a head/neck/back injury is suspected
 - l. Stay with individual, continue monitoring airway, breathing and compressions offer reassurance and maintain a comfortable temperature while waiting for 911 to arrive
15. Seizures

- a. Upon Admission or when a physician makes a diagnosis of epilepsy or a seizure disorder the Health Coordinator will consult with the individual's neurologist to establish a *Seizure Protocol Plan*
- b. The Health Coordinator and Designated Manager will ensure that all staff are trained on the *Seizure Protocol Plan*, seizure medications and their side effects
- c. If any of the following barbiturate anti-epileptic medications (Phenobarbital, Primidone or Mephobarbital) are prescribed, the Health Coordinator, Designated Manager along with staff will monitor for behavioral side effects, and exercise caution in the use of psychotropic medications or controlled procedures
- d. If a seizure occurs for an individual who has never had one, program staff will provide the following general seizure care;
 1. Remove objects that could injure the individual if struck during the seizure
 2. Assist the individual to a side lying position
 3. Cushion the individual's head using a pillow or folded clothing
 4. Call 911 immediately as well as notify House Manager (who will notify Designated Manager and Health Coordinator)
 5. Time the seizure
- e. If a seizure occurs for an individual who has had a seizure before staff should implement the *Seizure Protocol Plan*, after the seizure staff will:
 1. Put the individual to bed for rest
 2. Monitor the individual for further seizure activity
 3. Document the seizure by completing the *Seizure Report*
 4. If a PRN seizure medication was administered, per doctor's order, staff will also document on the PRN medication sheet and in the *Health Progress Notes*
 5. Assist the individual to the bathroom to urinate
 6. Offer comfort medications as needed for a headache

V. GENERAL AND SPECIFIC PROCEDURES ON ADMINISTRATION OF MEDICATION BY ROUTES

A. General procedures completed before administering medication by any route

1. Staff must begin by washing their hands and assembling equipment necessary for administration.
2. The person's cycle medication sheet is reviewed to determine what medications are to be administered and staff remove the medication from the storage area.
3. Staff will compare the medication sheet with the label of each medication for the following:
 - a. Right person
 - b. Right medication
 - c. Right date
 - d. Right time
 - e. Right route
 - f. Right dose
 - g. Expiration date
4. If there is an inconsistency with the above rights and the medication at the site, the medication will not be administered. Instructions will be verified by contacting the nurse, pharmacist, or prescriber.
5. Staff will compare the label with the medication sheet for the second time.
6. Immediately prior to the administration of any medication or treatment, staff will identify the person and will explain to the person what is to be done.
7. Staff will compare the label with the medication sheet for the third time before administering it, according to the specific procedures below, to the person.
8. After administration, staff will document the administration of the medication or treatment or the reason for not administering the medication or treatment.
9. Staff will contact the nurse or prescriber regarding any concerns about the medication or treatment, including side effects, effectiveness, or a pattern of the person refusing to take the medication or treatment as prescribed.
10. Adverse reactions will be immediately reported to the nurse or prescriber.

B. Additional procedures for administration of oral tablet/capsule/lozenge

1. If medications are in a bottle, staff will pour the correct number of tablets or capsules into the lid of the medication container and transfer them to a medication cup.
2. If medications are in bubble packs, staff will, beginning with the highest number, push the correct dose into a medication cup, and write the date and their initials on the card next to the dose popped out.
3. If medication is in lozenge form, staff will unwrap the lozenge and transfer it to a medication cup.
4. Staff will administer the correct dosage by instructing the person to swallow the medication. If the medication is in lozenge form, staff will instruct the person not to chew or swallow the lozenge so it is able to dissolve in their mouth.
5. If the medication is to be swallowed (tablet/capsule), staff will offer at least 4 ounces of a beverage and remain with the person until the medication is swallowed.
6. If the medication is in lozenge form, staff will stay in the vicinity until the lozenge is completely dissolved; checking periodically to ensure the lozenge has not been chewed or swallowed.

