

Nova Home Care Co.

Incident Management & Reporting 5160-44-05

An incident is an alleged, suspected, or actual event that is not consistent with routine care of and/or delivery to an individual.

Incidents include, but are not limited to, all the following:

Critical incidents.

(1) **Abuse:** the injury, confinement, control, intimidation, or punishment of an individual, including self-abuse, that has resulted in physical harm, pain, fear, or mental anguish. Abuse includes, but is not limited to:

(a) Physical, emotional, verbal and/or sexual abuse, the use of unauthorized restraint, seclusion, or restrictive intervention; or

(b) The use of authorized restraint, seclusion, or restrictive intervention that results in, or could reasonably be expected to result in, physical harm, pain, fear, or mental anguish to the individual.

(2) **Neglect:** when there is a duty to do so, failing to provide an individual with any treatment, care, goods, or services necessary to maintain the health or welfare of the individual, including self-neglect.

(3) **Exploitation:** the unlawful or improper act of using an individual or an individual's resources for monetary or personal benefit, profit, or gain.

(4) **Misappropriation:** depriving, defrauding, or otherwise obtaining the money, real or personal property (including prescribed medication) of an individual by any means prohibited by law.

(5) **Unexplained death:** an unnatural or accidental death, that could not reasonably have been expected, and the circumstances or the cause of death are not related to any known medical condition of the individual, including inadequate oversight of prescribed medication or misuse of prescribed medication.

(6) **The health and welfare** of the individual is at risk due to any of the following:

(a) **Activities involving law enforcement** intervention;

(b) **The individual's health and welfare** is in immediate and serious jeopardy;

(c) **An unexpected** crisis in the individual's family or environment resulting in an inability to ensure the individual's health and welfare in his or her residence;

(d) The individual cannot be located;

(e) **Unauthorized** use of restraint, seclusion and/or restrictive intervention that does not result in, or cannot be reasonably be expected to result in, injury to the individual.

(7) **Any of the following prescribed medication issues:**

(a) Provider error;

(b) Individual's misuse resulting in emergency medical services (EMS) response, emergency room visit, or hospitalization; or

(c) Individual's repeated refusal to take a prescribed medication resulting in EMS response, emergency room visit, or hospitalization.

Reportable incidents.

The following reportable incidents shall be addressed as determined appropriate by the care management entity or recovery management entity:

(1) Death other than unexplained death as described in paragraph (E)(5) of this rule;

(2) Individual or family behavior, action, or inaction resulting in the creation of, or adjustment to, a health and safety action plan;

- (3) The health and welfare of the individual is at risk due to the loss of an individual's caregiver;
- (4) Any of the following prescribed medication issues:
 - (a) Individual's misuse not resulting in EMS response, emergency room visit or hospitalization; or
 - (b) Individual's repeated refusal to take prescribed medications not resulting in EMS response, emergency room visit, or hospitalization;
- (5) Hospitalization that results in an adjustment to the person-centered services plan; or
- (6) Eviction from place of residence.

Inappropriate service delivery including, but not limited to:

- Violations of the conditions of participation
- Services provided to an individual that are beyond your scope of practice
- Services delivered to the individual without, or not in accordance with the physician's orders
- Medication administration errors

For clients whose services are authorized by the Ohio Department of Medicaid (ODM) administered waiver programs:

To the extent not otherwise required by rule 5160-44-05 of the Administrative Code, Nova Home Care Co. must notify ODM or its designee within twenty-four hours when the provider is aware of issues that may affect the individual and/or provider's ability to render services as directed in the individual's person-centered services plan, including when:

- (a) The individual consistently declines services;
- (b) The individual plans to or has moved to another residential address;
- (c) There are changes in the physical, mental and/or emotional status of the individual;
- (d) There are changes in the individual's environmental conditions;
- (e) The individual's caregiver status has changed;
- (f) The individual no longer requires medically necessary services as defined in rule 5160-1-01 of the Administrative Code;
- (g) The individual's actions toward the provider are threatening or the provider feels unsafe or threatened in the individual's environment;
- (h) The individual is consistently noncompliant with physician orders, or is noncompliant with physician orders in a manner that may jeopardize his or her health and welfare;
- (i) The individual's requests conflict with his or her person-centered services plan and/or may jeopardize his or her health and welfare; or
- (j) Any other situation that affects the individual's health and welfare.

