ICFIID Provider Compliance Review Tool Personnel

| **Question #** | **Question** | **Guidance/Additional Information** |
| --- | --- | --- |
| 2.001 | Does the facility have an Administrator directly involved in the day to day operations and the oversight of service provision?  5123:2-3-01 | * Verify through interview the frequency of administrator presence in the facility. * Verify through interview and documentation the process by which the administrator is overseeing provision of services. |
| 2.002 | Did the Administrator have initial training in facility roles and responsibilities, including   * Person Centered Planning * Community Participation and Integration * Self-determination * Self-advocacy * Individual Rights * MUI, including review of health and welfare alerts * Fiscal Administration * Internal Compliance   5123:2-3-01 | * Within 60 days of hire for Administrators hired on or after 10/1/16. |
| 2.003 | Did the Administrator have annual training in facility roles and responsibilities, including   * Person Centered Planning * Community Participation and Integration * Self-determination * Self-advocacy * Individual Rights * MUI, including review of health and welfare alerts   5123:2-3-01 | * For administrators hired prior to 10/1/16, first annual training must occur by 9/30/17. |
| 2.004 | Did the ICF/IID complete the following initial database checks for applicants for direct service positions prior to employment?   * Inspector General’s Exclusion List * Sex Offender and Child Victim Offenders Database * U.S. General Services Administration System for Award Management Database * Database of Incarcerated and Supervised Offenders * Abuser Registry * Nurse Aide Registry * Ohio Dept of Medicaid Exclusion and Suspension List   5123-2-02; 5123:2-3-01 | * **Prior to employment means on or before the date the employee is in paid status** * Mark as non-compliant if initial checks were:   + not completed at all   + completed late * For ICF/IIDs, this is not required for staff hired prior to January 1, 2013 until December 31, 2014. * Ohio Dept of Medicaid Exclusion & Suspension list required for those hired after 7/1/19 * The Nurse Aide Registry and Database of Incarcerated/ Supervised Offenders may not be automatically disqualifying   + Persons on the other 5 databases cannot be employed to provide direct services * Database checks must be run ONLY using Name/Date of Birth/SSN information |
| 2.005 | Did the ICF/IID complete the following database checks every five years for employees?   * Inspector General’s Exclusion List * Sex Offender and Child Victim Offenders Database * U.S. General Services Administration System for Award Management Database * Database of Incarcerated and Supervised Offenders * Abuser Registry * Nurse Aide Registry * Ohio Dept of Medicaid Exclusion and Suspension List   5123-2-02; 5123:2-3-01 | * Mark as non-compliant if 5-year checks were: * not completed at all * completed late * If employees are verified as enrolled in ARCS, the 5-year recheck is not required. * Database checks must be run ONLY using Name/Date of Birth/SSN information * 5-year checks must be run within 5 years from the date of the previous check, not 5 calendar years |
| 2.006 | Did the ICF/IID request that the Bureau of Criminal Identification conduct a criminal record check (BCII/FBI) prior to employing an applicant for a direct service position?  5123-2-02; 5160-45-07; 5123:2-3-01; ORC109.572 | * **Prior to employment means on or before the date the employee is in paid status** * **Those with an “In lieu of” conviction prior to 7/1/19 are grandfathered and able to work** * **Those with an “active” in lieu of conviction for a disqualifying offense hired after 7/1/19 cannot provide direct services** * Mark as non-compliant if initial checks were: * not completed at all * completed using the incorrect reason code/title * completed late * Reports from BCII/FBI are valid for one year * Reference BCII Reason Code document for a list of acceptable reason codes. * If the applicant has not been an Ohio resident for the 5 years previous to hire, the agency shall request that the BCII additionally obtain information from the FBI as part of the criminal records check. |