C. Additional procedures for the administration of liquid medications

1. Staff will shake the medication if it is a suspension (staff will check the label if in doubt).
2. Staff will pour the correct amount of medication, at eye level on a level surface, with the label facing up, into a plastic medication measuring cup or measuring spoon.
3. Staff will wipe around the neck of the bottle with a damp paper towel, if sticky, and replace the cap.
4. Staff will dilute or dissolve the medication if indicated on the label or medication sheet with the correct amount of fluid.
5. Staff will administer the correct dose according to the directions in an appropriate container.
6. Staff will remain with the person until the medication is swallowed.

D. Additional procedures for the administration of buccal medication

1. Buccal medications are usually given in a liquid form and administered into the cheek.
2. Staff will open the container and measure the correct dose of liquid medication into a syringe or dropper.
3. Staff will position the person on their side.
4. Staff will administer the medication by squeezing the syringe or dropper into the person's cheek, with gloved hands, avoiding going between the teeth.
5. Staff will remain with the person to ensure that the medication has been absorbed into the cheek and that they have not drank any liquids.

E. Additional procedures for the administration of inhaled medications

1. If more than 1 inhaled medication is to be given, staff will state which one is administered first.
2. Staff will position the person sitting, if possible.
3. Staff will gently shake the spray container (Diskus style inhalers do not require shaking).
4. Staff will assemble the inhaler properly, if required, and remove the cover (Diskus style: staff will slide lever to open inhaler, then cock internal lever to insert dose into mouthpiece).
5. Staff will instruct the person to exhale through their mouth completely.
6. Staff will place the mouthpiece into the person's open mouth and instruct the person to close their lips around the mouthpiece.
7. Staff will press down the canister once, while instructing the person to inhale deeply and slowly through the mouth (Diskus style: staff will instruct the person to inhale the powdered medication).
8. Staff will wait 1 minute and repeat steps 5-7, if more than one puff is ordered.
9. Staff will instruct the person to rinse their mouth with water if directed.
10. Staff will return the medication to the locked area.
11. Staff will wash the inhaler mouthpiece daily with soap and warm water and dry it with a clean paper towel (Diskus style: staff will wipe the mouthpiece with a clean dry cloth).

F. Additional procedures for the administration of nasal spray medications

1. Staff will ask the person to blow their nose or will gently wipe the nose with gloved hands.
2. Staff will gently shake the spray container.

3. Staff will ask the person to tilt their head slightly forward.
4. Staff will remove the cap from the nozzle and will insert the nozzle into one nostril, aiming away from the septum (middle of the nostril).
5. Holding the other nostril closed, staff will instruct the person to inhale and squeeze once to spray.
6. Staff will repeat steps 4 and 5 to deliver the correct dosage to the other nostril.
7. Staff will rinse the nozzle with warm water, dry it with a clean paper towel, and replace the cap.

G. Additional procedures for the administration of eye medications

1. Staff will open the medication container.
2. Staff will position the person in a sitting or lying down position.
3. Staff will observe the eye(s) for any unusual conditions which should be reported to the nurse or prescriber prior to administration.
4. Staff will cleanse the eye (unless otherwise noted) with a clean tissue, gently wiping from the inner corner outward once (if medication is used in both eyes, staff will use a separate tissue for each eye).
5. Staff will assist or ask the person to tilt their head back and look up.
6. With gloved hands, staff will pull correct lower eyelid down to form a 'pocket' or ask the person to pull down their lower eyelid and will administer the correct dose (number of drops/strand for ointments) into the correct eye(s).
7. If different eye medications are prescribed, staff will five (5) minutes before administering the second medication.
8. Staff will avoid touching the tip of the dropper or tube to the person's eyelid or any other object or surface and replace the cap.
9. Staff will offer the person a tissue for each eye or blot the person's eye with separate tissues.

H. Additional procedures for the administration of ear drop medication

1. Staff will have the person sit or lie down with the affected ear up.
2. If sitting, staff will have the person tilt head sideways until the ear is as horizontal as possible.
3. If lying down, staff will have the person turn their head.
4. Staff will observe ears and notify the nurse or prescriber of any unusual condition prior to administration of the medication.
5. Staff will administer the correct number of drops, which are at room temperature, into the correct ear by pulling the ear gently backward and upward. For children, under 3 years of age, staff will pull the ear gently back and down.
6. Staff will have the person remain in the required position for one (1) to two (2) minutes.
7. Staff will have the person hold their head upright while holding a tissue against the ear to soak up any excess medication that may drain.
8. Staff will repeat the procedure for the other ear if necessary.
9. Staff will replace the cap on the container and will avoid touching the tip of the dropper to the person's ear or any other surface.