For clients whose services are authorized by the Ohio Department of Aging (ODA)-administered programs:

- (a) As applicable, the provider shall report any reasonable cause to believe an individual suffered abuse, neglect, or exploitation to the local adult protective services program, as required by section 5101.63 of the Revised Code. The provider shall also notify ODA or its designee within one business day after becoming aware of the reasonable cause.

(b) Incidents: The provider shall notify ODA or its designee of an incident no later than one business day after the provider is aware of the incident.

(c) Significant changes: The provider shall notify ODA or its designee no later than one business day after the provider is aware of any significant change that may affect the individual's service needs, including one or more of the following:

I. The provider does not provide an authorized service at the time, or for the period of time, authorized by ODA's designee;

II. The individual moves to another address;

III. The individual's repeated refusal of services;

IV. There is a significant change in the individual's physical, mental, or emotional status; environment; or safety.

(d) Contact information: The provider shall notify ODA or its designee of any change in the provider's telephone number, mailing address, or email address.

(e) Last day of service: Unless the provider is an assisted living provider, the provider shall notify the individual and ODA's designee in writing at least thirty days before the last day the provider provides services to the individual, unless one or more of the following occurs:

I. The individual has been hospitalized, placed in a long-term care facility, or is deceased;

II. The health or safety of the individual or provider is at serious, imminent risk;

III. The individual chooses to no longer receive services from the provider.

For the Elderly Services Programs, Nova Home Care Co. shall notify Care Managers immediately upon confirmation when a client is no longer eligible for services. The Supervisor shall contact the client's assigned Care Manager of the client's ineligibility as it is listed in the following Home Care Assistance Service Specifications Eligibility Criteria.

Home Care Assistance (HCA) Eligibility Criteria:

Clients who are enrolled in the Elderly Services Programs (ESP) and meet the following criteria:

I. Functional and/or cognitive impairments restricting his/her ability to perform specific tasks related to daily living activities.

II. Tasks that are needed are not provided under another service such as Independent Living Assistance (ILA).

Nova Home Care Co. shall provide notification to the Care Managers within 24 hours for the Elderly Services Program, and no later than one business day for the PASSPORT Program of the following:

1. When services ordered are not furnished, or, for the period of time authorized/ordered by the Care Manager's Service,

And/or

2. After the agency is aware of any significant changes that may affect a consumer's service needs including, but not limited to:

- a) change in client status such as the need for skilled services (RN/Therapies/skilled personal care);
- b) change in client's physical status such as functional ability;
- c) change in client's emotional status such as depression;
- d) change in client's mental status such as confusion, Or mental deterioration;
- e) change in a client's location (moving to another residency, or moving in with a family member);
- f) client's admission to an institution (hospitalization or nursing home);
- g) change in a client's behavior such as disruptive behaviors, OR repeated refusal of services;
- h) changes in the environmental conditions or other health and safety issues (Bedbug infestation).

Action on the part of the individual that place health & welfare of the individual at risk including, but not limited to:

- The individual cannot be located
- Activities that involve law enforcement
- Misuse of medications; and the use of illegal substances

Incident Reporting Responsibilities

When you learn of a critical or reportable incident

- You must take **immediate action** to assure the health & welfare of the individual including, but not limited to seeking or providing medical attention

- **CALL 911**

- You must notify the appropriate authority depending upon the nature of the incident.

Examples include, but are not limited to the following:

- Law enforcement
- Adult / children's protective agencies
- Call to the office **immediately** at 513-655-5022.

At a minimum, all incident reports shall include the following information when available:

- (a) The facts relevant to the incident, such as a description of what happened;
- (b) The incident type;
- (c) The date of the incident;
- (d) The location of the incident;
- (e) The names and contact information of all persons involved;
- (f) Any actions taken to ensure the health and welfare of the individual.