| 2.007 | Did the ICF/IID request the BCII/FBI check every 5 years for direct service employees who?   * are not enrolled in Rapback * require FBI check     5123-2-02; 5160-45-07; 5123:2-3-01; ORC109.572 | * **Those with an “In lieu of” conviction prior to 7/1/19 are grandfathered and able to work** * **Those with an “active” in lieu of conviction for a disqualifying offense hired after 7/1/19 cannot provide direct services** * Mark as non-compliant if the 5-year checks were:   + not completed at all   + completed using the incorrect reason code/title   + completed late * 5-year checks must be run 5 years after the date of initial check, not 5 calendar years. * Reference BCII Reason Code document for a list of acceptable reason codes * Rapback does NOT include the FBI check * FBI check required if employee has not been an Ohio resident for the 5 previous years |
| 2.008 | Are staff in direct service positions enrolled in Rapback?  5123:2-2-01, 5123:2-3-01; 5123-2-02 | * If an employee is not able to get a BCII check via fingerprints they cannot be enrolled in Rapback, and the provider agency must continue to complete the 5-year BCII/FBI separately. * Staff hired prior to October 1, 2016 must be enrolled in Rapback at the point of their next five-year BCII. * Employees are to be enrolled within 14 calendar days of receiving the criminal records check or within 14 calendar days of hire; whichever is later. |
| 2.009 | Did the ICF/IID ensure that staff did not provide direct services for more than 60 days after employment without the results of the BCII/FBI records checks?  5123-2-02; 5160-45-07 | * Employees cannot provide direct services after 60 days |
| 2.010 | Did the ICF/IID ensure that direct services are only provided by employees who do not have a disqualifying offense and who are not included on any of the databases identified in rule?  5123-2-02; 5160-45-07; 5123:2-3-01 | * **Those with an “In lieu of” conviction prior to 7/1/19 are grandfathered and able to work** * **Those with an “active” in lieu of conviction for a disqualifying offense hired after 7/1/19 cannot provide direct services** * Exclusionary periods do not start until employee is fully discharged from imprisonment, probation, and parole. * Multiple disqualifying convictions have longer exclusionary periods. Refer to 5123-2-02 E(2) for info * Only issue citation if a direct support staff with a disqualifying offense or on a registry is currently employed and working with individuals. |
| 2.011 | Did the ICF/IID staff, prior to employment, sign a statement:  1. attesting that the staff person will notify the ICF/IID within 14 days if charged with, is convicted of, pleads guilty to, or is found eligible for intervention in lieu of conviction for a disqualifying offense and  2. attesting that the staff person has not been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for a disqualifying offense  5123-2-02; 5160-45-07; 5123:2-3-01 | * Sample attestation form is available on DODD’s website under Forms * Attestation statements not required to include in lieu of convictions for those hired prior to 7/1/19 |
| 2.012 | Did the ICF/IID verify that the staff person has a high school diploma, GED or a rule waiver from the department?  5123:2-2-01; 5123:2-3-01 | * Review with ICF/IID their system to verify a high school diploma or GED. * Staff enrolled in college are considered to meet this requirement. * Direct care staff hired prior to 10/1/16 are exempt from the requirement * Direct care staff hired after 10/1/16 must have at time of hire |
| 2.013 | Does ICF/IID staff have:   * Current CPR certification and * Current first aid certification?   5123:2-2-01; 5123:2-3-01 | * Required for all staff who work in the ICF/IID, including nurses   + Licensed nurses are not required to have first aid certification. * Must be obtained within 60 calendar days of hire and must work with another staff with CPR/First Aid until then * Look at proof that if training is taken online, there is verification of hands-on return demonstration. * ICF/IID with 24-hour nursing may request a rule waiver of CPR requirement. |
| 2.014 | If the provider/staff person is responsible for the following, do they have the appropriate certification for:   * Oral or topical medications (Category 1) * Health related activities (Category 1) * G-tube/J-tube (Category 2) * Insulin injections (Category 3)Family delegation is not permitted for agency providers.   5123:2-6-03; 5123:2-3-01; 5123-2-3-04 | * **Certification must be verified using MAIS.** |