I. Additional procedures for the administration of topical medications

1. Staff will position the person as necessary for administration of the medication.
2. Staff will, prior to administering the medication, observe for any unusual conditions of the affected area of the body which should be reported to the nurse or prescriber.
3. Staff will wash and dry the affected area unless otherwise indicated.
4. Staff will administer medication to the correct area, according to directions, with the appropriate applicator or with gloved hands.
5. If the topical is in powder form, staff will instruct the person to avoid breathing particles in the air that may result from the application.
6. If the topical is a transdermal patch, staff needs to be aware of the appropriate side location to place the transdermal patch
7. If the topical is a transdermal patch, staff will remove the old patch and select a new patch site (new patch should be applied to clean dry skin which is free of hair, cuts, sores, or irritation on upper torso unless otherwise directed).

8. If the topical is a transdermal patch, staff will unwrap the new patch, sign and date the patch, remove the backing, and apply it to the new patch site. Noting location on medication sheet and in the *Health Progress Notes*.
 9. Monitor if skin is irritated from transdermal patch, document in the Health Progress Notes and notify the nurse consultant
 10. Staff will replace the cap on the container, if needed, avoiding contact with any other surfaces.
- J. Staff will throw away all disposable supplies and place all medications in the locked medication storage area/container prior to leaving the area.
- K. Staff will wash their hands.

This policy and procedure was established in consultation with and approved by:

Name: Cindy Winters

Title: Registered Nurse

Company: STAR Services

Date of consultation and final approval: July 10, 2013

Policies and procedures on Safe Medication Assistance and Administration were reviewed and approved by:

Name: Rebecca Reinhold

Title: Registered Nurse

Company: Creative Care Resources

Date of final approval: August 7th, 2015

POLICY ON PERSON-CENTERED PLANNING AND SERVICE DELIVERY

V. PURPOSE

The purpose of this policy is to ensure services and supports adhere to the principles covered within the domains of a meaningful life: community membership; health, wellness; safety; one's own place to live; important long term relationships; control over supports; and employment earnings, and stable income. Services and supports address these domains to the extent the person wants and address them in a manner that promotes self-determination, acting on preferences, respecting and understanding cultural background, skill development, and a balance between risk and opportunity.

VI. POLICY

This planning process, and the resulting person-centered services, will direct the support team in how to guide the individual in achieving personally defined outcomes in the most integrated community setting, ensure delivery of services in a manner that reflects personal preferences, talents, choices, and contribute to ensuring health and welfare.

Services are provided in a manner that supports the person's preferences, daily needs, and activities and accomplishment of the person's personal goals and services outcomes, consistent with the principles of:

A. Person-centered service planning and delivery which:

1. Identifies and supports what is important to and the person as well as what is important for the person, including preferences for when, how, and by whom direct support services is provided;
2. Uses that information to identify outcomes the person desires; and
3. Respects each person's history, dignity, and cultural background.

B. Self-determination which supports and provides:

1. Opportunities for the development and exercise of functional and age-appropriate skills, decision making and choice, personal advocacy, and communication; and
2. The affirmation and protection of each person's civil and legal rights.

C. Providing the most integrated setting and inclusive services delivery which supports, promotes, and allows:

1. Inclusion and participation in the person's community as desired by the person in a manner that enables the person to interact with nondisabled persons to the fullest extent possible and supports the person in developing and maintain a role as a valued community member;
2. Opportunities for self-sufficiency as well as developing and maintain social relationships and natural supports; and
3. A balance between risk and opportunity, meaning the least restrictive supports or interventions necessary are provided in the most integrated settings in the most inclusive manner possible to support the person to engage in activities of the person's own choosing that may otherwise present a risk to the person's health, safety, or rights.