| 2.015 | Does the direct care staff without med admin certification have training to perform the following tasks/use the following devices:   * Vagus nerve stimulator * Epinephrine auto-injector * Administration of topical over-the counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces.   5123:2-6-05 | * The tasks can be performed by trained staff that do not have medication administration certification. * Staff must complete training prior to using the device or administering the topical OTC medication * Training must be provided by the licensed nurse or DD personnel with health-related activities and prescribed medication administration certification * Training must be the department approved curriculum * Training must include individual specific information |
| 2.016 | For ICF/IID staff members who are responsible for transporting individuals, did the ICF/IID ensure that a driver’s abstract was completed prior to transporting individuals? 5123-2-02; 5123:2-3-1 | * Abstract is required for all staff who transport individuals, even if transportation service is not billed * Unofficial abstract from BMV is acceptable * Driver is ineligible to drive if they have six points or more on their abstract * Abstract should come from the state where the employee lives * Required to be completed no more than 14 days prior to initial transportation of individuals |
| 2.017 | Did the ICF/IID ensure that only staff with 5 or fewer points on their driver's abstract transport individuals?  5123-2-02; 5123:2-3-01 | * This includes driving individuals even when transportation is not billed. * Staff with 6 or more points cannot transport persons receiving waiver services. |
| 2.018 | Did the staff person receive initial training prior to providing services that included:  (i) Overview of serving individuals with developmental disabilities including implementation of ISP  (ii) The role and responsibilities of direct services staff with regard to services including person-centered planning, community integration, self-determination, and self-advocacy;  (iii) Universal precautions  (iv) Initial rights training  (v) Initial MUI training including the health and welfare alerts issued by the department.  5123:2-3-01 | * Effective 10/1/15 for new hires |
| 2.019 | Prior to providing services to an individual, did the direct care staff person receive training specific to each individual he/she supports that includes:  (i) on what is important to and important for the individual  (ii) the individual's support needs including, as applicable, behavioral support strategy, management of the individual’s funds, and medication administration/delegated nursing  5123:2-2-01; 5123:2-3-01 | Look for this requirement to be met when:   * There is a new staff person * Prior to working with new individuals * When there is a significant change in support needs |
| 2.020 | Did the supervisory staff for direct services positions complete the following training within 90 days of becoming a supervisor? Service documentation; billing for services, management of individuals' funds  5123:2-2-01; 5123:2-3-01 | * New supervisory staff hired after 10/1/16 |
| 2.021 | Did all ICF/IID staff have initial training on actions to take in the event of a fire or other emergencies?  5123:2-3-01 | * Must be completed within 30 days * Staff who have not completed this training cannot work alone. * Training must specifically cover actions to take in the event of a fire or tornado. |
| 2.022 | Did all ICF/IID staff have annual training on actions to take in the event of a fire or other emergencies?  5123:2-3-01 | * Training must specifically cover actions to take in the event of a fire or tornado. * Once during each calendar year * Not required to be within 365 days |
| 2.023 | Did the ICF/IID staff have annual training on the following:   * MUI/UI requirements and health and welfare alerts from the previous year * Rights of Individuals with DD * Person-centered planning, community integration, self-determination, and self-advocacy   5123:17-02; 5123:2-2-01; 5123:2-3-01 | * Once during each calendar year * Not required to be within 365 days * Required for CEO and/or Administrators annually * Agency board members must have training on MUI reporting requirements |
| 2.024 | Did the ICF/IID staff have annual notification explaining conduct for which a DD employee may be included on the Abuser Registry?  5123:17-02. 5123:2-3-01 | * Annual Abuser Registry Notice can be found on DODD’s website under Health & Welfare/Tool Kit/Abuser Registry * A staff signature is not required. * ICF/IID must have a process to implement. * Required once annually during calendar year, not every 365 days. |